



CDSS

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March 5, 2009

ALL COUNTY LETTER NO. 09-07

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL COUNTY CHILD CARE COORDINATORS
ALL REFUGEE COORDINATORS

SUBJECT: CALIFORNIA'S TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
(TANF) WORK VERIFICATION PLAN (WVP) EFFECTIVE
OCTOBER 1, 2008

REFERENCES: All County Letters (ACL) 07-03, 07-05, 08-07, 08-08, and 08-55; Code
of Federal Regulations 45 Parts 260-263 and 265

This letter provides a review of key federal changes made to the TANF program since the release of ACL 07-03 and the revisions made to California's approved WVP transmitted in ACL 08-07 in order to comply with the TANF final rule that became effective October 1, 2008. California's revised WVP was approved by the U.S. Department of Health and Human Services Administration for Children and Families (ACF) and became effective on October 1, 2008.

CDSS has been working continuously with stakeholders to develop the general guidance and specific areas of clarification presented in this ACL and hoped to have the ACL completed closer to the effective date of the approved WVP. In the interim, the approved WVP was distributed via e-mail to TANF stakeholders, which include the County Welfare Directors Association (CWDA) and various county representatives. The approved WVP was shared with counties at various meetings, such as the CWDA CalWORKs Policy Committee, the County Advisory Team, and at the 2008 CalWORKs Partnerships Summit; and the WVP was also made available on line through the California Department of Social Services (CDSS) website.

This letter describes only what is required to count participation toward California's federal work participation rate (WPR) requirements. The WVP does not alter the

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

California Work Opportunity and Responsibility to Kids (CalWORKs) program. As required by CalWORKs regulations, activities in a participant's welfare-to-work plan must be based on the participant's assessment and be tailored to move the participant into employment and toward self-sufficiency, regardless of whether the activities are federally countable.

Attached to this letter is a series of answers to questions that the California Department of Social Services (CDSS) has received regarding the WVP. The answers were written to be compliant with the October 1, 2008, effective date of the revised WVP.

CDSS collaborated with stakeholders to revise the WVP based on the TANF final rule and to develop this ACL. The revised WVP provides the following:

- Amended the definition of a work-eligible individual.
- Updated the definitions of federally-countable work activities.
- Restructured the procedures for documentation and verification of work activities.
- Converted the time limits for excused absences and job search and job readiness activities.

The revised WVP includes updated internal controls that the state and counties will use to ensure compliance with the plan. The revised WVP is attached and is also available on line through the CDSS Welfare to Work Division website at:

<http://www.cdss.ca.gov/cdssweb/PG138.htm>.

The WVP documentation and verification provisions apply to all cases. We strongly encourage counties to work with their local partners to establish procedures for obtaining information necessary to meet the WVP documentation and verification requirements to maximize countable hours in the WPR.

Background

The Deficit Reduction Act of 2005 required ACF to issue an interim final rule that defined federally-countable activities and established documentation and verification requirements for activities that a state may count toward the TANF program WPR requirements.

The TANF interim final rule was issued on June 29, 2006, and required states to submit a WVP that addressed each state's definitions of federally-countable work activities, procedures for verification of participation hours, definition of a work-eligible individual, and a description of internal controls to ensure compliance with the procedures established in the WVP. States are required to update their WVP when changes in the TANF program occur.

The state will be held accountable for complying with the WVP through federal audits and other means. A penalty for failing to comply with the WVP begins at one percent of a state's TANF Block Grant for the first year of noncompliance with the approved WVP and increases by one percent for each subsequent year of noncompliance up to five percent (up to \$153 million annually based on the current TANF Block Grant). The penalty for noncompliance with the WVP is in addition to any other penalties associated with not meeting the WPR.

The TANF final rule was published on February 5, 2008, and became effective October 1, 2008. California revised its WVP to integrate changes in the TANF final rule. Below is a summary of the TANF final rule provisions and the subsequent WVP amendments.

The following information is strictly for federal data reporting purposes and does not address CalWORKs rules or change the CalWORKs program. Please review the questions and answers attachment or contact CDSS at one of the numbers listed at the end of this letter if you need any assistance on the CalWORKs rules that relate to the following federal provisions.

Work-Eligible Individuals

As described in ACL 08-07, ACL 08-08, ACL 08-55, and the WVP, "work-eligible individual" is the term that defines who is counted in the federal work participation rate. This definition encompasses the majority of CalWORKs recipients, but excludes certain individuals. The TANF final rule changed the definition of who is work eligible. As a result, the WVP was amended and technical revisions were made to update who is excluded from the definition of a "work-eligible individual" as follows:

- Allows a parent providing care for a disabled family member living in the home to not be work-eligible, regardless of whether the disabled family member is attending school. The provision that the disabled family member must attend school on a full-time basis was removed.
- Removed the provision allowing a minor parent who is the spouse of the head-of-household to not be considered work-eligible. In other words, minor parents who are married to the head-of-household are work-eligible as of October 1, 2008.
- Replaced the term "alien" with "non-citizen."
- Added that the work-eligible status of Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI) applicants can be retroactively changed to not work-eligible to the date SSI or SSDI benefits are approved by the Social Security Administration. The retroactive provision is limited to the federal fiscal year in which the benefits are approved.

Supervision and Verification of Participation

The TANF final rule allows states to count up to one hour of unsupervised homework time for each hour of class time with some limitations as discussed below; clarifies that participation in distance learning (on-line courses) can be counted, subject to the same documentation rules as on-site classes; and clarifies that “supervision” does not necessarily mean in-person contact.

These changes provide flexibility in documentation and verification of participation and allow the state and counties to count some hours of participation that would have been excluded due to the provisions in the interim final rule.

In summary, the WVP was revised to:

- Update and expand the definition of the term “daily supervision” so that a responsible party has daily responsibility for oversight of the individual’s participation without making in-person daily contact. Daily supervision can be achieved by telephone or electronic methods, as appropriate, and at the same level as other employees, students, or trainees of the organization.
- Clarify that distance learning is included in the definitions of all of the educational activities.
- Add language to the definition of educational activities so that up to one hour of unsupervised homework time may be counted as participation for each hour of class time on the condition that a statement from the educational program indicating the amount of homework required is included in the case file and that total homework time counted for participation will not exceed the hours required or advised by the educational program. Note: For all homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. Documentation needed to support all the reported hours of participation in homework time is maintained in the casefile.

Excused Absences

As a reminder, the excused absence policy only applies to unpaid activities. In the circumstance where a participant in a paid activity is paid for the hours of an absence from that activity (such as a paid holiday or paid vacation), the actual paid hours are countable as participation.

The TANF final rule converted the excused absence policy to allow the counting of absences on an hourly basis. Under this provision, up to 80 hours of excused absences may be counted (in addition to ten holidays) in the preceding 12-month period, of which no more than 16 hours can occur in a month. Previously, any hour excused during a day counted as a full day against the excused absence limit.

This change more closely mirrors a “work environment” and allows the state and counties to count significantly more hours of participation toward the WPR when a recipient is attending job interviews, counseling, medical appointments, or has other brief excused absences (less than one day) from his or her activity.

In summary, the WVP was revised to convert the excused absence limits from days to hours and clarify that in order for an excused absence to count as participation, the individual must have been scheduled to participate in a countable activity for the reported period of the absence. Please note that excused absences must be documented in the case file and verified.

Job Search and Job Readiness

The TANF final rule maintained the statutory provision that limits the counting of job search and job readiness assistance (JS/JRA) to six weeks per year—no more than four weeks consecutively—but converted the six-week limit to a set number of hours. The final rule defined a week toward the six-week limit as 20 hours for a single custodial parent with a child under six and 30 hours for all others, or a total of 120 hours and 180 hours, respectively.

The preceding 12-month period

The TANF final rule also clarified that the four- and six-week-per-year limits apply to the preceding 12-month period as opposed to the federal fiscal year. The preceding 12-month period is the current month for which the state is reporting data and the 11 previous months. Since this provision is effective on October 1, 2008, on that date the “slate is wiped clean” and the time limits on JS/JRA start over.

Conversion of six-week limit to hours

For the federal time limit of no more than four consecutive weeks per year in JS/JRA activities, ACF retained the interim final rule definition of a week as seven consecutive days. Under this definition of a week, any participation during a week that is counted toward the WPR triggers the start of one of the four weeks. Whether the actual participation counted toward the WPR is one hour or 30 hours during the week, one full week would be counted toward the four-consecutive-week time limit.

The four-consecutive-week and six-week time limits operate differently. The four-consecutive-week limit operates as stated above, where reporting any hours in a week uses a week of participation. The six-week limit is converted to hours based on a participant’s federal hours per week work requirement—120 for single custodial parents with a child under six or 180 for all others—and operates like an accrual system. Each time a participant reaches 20 hours (for single custodial parents with a child under six) or 30 hours (all others), a week toward that participant’s six-week limit is used up regardless of how many calendar weeks that participation occurred in.

For two-parent families, the four-consecutive-week and six-week time limits apply to each individual separately. For each work-eligible individual in a two-parent family, the six-week limit is converted based on the 30 core hours per week work requirement. Therefore, 180 hours of participation in JS/JRA may be counted for each work-eligible individual in a two-parent family in any 12-month period. The time limit for each work-eligible individual in a two-parent family accrues separately, and the hours cannot be combined to allow one parent to participate in JS/JRA beyond 180 hours (six weeks) in the preceding 12-month period.

When counting any participation in JS/JRA toward the federal WPR under the six-week limit, there must be a break of at least seven consecutive days between every four consecutive weeks before a county can count any additional hours of JS/JRA. In other words, participation in JS/JRA during every fifth consecutive week cannot be counted toward the WPRs.

Examples of the conversion of the six-week limit to 120/180 hours

Please be aware that the below examples are rough numbers and, for simplicity, do not include the 4.33 methodology for determining reported hours of participation. Reported hours of participation may vary from the examples below and it is the reported hours that are deducted from the six weeks in the preceding 12-month period time limit. The following examples are the only portion of this letter that combine CalWORKs with the federal requirements, and serve to show how CalWORKs participation is federally reported under the JS/JRA activity.

For a single custodial parent with a child under six years of age, consider the following scenario:

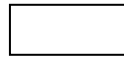
Jane is a single custodial parent with a child under six years of age. Jane's CalWORKs work requirement is 32 hours per week and her federal six-week limit on JS/JRA equates to 120 hours. After completing four weeks of job search, the county determined that Jane needed to continue in additional hours of job search while participating in the calculated allowable hours in work experience. The county developed a welfare to work (WTW) plan with Jill that includes five hours per week of job search and 27 hours per week in work experience. Jane's participation remains the same for the next five months.

Hours of participation would be counted toward the federal WPR as follows:

One hundred and twenty (120) hours of Jane's participation in JS/JRA during the first month (first four weeks) can be counted as participation toward the WPR and uses up her entire six-week limit for federal data reporting purposes. See the table below for an illustration of which hours of Jane's participation in JS/JRA are countable during the six months.

JANE'S PARTICIPATION IN JS/JRA (FINAL RULE)

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Week 1	32	5	5	5	5	5
Week 2	32	5	5	5	5	5
Week 3	32	5	5	5	5	5
Week 4	24	8	5	5	5	5



Countable



Not Countable

For a single custodial parent with no children under six years of age, consider the following scenario:

Jill is a single parent with a child who is 10 years of age. Jill's CalWORKs work requirement is 32 hours per week and her federal six-week limit is converted to 180 hours. Jill was assigned four weeks of Job Club. Near completion of the four weeks of Job Club, Jill received an offer of employment as an office worker and disclosed to the county that she would need to attend ongoing Alcoholics Anonymous (AA) meetings to maintain employment. The county determined that Jill needed to attend AA and worked with Jill to draft a WTW plan that includes five hours per week of substance abuse treatment—a federal JS/JRA activity—and 27 hours of unsubsidized employment. Jill's participation remains the same for six months.

Hours of participation would be counted toward the federal WPR as follows:

The 128 hours of participation during the first month amount to a little over four weeks toward the six-week limit; however, the remainder of the hours toward the limit would be spread over the next several weeks, allowing Jill's participation during a total of 15 weeks to be counted toward the WPR. See the table below for an illustration of which hours of Jill's participation in JS/JRA are countable during the six months.

JILL'S PARTICIPATION IN JS/JRA (FINAL RULE)

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Week 1	32	5	5	5	5	5
Week 2	32	5	5	5	2	3
Week 3	32	5	5	5	5	5
Week 4	32	5	5	5	5	5



Countable



Not Countable

For a two-parent family, consider the following scenario:

Jack and Jennifer are a two-parent family with a combined 35-hour-per-week CalWORKs work requirement (federal work requirement is the same for two-parent families) and their federal six-week limit is converted to 180 hours each (not combined). In accordance with the WTW plan, Jack is actively seeking

employment by participating in job search for ten hours per week and attends substance abuse treatment—a federal JS/JRA activity—five hours per week. Jennifer attends five hours per week of substance abuse treatment and is employed part-time at 15 hours per week. Jack’s and Jennifer’s participation remains the same for six months.

Hours of participation would be counted toward the federal WPR as follows:

Although Jack and Jennifer have a federal work requirement of a combined 35 per week, their six-week limit is converted to 30 hours per week for each parent. Jack has 180 hours and Jennifer has 180 hours that are counted separately for each of them.

The state would reach the limit on counting Jack’s participation in JS/JRA during month four at 180 hours. Jack’s 60 hours of participation during the first month add up to two weeks toward his six-week limit (as opposed to four weeks under the interim final rule). Jack reaches his six-week limit at the end of Week 2 in Month 4. Jack’s participation in JS/JRA during the remaining weeks cannot be counted toward the WPR.

The six-week limit on counting Jennifer’s participation in JS/JRA would not be reached during the six months. Since participation cannot count every fifth week, the state would be able to count 100 hours (3.3 weeks) of Jennifer’s participation in JS/JRA during the six months. Jennifer’s remaining 80 hours (2.7 weeks) could be stretched over the next six months, if appropriate and as needed, keeping in mind that participation in JS/JRA during every fifth consecutive week cannot be counted.

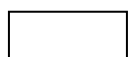
The following tables illustrate which hours of Jack’s and Jennifer’s participation in JS/JRA are countable during the six months.

JACK’S PARTICIPATION IN JS/JRA (FINAL RULE)

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Week 1	15	15	15	15	15	15
Week 2	15	15	15	15	15	15
Week 3	15	15	15	15	15	15
Week 4	15	15	15	15	15	15

JENNIFER’S PARTICIPATION IN JS/JRA (FINAL RULE)

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Week 1	5	5	5	5	5	5
Week 2	5	5	5	5	5	5
Week 3	5	5	5	5	5	5
Week 4	5	5	5	5	5	5



Countable



Not Countable

Once-per-year “three- or four-day” provision

Once a year, for purposes of the four-week limit, the TANF final rule clarifies the provision that allows states to count three or four days of job search and job readiness assistance during a week as a full week of participation based on the average participation hours during the three or four days. This provision cannot be used more than once for any work-eligible individual in the preceding 12-month period.

For example, if a work-eligible individual participated an average of six hours per day in job search and job readiness assistance for three days in a week, the state may assume that the individual also participated for six hours during each of the remaining two days of that week and may count a total participation of 30 hours in this activity for that week. Since the 30 hours count as actual hours toward the federal work participation rate, the 30 hours would be counted toward the participant’s six-week time limit as well.

The conversion of weeks into hours for the six-week limit and the “three- or four-day” provision for the four-week limit allows the counting of additional hours of participation in this activity when actual participation is less than a week in duration.

In summary, the WVP was amended to:

- Convert the six-week time limit in job search and job readiness assistance to 120 hours or 180 hours, depending on the work participation requirements.
- Add the provision for counting one week of participation based on “three or four days” in the week toward the four-consecutive-week time limit in job search and job readiness assistance.

Vocational Education

The TANF final rule allows education leading to a baccalaureate or advanced degree to count as vocational education training, which is a federal core activity. This change allows the state and counties to count participation in these programs toward the minimum core hour requirements. The WVP was amended to remove the provision that required vocational education be counted only for purposes other than to earn a baccalaureate or advanced degree.

Please note that the 12-month lifetime limit on vocational education still applies and that participation beyond 12 months cannot continue to count as vocational education but may, if appropriate, still be counted as job skills directly related to employment or education directly related to employment.

Additional Amendments

Based on ACF guidance for revising the WVP, CDSS also made the following revisions to California's WVP:

- Specified how paid barrier removal activities are counted under unsubsidized and subsidized employment. An example of a barrier removal activity that would count under a paid activity is when a work-eligible individual is paid to cook meals while receiving treatment at a residential drug rehabilitation center. Another example is a situation in which a work-eligible individual is paid for the time spent in mental health or substance abuse treatment.
- Clarified the scope of public and private sectors to include nonprofit and community- or faith-based settings as acceptable venues for work experience.
- Replaced the language describing certification requirements for mental health and substance abuse professionals with qualified professionals who will provide documentation of treatment or therapy.
- Added hours of participation attending high school in a vocational education track to the definition of satisfactory school attendance at a secondary school.

Additional Efforts

CDSS has worked with the California Community Colleges Chancellor's Office and other stakeholders to develop an All County Information Notice to assist counties, community colleges, and other service providers in meeting the WVP requirements for verifying actual participation in educational activities.

As a result of this collaboration, the term "signature of the person verifying hours" was clarified. The individual (county, service provider, or other responsible party) verifying participation confirms that the participant was enrolled in an allowable course of study during the period of time for which hours are being reported and that the hours of participation correspond to the days classes are scheduled. Additionally, the provisions for homework time under CalWORKs are clarified. Specifically, allowing homework time under CalWORKs must follow CalWORKs regulations and be listed in the County Plan. In revising a County Plan, counties might consider using language that is not overly narrow to ensure inherent flexibility to accommodate any regulatory changes to this provision in the future.

The CDSS Employment Bureau plans to publish additional questions and answers related to implementation of the WVP in CalWORKs on the Welfare to Work Division homepage located at: <http://www.cdss.ca.gov/cdssweb/PG138.htm>.

The TANF final rule included changes to the federal data reporting requirements. The Enterprise II Lite (E2L) and Research and Development Enterprise Project (RADEP)

data collection systems currently in use by counties have been modified accordingly. The CDSS Federal Data Reporting and Analysis Bureau (FDRAB) has developed ACL 08-55, which updated the federal data reporting requirements and instructions for E2L county data collection staff.

As a final reminder, the WVP documentation and verification provisions apply to all cases. The documentation and verification of activities to be counted in the federal work participation rate calculation do not alter the applicability of CalWORKs rules. Counties must continue to offer CalWORKs recipients an array of options that will help them become employed and move toward self-sufficiency according to existing CalWORKs regulations.

If you have any questions regarding this letter or the WVP, please contact your county's Employment Bureau analyst at (916) 654-2137. For any federal work participation data reporting questions, please contact your county consultant in FDRAB at (916) 515-3525.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

Original Document Signed By:

ERIC FUJII
Deputy Director
Administration Division

Attachments

<http://www.cdss.ca.gov/cdssweb/entres/pdf/VerificationPlanEffective2008.pdf>

State of California's TANF Program Work Verification Plan

I. GENERAL DESCRIPTION

The California Work Opportunity and Responsibility to Kids (CalWORKs) program is California's federal Temporary Assistance for Needy Families (TANF) program. CalWORKs provides temporary cash assistance to meet basic needs of families. It also provides education, employment and training programs to assist the family's move toward self-sufficiency. State law provides for a cumulative 60-month lifetime limit on cash aid for adults. For children of adults who exhaust the five-year time limit, aid is equal to the children's portion of the grant. California has 58 county welfare departments that administer the CalWORKs program under supervision of the California Department of Social Services (CDSS).

In order to become eligible for CalWORKs, applicants must meet income and property tests and children must be deprived of parental support and care due to the incapacity, death, absence, or unemployment of one or more parents. The State uses a Quarterly Reporting/Prospective Budgeting (QR/PB) process to determine initial and ongoing eligibility for cash assistance. With QR/PB, all recipients are required to submit a Quarterly Eligibility/Status Report (QR 7). Evidence must be submitted with the QR 7 form to verify the reported information. Recipient eligibility and benefits for the quarter are based on information provided on the form, and are determined using prospective budgeting rules. In addition, recipients' eligibility for cash aid is re-determined annually.

The welfare case history consists of all documents and forms relating to eligibility determinations for public assistance including documents necessary to support the granting or denying of aid, case narratives, personal documents, budget forms, referrals to and from other agencies, and correspondence to and from the recipient. In addition, the welfare case file contains welfare-to-work (WTW) records such as the WTW plan and copies of notices of action sent to the participant.

Parents and caretaker adults are required to participate in WTW activities as a condition of continued receipt of aid. In order to promptly schedule welfare-to-work activities, as appropriate, recipients are engaged in the CalWORKs program through an orientation, appraisal, and assessment process. This process introduces recipients to the program, available services, and informs them of their rights and responsibilities. It also provides the individualized information necessary to outline the recipient's appropriate plan to achieve self-sufficiency.

To comply with program requirements, an adult in a one-parent assistance unit (AU) must participate, on a monthly basis, an average of 32 hours per week; adults in a two-parent AU must participate, on a monthly basis, an average of 35 hours per week (with one parent participating at least 20 hours). Adults are also required to participate for a minimum of 20 hours per week in core work activities, with the balance of their 32- or 35-hour per week participation requirement spent in other non-core activities that will aid in obtaining employment. Participation hours are monitored and verified by county staff on a monthly basis. Individuals who do not comply with WTW program requirements are subject to a financial sanction equal to the adult's portion of the grant amount, in addition to the adult's removal from the AU.

For program eligibility determinations, California runs a system of automation that is used to help administer the CalWORKs program. In particular, the Statewide Automated Welfare System (SAWS) ensures statewide uniformity in program administration by supporting intake,

eligibility determination and benefit calculation, annual re-determination of eligibility, benefit issuance, case management, fair hearings, quality control, fraud and reporting. The SAWS is implemented via four consortia systems:

- Los Angeles Eligibility, Automated Determination, Evaluation and Reporting (LEADER), which is comprised of only Los Angeles County and represents approximately 37 percent of the public assistance caseload;
- CalWORKs Information Network (CalWIN), which is comprised of 18 counties and represents approximately 36 percent of the public assistance caseload.
- Interim Statewide Automated Welfare System (ISAWS), which is comprised of 35 counties and represents approximately 14 percent of the public assistance caseload; and
- Consortium IV (C-IV), which is comprised of four counties and represents approximately 13 percent of the public assistance caseload.

California selects a representative sample of TANF families each month and coordinates a comprehensive review of sampled family cases. Content of TANF reviews focuses on collection and verification of federally specified information about the family and level of work activities. Capturing and reporting of information is supported with a version of the Quality Control Information System case review application (Q5i) and the Research and Development Enterprise Project (RADEP) application by State and county staff. The applications assist the State in moving case reviews to and from State and county staff, structuring the review process, and managing flow of federally required monthly reporting responsibilities. The State collects completed case reviews and compiles data in the federally required report format for transmission to the Administration for Children and Families (ACF) on a quarterly basis.

II. COUNTABLE WORK ACTIVITIES

This section describes definitions, determination of countable hours, verification of actual hours, and methods of daily supervision for each countable work activity.

Unsubsidized employment

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, unsubsidized employment is full-or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. Unsubsidized employment includes self-employment as well as recipients whose employers claim a tax credit for hiring economically disadvantaged workers. Apprenticeship programs that allow participants to earn money while they practice the trade under the supervision of a journeyman and attend classes are also considered unsubsidized employment. Only the hours that are paid by the employer are counted as unsubsidized employment. The determination of whether employment is subsidized, or not, depends on whether the employer, rather than the recipient, receives a subsidy.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by dividing the monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient, employer, and/or service provider, as appropriate.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Generally, actual hours of participation for this activity are verified during the eligibility process using information gathered during the QR 7 process, which is signed by the head of household under penalty of perjury, and/or other records in the case file. Recipient eligibility and benefits for the quarter are based on information provided on the form. Evidence must be submitted with the QR 7 form to verify the reported information. Participants are responsible for making available to the county welfare department all documents in their possession or available to them that are needed to verify reported income as well as the date of receipt. Evidence of income includes pay stubs or other employer-produced documents that support the individual's employment. If the information necessary to verify actual hours is not in the case file, the county welfare department seeks verification from the Work Number or directly from the employer.

If the verification is not available from the recipient, the county provides the recipient assistance in obtaining the information by placing a phone call to the employer or sending a letter to verify the participant's work hours then documents the communication including the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Documentation of hours of participation is maintained in the case file.

Third-party sources of employment information, such as the National Directory of New Hires (NDNH), and the Income Eligibility and Verification System (IEVS) matches may be accessed when additional employment information is necessary. Prior to counting these hours, the information from third-party sources will be verified through collateral contact. The Work Number is a resource that can be used by counties to verify employment. Counties are permitted to use the information obtained from this source in the same manner as they would use information provided by the employer. Therefore, no further verification is necessary when using The Work Number.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision is not applicable for participation in unsubsidized employment because only hours of participation that are paid by the employer count toward the work participation rate.

5a. *For self-employment, describe how the State counts and verifies the hours of participation. A State may not count more hours toward the participation rate for a self-employed individual than the individual's self-employment income (gross income less business expenses) divided by the Federal minimum wage or must describe an alternative methodology that is approved.*

Self-employment hours are verified primarily using information reported by the participant on the QR 7, which is signed under penalty of perjury, and/or other documents provided by the recipient and maintained in the case file. Recipient eligibility and benefits for the quarter are based on information provided on the form. In general, evidence must be submitted with the QR 7 form to verify the reported information provided by the recipient and documented in the case file. Reports of income and expenses are used to determine the recipient's TANF eligibility and grant amount. Net self-employment income is determined by offsetting monthly business expenses, evidenced by receipts submitted by the participant, against monthly gross income from self-employment. Based on current CalWORKs eligibility rules, the recipient may choose either actual costs of producing self-employment income or a standard deduction of 40 percent of gross earned income, which will be reported as business expenses for federal data reporting purposes. For self-employed individuals, the maximum number of countable hours is determined by dividing the net self-employment income by the Federal minimum wage.

5b. *If the State intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.*

Hours of participation in unsubsidized employment will be projected based on current, documented and verified actual hours. Generally, this information will be obtained using pay stubs and/or information reported through the QR 7 process and/or other data sources, such as employer reports and time and attendance records. Recipient eligibility and benefits for the quarter are based on information provided on the QR 7 form. Evidence must be submitted with the QR 7 form to verify the reported information. If an individual reports hours of employment during the QR 7 process, those hours will be projected as participation for three months. Weekly hours of participation are determined by dividing the total monthly hours by 4.33 (the average number of weeks per month). If an individual reports a change in work hours mid-quarter, the average weekly projected hours will be recalculated for purposes of participation.

Subsidized private sector employment and subsidized public sector employment

(Note: Subsidized private and public sector employment are combined into one category in the Work Verification Plan. However, hours of participation in these activities are reported separately on the TANF Data Reports that are submitted to ACF.)

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, subsidized private sector employment and subsidized public sector employment means employment in the private and public sectors, respectively, for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a work-eligible individual. Subsidized work may include (1) work supplementation where TANF funds that would otherwise be paid as assistance are paid to the employer or to a third-party contractor, like

a temporary staffing agency, which serves as the employer of record and is paid a fee to cover salary, expenses and success in placing employees; (2) supported work for individuals with disabilities in an integrated setting, (3) work study activities or (4) paid barrier removal and educational activities. Subsidized employment is distinguished from work experience in that the participant in subsidized employment is paid wages and receives the same benefits as an employee with no subsidy who performs similar work.

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of subsidized employment. In order to count, the individuals must be paid for all of the hours they participate in such activities that are counted as subsidized employment. If the individuals are not paid while participating in these activities, the participation will be reported as a blend of subsidized employment and another appropriate activity such as job search and job readiness assistance.

- 2. Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient, employer, and/or service provider, as appropriate.

- 3. Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Generally, actual hours of participation for this activity are verified during the eligibility process using information reported as part of the QR 7 process, which is signed by the head of household under penalty of perjury, and/or other records in the case file. Recipient eligibility and benefits for the quarter are based on information provided on the form. In general, evidence must be submitted with the QR 7 form to verify the reported information. Participants are responsible for making available to the county welfare department all documents in their possession or available to them that are needed to verify reported income as well as the date of receipt. Evidence of income includes pay stubs, or other employer-produced documents that support the individual's employment. If the information necessary to verify actual hours is not in the case file, the county welfare department seeks verification from the Work Number or directly from the employer.

If the verification is not available from the recipient, the county provides the recipient assistance in obtaining the information by placing a phone call to the employer or sending a letter to verify the participant's work hours then documents the communication including the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Documentation of hours of participation is maintained in the case file.

Third-party sources of employment information, such as the NDNH and the IEVS may be accessed when additional employment information is necessary for verification. Prior to

counting these hours, the information from third-party sources will be verified through collateral contact. The Work Number is a resource that can be used by counties to verify employment. Counties are permitted to use the information obtained from this source in the same manner as they would use information provided by the employer. Therefore, no further verification is necessary when using the Work Number.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision is not applicable for participation in subsidized employment because only hours of participation that are paid by the employer count toward the work participation rate.

5. *If the State intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.*

Hours of participation will be projected based on current, documented and verified actual hours. Generally, this information will be obtained using pay stubs and/or information reported through the QR 7 process and/or other data sources such as employer reports, and time and attendance records. Weekly hours of participation are determined by dividing the total monthly hours by 4.33 (the average number of weeks per month). If an individual reports hours of work during the QR 7 process, those hours will be projected as participation for three months. If an individual reports a change in work hours mid-quarter, the average weekly projected hours will be recalculated for purposes of participation.

Work experience

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

Work experience is a training activity performed in the public or private sector, as well as a nonprofit, community- or faith-based setting, that helps provide basic job skills, enhances existing job skills in a position related to the participant's experience, or provides a needed community service that shall lead to unsubsidized employment. The recipient is receiving compensation in the form of the cash aid grant for time spent in the activity.

Core hours shall be limited as follows:

- When the assistance unit includes food stamp recipients, the individual shall participate for no more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs grant plus the food stamp allotment divided by the State or federal minimum wage, whichever is higher; or
- When the assistance unit does not include food stamp recipients, the individual shall participate for not more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs grant divided by the State or federal minimum wage, whichever is higher.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

For participation in work experience, maximum allowable monthly hours are determined by combining the TANF grant with the food stamp allotment then dividing the result by the State or federal minimum wage, whichever is higher. The average number of actual hours per week of participation is determined by adding the total number of actual hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the actual number of hours falls short of the core requirement but is equal to the calculated hours, the State will deem core hours in this activity.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The number of actual hours of participation for this activity may be documented and verified using information gathered during the QR 7 process, which is signed by the head of household under penalty of perjury, and/or other records in the case file, such as time and attendance records from the service provider or recipient, and/or welfare-to-work records. If documentation is not gathered during the QR 7 process and the documentation necessary to verify actual hours is not in the case file, the county welfare department will seek documentation from the service provider. The documentation is maintained in the case file and includes the participant's name; hours of participation; the name of the supervisor, service provider or employer; and the name and telephone number of the person verifying the hours.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

On-the-job training

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, on-the-job training is training in the public or private sector that is given to a paid employee while he or she is engaged in productive work. On-the-job training provides knowledge and skills that are essential to the full and adequate performance of the job. The employer is subsidized to offset training costs.

Supported work may be counted as on-the-job training if it includes significant training in the skills and knowledge essential to job performance. On-the-job training may also

include orientation and classroom instruction required by the recipient's employer and/or case manager. In some instances, training (e.g., tax preparation) or continuing education (e.g., nursing) is a necessary and regular element of employment. On-the-job training may include participation in these types of activities when the individual is reimbursed for the training costs. When the individual is not reimbursed for training costs, the participation counts as job skills training directly related to employment, education directly related to employment, vocational educational training, or job search and job readiness assistance, as appropriate.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient, employer, and/or service provider, as appropriate.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Generally, actual hours of participation for this activity are verified during the eligibility process using information reported as part of the QR 7 process, which is signed by the head of household under penalty of perjury, and/or other records in the case file. Recipient eligibility and benefits for the quarter are based on information provided on the form. In general, evidence must be submitted with the QR 7 form to verify the reported information. Participants are responsible for making available to the county welfare department all documents in their possession or available to them that are needed to verify reported income as well as the date of receipt. Evidence of income includes pay stubs, or other employer-produced documents that support the individual's employment. If the information necessary to verify actual hours is not in the case file, the county welfare department seeks verification from the Work Number of directly from the employer.

If the verification is not available from the recipient, the county provides the recipient assistance in obtaining the information by placing a phone call to the employer or sending a letter to verify the participant's work hours then documents the communication including the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Documentation of hours of participation is maintained in the case file.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision is not applicable for participation in on-the-job training because only hours of participation that are paid by the employer count toward the work participation rate.

5a. Describe the nature of training provided by employers that distinguishes this from subsidized employment.

Unlike subsidized employment, the subsidy provided to the employer offsets the cost of training provided to the participant. In contrast, subsidized employment is an activity in which the recipient is paid in the form of either wages or the cash aid grant for work and training time.

5b. If the State intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.

Hours of participation will be projected based on current, documented and verified actual hours. Generally, this information will be obtained using pay stubs and/or information reported through the QR 7 process and/or other data sources, such as employer reports and time and attendance records. Recipient eligibility and benefits for the quarter are based on information provided on the QR 7 form. In general, evidence must be submitted with the QR 7 form to verify the reported information. If an individual reports hours of participation in this activity during the QR 7 process, those hours will be projected as participation for three months. Weekly hours of participation are determined by dividing the total monthly hours by 4.33 (the average number of weeks per month). If an individual reports a change in work hours mid-quarter, the average weekly projected hours will be recalculated for purposes of participation.

Job search and job readiness assistance

1. Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)

Job search is an activity in which the participant's principal activity is to seek employment. Job search includes looking for suitable job openings, making contact with potential employers, applying for vacancies, and interviewing for jobs. Job readiness assistance is an activity that provides a recipient with training to learn basic job seeking and interviewing skills, to understand employer expectations, and to learn skills designed to enhance an individual's capacity to move toward self-sufficiency. Job readiness assistance also comprises the following activities:

- a. Preparing an individual to obtain or retain employment, such as preparing a resume or job application, interviewing skills, instruction in work place expectations, and life skills training.
- b. Substance abuse treatment, mental health treatment, or rehabilitation activities. Treatment or rehabilitation services can include residential treatment, group or individual therapy, support group, or participation in Alcoholics Anonymous, and Narcotics Anonymous.
- c. On a case-by-case basis, domestic abuse services that address barriers to employment.

Treatment and services for domestic abuse victims include the following activities when needed to seek or prepare for employment: individual counseling of the

participant and children; group counseling; substance abuse services; medical and public health services; mental health services; independent living skills; financial planning and life skills training.

The criteria professionals use for assigning these services is that they must be necessary to prepare an individual to obtain or maintain employment or participate in welfare-to-work activities and must be verified and documented in the WTW plan and/or case file. If a portion of the treatment or rehabilitation activities meets a common-sense definition of another work activity, such as community service or work experience, then the hours associated with the “work” will count under that activity and the actual treatment hours will count in job search and job readiness assistance.

- d. Drug testing for a specific job classification and taking tests to qualify for specialized certificates. These activities will be assigned to the extent they are determined necessary for the participant to obtain or prepare for employment or participate in other welfare-to work activities.
- e. Participation in orientation, appraisal, or assessment. Orientation is an introduction to the welfare-to-work program, including a general description of CalWORKs activities, participation requirements, consequences for failing to meet requirements, available supportive services, and exemptions from participation. Appraisal is an evaluation of an individual's employment history and skills, necessary supportive services, and any other relevant information needed to assign an individual to welfare-to-work activities, as well as informing the individual of his or her rights and responsibilities as pertains to the program.

Assessment is a thorough individual review of the recipient's work history, employment skills, educational history, competency levels, need for supportive services, physical limitations or mental conditions, available resources, all in comparison to local labor market conditions, in order to complete a welfare-to-work plan.

- f. Time spent online in distance learning activities. Online tasks could include searching for job vacancies, submitting résumés and completing applications.

Hours spent in these activities will be verified and documented in the WTW plan. Job interviews may be obtained from participating in this activity. Reasonable transportation time between job interviews, but not to the first interview or from the last one of the day, will count toward job search and job readiness hours. A county may require additional verification of activities, which may include such documents as job contact logs that provide sufficient information to verify the job search activity, mileage logs, or other documentation included in the case file.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine

countable hours is not in the case file, the county welfare department will make contact with the recipient and/or service provider, as appropriate.

Participation in job search and job readiness assistance counts for a maximum of six weeks with no more than four consecutive weeks. Participation counts for a maximum of twelve weeks when the State qualifies for counting extended periods of job search and job readiness assistance either due to high unemployment or due to meeting the definition of a "needy State". Effective October 1, 2008, the six-week or twelve-week limit applies to the preceding 12-month period. The six-week or twelve-week limit is based on the average number of hours per week required for a family to count in the overall participation rate: 20 hours for a work-eligible single custodial parent of a child under six years old and as 30 hours for all other work-eligible individuals, including two-parent families. Thus, the six-week limit equates to 120 hours and 180 hours, respectively. Similarly, the twelve-week limit equates to 240 hours and 360 hours, respectively.

For the limit of no more than four consecutive weeks of job search and job readiness assistance in the preceding 12 months, a week is seven consecutive days beginning on Monday and ending on Sunday. Reporting any hours in a week uses a week of participation. Participation by each individual is evaluated and a determination is made about whether the hours of participation in job search and job readiness are necessary and sufficient for the case to meet the federal work requirements.

Not more than once for any individual in the preceding 12-month period, a full week of participation in job search and job readiness assistance may be calculated based on the average daily hours of participation for three or four days. For the rule about counting three or four days of job search and job readiness during a week as a full week of participation, a week is five days. The average hours of participation during three or four days may be applied to the remaining one or two days in the week to determine the total hours for a week. The case file must indicate that weekly hours of participation were based on the average number of hours for three or four days.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The number of hours of participation for this activity is documented and verified using records maintained in the case file, such as time and attendance records from the service provider or recipient, and/or other welfare-to-work records. If information necessary to verify actual hours is not in the case file, the county welfare department will seek documentation from the service provider. The documentation needed to support all the reported actual hours of participation is maintained in the case file and includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours and is made available at least monthly by the service provider, supervisor, and/or participant.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county

employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5a. If the State intends to count substance abuse treatment, mental health treatment and rehabilitation activities, describe the criteria to determine whether recipients are “otherwise employable” and establish the necessity of treatment or therapy. Describe the requirements for qualified medical, substance abuse or mental health professionals used in this process.

California will count substance abuse treatment, mental health treatment and rehabilitation services as job readiness activities. If there is a concern that a mental disability exists that will impair the ability of a recipient to obtain employment, he or she is referred to the county mental health department for an evaluation by a qualified professional who will provide documentation of treatment or therapy. The county mental health department or its contractor will evaluate the recipient and make a determination of any treatment needs.

The evaluation includes the extent to which the individual is capable of employment at the time and under what working and treatment conditions the individual is capable of employment. The evaluation also includes any prior diagnoses, assessments, or evaluations that the recipient provides. The county welfare department develops the individual WTW plans for participants with mental or emotional disorders based on this evaluation.

If there is a concern that a substance abuse problem exists that will impair the ability of a recipient to obtain or retain employment, he or she is referred 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 welfare department determines that the county alcohol and drug program or its contractor and/or service provider is unable to provide the needed services, the county welfare department may contract directly with a non-profit State-licensed narcotic treatment program, residential facility, or certified non-residential substance abuse program to obtain substance abuse services for participants. If a participant is determined to have a substance abuse problem, the participant’s WTW plan is based on the results of the evaluation. The WTW plan may include appropriate treatment requirements, including assignment to a substance abuse program.

Learning disability evaluations must be performed by qualified learning disability professionals who use recognized and validated learning disabilities evaluation tools to identify learning disabilities and to determine the appropriate accommodations for individuals with learning disabilities. If the learning disabilities evaluation establishes that the participant has a learning disability that interferes with obtaining or retaining employment or participating in program activities, the county welfare department will develop or modify the welfare-to-work plan to reflect appropriate activities and necessary reasonable accommodations. This will be done based on the results of the learning disabilities evaluation and discussions with the participant.

- 5b. *Describe how the State ensures that no more than six or twelve total weeks (four consecutive weeks) of job search and job readiness assistance are reported in the preceding 12-month period.*

For the purposes of completing the TANF data reports, the State currently ensures the time limit is not exceeded by individual analysis of each case file by data collection staff. If participation in other federally-allowable activities meets or exceeds the requirement, then the hours of participation in job search and job readiness assistance will not be counted toward the four-, six-, or twelve-week limit. The State will verify that the county welfare departments have tracking systems in place that monitor participation consistent with federal requirements.

Community service programs

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

Community service is training that is temporary and transitional, is performed in the public or private nonprofit sector, and provides basic job skills that may lead to employment while meeting a community need. Other activities may be included within the community service programs. In these situations, short-term training or equivalent activities will be included if they are of limited duration (usually no longer than six months) and are necessary for participation in the community service activity.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

For participation in community service programs, maximum allowable monthly hours are determined by combining the TANF grant with the food stamp allotment then dividing the result by the State or federal minimum wage, whichever is higher. The average number of actual hours per week of participation is determined by adding the total number of actual hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the actual number of hours falls short of the core requirement but is equal to the calculated hours, the State will deem core hours in this activity.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Actual hours of participation are documented and verified using time sheets, attendance records, and similar documentation made available and signed by the service provider and maintained in the case file. If the documentation is not signed by the service provider, actual hours of participation are verified by contacting the service provider.

Documentation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Documentation needed to support all the reported hours of participation is provided on a monthly basis and maintained in the case file.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5a. *Describe how the types of community service positions that create an employer/employee relationship and are subject to the FLSA minimum wage requirements will be determined.*

In California, community service positions are subject to the FLSA minimum wage requirements. As a result, the number of core hours of participation in community service programs is determined by adding the monthly CalWORKs grant and food stamp amounts and then dividing by the State or federal minimum wage, whichever is higher. In addition, the State provides workers' compensation coverage to recipients in community service programs and work experience activities.

5b. *If the State permits self-initiated community service positions, describe how it determines that the position provides a direct community service and improves the recipient's employability.*

Participation in self-initiated community service programs is permitted as long as the activity is temporary and transitional, is performed in the public or private nonprofit sector, provides basic job skills that may lead to employment while meeting a community need, and is approved by the county welfare department. The county welfare department will only approve self-initiated community service programs that are appropriate for the participant based on the assessment of the following:

- The participant's work history and an inventory of his or her employment skills, knowledge, and abilities.
- The participant's educational history and present educational competency level.
- An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.

Vocational educational training

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, vocational educational training is organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations. Vocational education must be provided

by vocational-technical schools, postsecondary institutions or proprietary schools. Vocational educational training placements are documented on a list developed by each California county. The list, which is revised annually, includes programs that lead to jobs in the local labor market and is used by the county welfare department to approve vocational educational training and/or to assign activities as a result of assessment. For programs not on the county's list, the county welfare department determines if the program is directly related to job preparation.

In some instances, the vocational educational training will be completed as part of distance learning. Participation will count toward vocational educational training hours only when the time spent can be monitored by the service provider and reported to the county welfare department. Participation in vocational educational training beyond the 12-month limit may count as job skills training directly related to employment or education directly related to employment, whichever definition is applicable, only after the core hourly requirement has been met from participation in other core activities.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

- 2. Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in the activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient and/or service provider, as appropriate.

- 3. Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The actual hours of participation for this activity may be documented and verified using information gathered during the QR 7 process, and/or other records in the case file, such as laboratory time and classroom time sheets, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. Documentation is reported to the county welfare department on a monthly basis. If documentation is not gathered during the QR 7 process and information necessary to verify actual hours is not in the case file, the county welfare department will seek documentation from the service provider.

For all homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. Documentation needed to support all the reported hours of participation in homework time is maintained in the case file.

Documentation for homework time must include the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5a. *Describe how the State ensures participation in vocational educational training does not count beyond the statutory limitations limiting participation to 12 months lifetime per individual.*

For purposes of completing the TANF data reports, the State currently ensures the time limit is not exceeded by individual analysis of each case file by data collection staff. The State ensures that no more than 12 months of vocational educational training are counted per lifetime by evaluating the participation of each individual and determining whether the hours in the activity are necessary for the case to meet the federal work requirements. Participation in vocational educational training beyond 12 months will count as job skills training directly related to employment or education directly related to employment only after the core hourly requirement has been met from participation in other core activities.

If participation in other federally-allowable activities meets or exceeds the requirement, then the hours of participation in vocational educational training will not be counted toward the 12-month limit. The State will verify that the county welfare departments have tracking systems in place that monitor participation consistent with federal requirements.

5b. *Explain how the State will ensure that basic and remedial education and English as a Second Language (ESL), if such activities are counted, are of limited duration and a necessary or regular part of the vocational education training.*

Basic and remedial education and English as a Second Language will be counted as part of vocational educational training activity on a case-by-case basis when the participant's educational history and present educational competency level assessment shows a need for such activities to be included in the vocational education program for the participant to be successful. For example, Vocational English as a Second Language (VESL) is an embedded activity that allows non-native English speakers to learn the language that is specific to and necessary for successful performance in a particular vocation. The service provider and/or the recipient's case manager will determine whether the activities are necessary for successful participation.

Job skills training directly related to employment

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, job skills training directly related to employment is training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace. The activity may include either customized or general training to prepare an individual for employment, including literacy and language instruction and other remedial education. Job skills training directly related to employment may include four-year bachelor degree programs at any State-certified college or university. Activities may include vocational educational training that has been extended beyond 12 months.

In some instances, the job skills training will be completed as part of distance learning. Participation will count toward job skills training directly related to employment only when the distance learning program otherwise meets the definition of job skills training directly related to employment and the time spent in the distance learning component can be monitored by the service provider and reported to the county welfare department and documented in the case file.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient and/or service provider, as appropriate.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The hours of participation for this activity may be documented and verified using information gathered during the QR 7 process, and/or other records maintained in the case file, such as time and attendance records made available by the service provider or recipient, and/or welfare-to-work records. If the documentation is not gathered during the QR 7 process, and information necessary to verify actual hours is not in the case file, the

county welfare department will seek documentation from the service provider. For all homework time, documentation must include a time sheet or record of participation hours signed by the person verifying the activity. Documentation needed to support all the reported hours of participation is maintained in the case file and includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Any job skills training that is completed as part of distance learning must be monitored and documented and verified by the service provider, reported to the county welfare department on a monthly basis, and documented in the case file.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

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

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, education directly related to employment is education related to a specific occupation, job, or job offer. The activity is primarily for adults and includes adult basic education and ESL and, where required as a prerequisite for employment, education leading to a General Educational Development (GED) credential or high school equivalency diploma. Activities may include vocational educational training that exceeds the 12-month limit.

In some instances, the education directly related to employment will be completed as part of distance learning. Participation will count toward education directly related to employment only when the distance learning program otherwise meets the definition of the activity and the time spent in distance learning can be monitored by the service provider and is reported to the county welfare department.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in the activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient and/or service provider, as appropriate.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The actual hours of participation for this activity may be documented and verified using information reported through the QR 7 process, and/or other records in the case file, such as laboratory time and classroom time sheets, attendance records, and similar documentation signed by the service provider and/or participant and maintained in the case file. If the documentation is not signed by the service provider, actual hours of participation are verified by contacting the service provider. Documentation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. For all homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. Documentation needed to support all the reported hours of participation and verification of participation is reported to the county welfare department on a monthly basis.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5. *Describe the State's criteria for "good or satisfactory progress" and when and how it is documented.*

The standard for "good or satisfactory progress" is determined by the county welfare department. In general, attendance, academic performance and completion timeframes may be included in the criteria. Satisfactory progress is monitored monthly by the county welfare department and the documentation is verified and maintained in the participant's case file, except for teen parent heads of household receiving Cal-Learn services, which is monitored up to four times per school year.

California will, to the extent the State identifies a participant who is not making good or satisfactory progress but is regularly attending, count up to two months of participation for such individuals while the State works with the participant to improve his or her participation and progress.

Satisfactory school attendance at 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

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, satisfactory school attendance is regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a work-eligible individual who has not completed secondary school or received such a certificate. Satisfactory school attendance is primarily an activity for minor parents and will only include other related educational activities, such as adult basic education or language instruction, when they are required for completion of a General Educational Development (GED) credential. Hours of participation attending high school in a vocational education track may be counted under this activity.

In addition, case management services are provided to minor parents in this activity. Case management involves directing and coordinating a recipient's educational, health, and social services and may include ESL, career training, alternative school, tutoring, dropout prevention, and teen pregnancy or parenting programs. The case management programs are essential to this work category in that they address the special social service needs of minor parents. Meeting these specific needs helps this group of recipients attain GED credential or attend secondary school, which helps minor parents achieve self-sufficiency.

In some instances, participation will be completed as part of distance learning and will count toward satisfactory school attendance only when the distance learning program otherwise meets the definition of the activity and the time spent can be monitored by the service provider and is reported to the county welfare department on a monthly basis. Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational

program. If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient, employer, and/or service provider, as appropriate.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Participants must provide routinely available documentation of school attendance and satisfactory progress. Actual hours of participation are verified using report cards, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. Documentation needed to support all the reported hours of participation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. For all homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. Case managers who have reason to believe that a participant is not attending school can require that specific verification be provided more often, as necessary.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5. *Describe the State's criteria for "good or satisfactory progress" and when and how it is documented.*

"Good or satisfactory progress" is determined by the county welfare department. In general, attendance, academic performance and completion timeframes may be included in the criteria. Satisfactory progress is monitored monthly by the county welfare department and the documentation is maintained in the participant's case file except for teen parent heads of household receiving Cal-Learn services, which is monitored up to four times per school year.

California will, to the extent the State identifies a participant who is not making good or satisfactory progress but is regularly attending, count up to two months of participation for such individuals while the State works with the participant to improve his or her participation and progress.

Providing child care services to an individual who is participating in a community service program

1. *Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)*

For federal data reporting purposes, providing child care services is providing child care to enable another TANF recipient to participate in a community service program. The activity does not allow for one parent in a two-parent case to care for their own children in the home.

2. *Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.*

The number of hours of participation is determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the county welfare department will make contact with the recipient, employer, and/or service provider, as appropriate.

3. *Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Actual hours of participation are verified using time sheets, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. Documentation needed to support all the reported hours of participation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

III. HOURS ENGAGED IN WORK

Excused Absences

1. *Describe the State's excused absence policies for unpaid work activities. This includes its policies for holidays as well as the ten additional excused absences that the State may count in a 12-month period. If the policies vary by work activity, the State should describe how they vary and for which activities.*

Each recipient engaged in unpaid work activities is allowed excused absences. Beginning October 1, 2008, these absences include ten State holidays as well as 80 hours of additional excused absences during the preceding 12-month period. The following State holidays are allowed as excused absences: New Year's Day, Martin Luther King, Jr. Day, President's Day (Washington's Birthday), Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Day after Thanksgiving, and Christmas Day.

In addition, 80 hours of excused absences, not more than 16 hours per month, are allowed for semester breaks, planned work shutdowns, school appointments, medical appointments for self or dependants, caseworker appointments, child care breakdown, own illness or child illness, family problems including domestic abuse issues, housing issues, transportation breakdown, and other similar problems. In order to count an excused absence as actual countable hours of participation, the individual must have been scheduled to participate in a countable work activity for the period of the absence that is reported as participation. Documentation and verification of all excused absences must be maintained in the case file.

FLSA Deeming

1. *If the State wishes to use the "deeming" provision permitted at §§ 261.31 and 261.32 for work experience or community service programs, describe how the State determines the work hours requirement, including how the monthly TANF grant and food stamp allotment are combined and divided by the appropriate minimum wage to meet the "core" participation requirement. Include a statement certifying that the State has adopted a food stamp workfare program and a limited or "mini" Simplified Food Stamp Program.*

The State plans to use the "deeming" provision permitted under Sections 261.31 and 261.32 for determining the maximum monthly hours that a participant may participate in the following State CalWORKs WTW activities: unpaid work experience and unpaid community service. The State received letters dated May 5, 2000, and August 3, 2000, from the United States Department of Agriculture Food and Nutrition Service approving the State's request for authority to implement a Simplified Food Stamp Program (SFSP). Also, the State certifies that California has adopted a "mini" SFSP in order to count the value of food stamp benefits. The State determines the maximum monthly hours of participation by combining the CalWORKs assistance unit's grant plus the assistance unit's portion of the food stamp allotment and dividing it by the State or federal minimum wage, whichever is higher. No more than the number of hours derived from the TANF grant and food stamp allotment calculation will be allowed as participation in these activities. If the actual number of hours of participation in work experience or community

service is not sufficient to meet the core hourly requirement but meets the calculated hours, the State will deem 20 core hours. When FLSA “deeming” is used, required hours will be tracked and recorded using the verification and documentation procedures for the work experience and community service activities.

2. *If State policies or procedures differ for work experience and community service programs on FLSA deeming, the State should make those differences clear.*

There is no difference in FLSA deeming for work experience and community service programs.

IV. WORK-ELIGIBLE INDIVIDUAL

1. *Describe the State’s procedures for identifying all work-eligible individuals, as defined at § 261.2.*

A work-eligible individual is defined as an adult (or minor child head-of-household) receiving assistance under TANF or a separate State program or a non-recipient parent living with a child receiving such assistance (usually a child-only case) unless the parent is:

- A minor parent and not the head-of-household ; or
- A non-citizen who is ineligible to receive assistance due to his or her immigration status; or
- On a case-by-case basis, a recipient of Supplemental Security Income (SSI) benefits.

Effective October 1, 2008, adult applicants of SSI may be retroactively determined to be not work-eligible once they are approved for SSI benefits. Previously reported work participation data may be revised to remove these individuals from work-eligible status. The data revision may include adjustments made retroactively to the beginning of the federal fiscal year that includes the review month. In addition, the revision must occur by the end of the reporting period for the fiscal year, i.e., December 31;

- On a case-by-case basis, a recipient of Supplemental Security Disability Insurance (SSDI) benefits.

Effective October 1, 2008, adult applicants of SSDI may be retroactively determined to be not work-eligible once they are approved for SSDI benefits. Previously reported work participation data may be revised to remove these individuals from work-eligible status. The data revision may include adjustments made retroactively to the beginning of the federal fiscal year that includes the review month. In addition, the revision must occur by the end of the reporting period for the fiscal year, i.e., December 31.

The term also excludes:

- A parent providing care for a disabled family member living in the home, provided that there is medical documentation to support the need for the parent to remain in the home to care for the disabled family member.

- An individual in a family receiving MOE-funded assistance under an approved Tribal TANF program.

Further clarification on work-eligible individuals has been provided in additional instructions to county welfare departments as follows:

- **Disabled** means the individual is receiving benefits from State Disability Insurance, Worker's Compensation Temporary Disability Insurance, In-Home Supportive Services, or the State Supplementary Program. For adult family members, disabled also means the individual is temporarily disabled and the disability is expected to last at least 30 days and significantly impairs the individual's ability to be regularly employed or participate in activities. For family members who are children, the disability significantly impairs his or her ability to participate in school activities. In addition to providing verification from a doctor of his or her disability, the individual will be required to actively seek treatment, if appropriate, as verified by a doctor.
 - **Family member** means the individual is a relative living in the household. A relative may be any relation by blood, marriage or adoption who is within the fifth degree of kinship to the dependent child, as defined in CDSS Manual of Policies and Procedures Section 82-808.
2. *Describe verification procedures for ensuring the accuracy in reporting of work-eligible individuals on the TANF Data Report and the SSP-MOE Data Report, including:*
- *The correct reporting of the Work Participation Status of all adult (or minor child head of-household) family members and*
 - *The proper identification of TANF Families for inclusion in only the overall work participation rate or the overall and two-parent work participation rates, or exclusion from both the overall and two-parent work participation rates.*

The sample that is used for federal data reporting purposes is pulled based on the TANF Sampling Plan using the identified populations (i.e., All Families and Two-Parents) by aid type. Safety net and child-only cases are also included in the sample.

After the sample is drawn, accuracy is verified at both the county and State levels. The work participation status is verified at the time the county gathers documentation to review the case. When the case is returned to the State, State reviewers perform an additional check of work participation status.

TANF families are identified for exclusion from the work participation rates or inclusion in the overall work participation rate by county staff while reviewing the sample cases. At the State level, reviewers perform additional reviews of cases included in the sample.

The current data architecture involves splitting and distributing case data to designated Case Review Agencies and merging collected data back into a single database. At any given time, cases within the case database are distributed across multiple computer systems and locations across the State. The current technical architecture includes case review agency workstations for case reviews, repository where dialup modems are used to

transmit cases, State local area network, and State case database. The State samples TANF cases, and then produces skeleton files that include data that is sorted and transmitted to the case review agencies. The agencies complete the case reviews, which are collected by the State via the repository. The State transmits the completed cases to ACF via modem.

- 3. Describe the procedures that show how the State ensures that, for each work-eligible individual, it accurately inputs data into the automated data processing system, properly tracks the hours, and accurately reports countable hours to HHS that do not include participation in an activity that does not meet a Federal definition.*

Based on federal regulations and data reporting instructions, State-specific guidance is developed for county and State staff to use in reporting data, including the instruction to verify all reported data and retain in the case file (manual or electronic) all documentation used for verification as well as instruction about the additional work-eligible individuals.

The State makes sample cases available to county and State staff for review. These sample cases are reviewed by gathering documentation and the accompanying verification of case information, including work participation status and hours of participation. The counties report verified hours of participation and return the cases to the State. The State reviews the sample cases for edits and data consistencies and then transmits the participation data to the federal government. Hours are not counted unless they are documented and verified.

V. INTERNAL CONTROLS

California submits sampled information to meet the mandated reporting requirements. Each sampled case is individually assessed by either State or county staff. Case characteristics and participation information is collected and reported utilizing the Q5i and RADEP applications. The RADEP application replaced Q5i for reviews of cases beginning with the October 2007 sample month. Reviews will be completed in the Q5i application for months through September 2007 (i.e., the end of FFY 2007). RADEP is a web-based system for quality control and data collection for California's welfare programs. It is used by the State staff and the 18 largest counties in the State to capture Food Stamp Quality Control and TANF data and to transmit data to federal agencies and develop reports. The application has been enhanced to include business rules and edits to assist in accurate and consistent data collection.

- 1. Describe the phase-in of procedures and/or internal controls.*

Preliminary plans have been developed to validate data for at least a portion of the federal cases. However, no implementation date has been established.

The Department anticipates that State staff will:

- Perform county-level reviews and analyses of data collection processes, including the county's automated system to determine if data collection complies with the State's approved Work Verification Plan;

- Conduct case validation reviews of work participation findings for individual cases. Sampled cases will be reviewed to determine whether the data was collected in accordance with the approved plan and meets federal and State wage or activity participation reporting requirements; and
 - Provide technical assistance to counties to assure the accuracy of work participation.
2. *Describe the internal controls to ensure established work verification procedures are properly being employed.*

At the State level, virtually all the work verification procedures identified in this plan are current, well-established procedures used for federal data reporting and/or eligibility determinations. These procedures have been shared, in writing, with the State and county staff that collect data for federal data reporting purposes. In a continuing effort to improve the State's data reporting accuracy, ongoing training and procedural updates are provided to staff. Electronic text help is available in RADEP. A case cannot be completed at the county level without clearing edits generated by the system during the review. In addition, a help desk is staffed for general assistance in the use of the web-based tool.

A secondary review of data elements is completed at the State level using edits generated by the RADEP database. State staff provide technical assistance to counties to assure the accuracy of work participation data reported to ACF. Each county has a State consultant who provides specific assistance to the staff who report TANF data.

At the county level, the SAWS consortia have a structure that is used when new regulations or policies are developed by the State. A Change Review Board, where priorities for automation changes are set based on impact to the client caseload, degree of complexity, and implementation date for the program policy changes, is used. The Change Review Board decides whether the regulatory change can be fully automated, partially automated or not automated using manual workarounds. Each consortium notifies its member counties of the implementation process.

California is currently piloting a data match of active TANF sampled cases to the National Directory of New Hires data. For any matched individuals, State or county staff will verify the employment. Verification consists of contact with the caseworker, employer, recipient and/or use of The Work Number.

3. *Describe the internal controls to control for data errors, including transcription and coding errors, data omissions, computational errors, and compilation errors.*

State staff currently review the data submitted by the counties for inconsistencies and/or errors, including transcription and coding errors, data omissions, computational errors, and compilation errors. On-going training sessions are conducted for State and county staff on the use of the data survey tool, federal work participation elements, and error avoidance.

4. *Describe the checks used to isolate electronic systems and programming errors and the steps to ensure that all work participation report items are internally consistent.*

The State, while working to improve the federal data collection process, has developed business and skip rules within the new data collection software program to address

electronic systems and programming errors with the data collection application. State staff monitor monthly samples to ensure that software is correctly pulling the primary and secondary samples. Some data elements, especially those not applicable in California (e.g., Non-custodial Parent Indicator), are automatically populated with an appropriate response.

Procedures have been shared, in writing, with the staff that program the electronic systems used for federal data reporting purposes. Electronic text help is available in RADEP. A case cannot be completed at the county level without clearing edits generated by the system during the review. In addition, State staff provide general assistance with the web-based tool.

A secondary review of select data elements is completed at the State level using edits generated by the RADEP database. State staff also provide technical assistance to counties to ensure that data reported to ACF is internally consistent.

At the county level, the SAWS consortia have several methods to isolate system or programming errors and ensure that data is consistent. First, there is a county help desk process. At the local level, when users identify an error, they submit trouble tickets and the help desk analyst determines if it is a user error or system software error. If it is a software error, it is escalated from the county to the Project Help Desk. It is researched and if the issue is determined to be the result of a system defect, there is an analysis of the magnitude and a system fix is developed, tested, and scheduled for release. In addition, an alert system has been built into the application. There are daily, weekly, and monthly alerts of anomalies or potential user errors. These alerts are accessed by the worker, supervisor, and manager. There is also an escalation process that is built into the consortia systems when action is not taken.

Reporting forums exist, such as the Management Reporting Subcommittee, where reports are reviewed and validated among the consortium counties. The subcommittee and related work groups meet on a regular basis. Findings and notes are posted on a website for county use.

5. *Describe any sampling and estimation techniques employed in data validation. Document the soundness of all statistical procedures utilized in the verification process. Fully describe all reasonable estimation techniques. For estimates based on sampling or other statistical techniques, include the step-by-step computations of precision, affirming that the produced estimates are within statistically acceptable levels of reliability and validity.*

We have not implemented any sampling or estimation techniques employed in data validation.

VI. VERIFICATION OF OTHER DATA USED IN CALCULATING THE WORK PARTICIPATION RATE

In addition to the work activities, the following data elements are used in calculating the work participation rates:

- Reporting Month
- Stratum
- Case Number
- Disposition
- Type of Family for Work Participation

- Amount of Food Stamps Assistance
- Receives Subsidized Child Care
- Amount of TANF (& SSP-MOE) Assistance
- Family Affiliation Code
- Non-custodial Parent Indicator
- Date of Birth (Adult)
- Relationship to Head-of-Household
- Parent with Minor Child
- Work-Eligible Individual Indicator
- Date of Birth (Child)

Information for five of the data elements, Reporting Month, Stratum, Case Number, Date of Birth (Adult) and Date of Birth (Child), is automatically loaded from information provided by MEDS. The remaining data is manually entered by State and county reviewers.

1. *For each of the data elements, describe the State’s data validation procedures to ensure “complete and accurate” data reporting.*

For each of the data elements listed above, electronic and manual reviews of case files are completed by State and county staff. At the county level, a case cannot be completed until system-generated edits are addressed and cleared. At the State level, additional edits are generated as part of the system database. In addition, State staff must clear federal edits that are received subsequent to transmission of data to ACF.

Preliminary plans have been developed to validate data for at least a portion of the federal cases. However, no implementation date has been established.

The Department anticipates that State staff will:

- Perform county-level reviews and analyses of data collection processes, including the county’s automated system to determine if data collection complies with the State’s approved Work Verification Plan;
- Conduct case validation reviews of work participation findings for individual cases. Sampled cases will be reviewed to determine whether the data was collected in accordance with the approved plan and meets federal and State wage or activity participation reporting requirements; and
- Provide technical assistance to counties to assure the accuracy of work participation.

2. *Describe any procedures employed to eliminate data inconsistencies between two or more data elements.*

State staff reviews the data for inconsistencies and/or errors prior to final submission to ACF. If necessary, the case is discussed with and/or returned to the county to ensure that the data reported is accurate based on the information obtained from the case file and/or collateral contacts with the recipient, employer, service provider, etc.

Work Participation Status

1. *Describe the State's procedures to ensure that a family is not disregarded from the work participation rate for more than 12 months per lifetime based on being a single custodial parent with a child less than one year of age.*

Counties have been provided instructions, including definitions, on reviewing cases for federal data reporting purposes. Included in these instructions is information on the limitations for single custodial parents with a child less than one year of age. In addition, training is provided to counties to ensure consistency and accuracy. Edits related to the disregard limit appear in RADEP and in the system database at the State level.

In addition, the consortia are programmed to adhere to State regulations, and automatically exempt a single custodial parent with a child less than one for a maximum of 12 months. They provide an area to record exemption only once per lifetime based on a unique identifier of the individual. This information may also be helpful in ensuring the family is not disregarded for more than 12 months per lifetime.

2. *Describe the State's procedures to ensure that a family is not disregarded from the work participation rate for more than three months in the preceding 12-month period based on a work-eligible individual's refusal to participate in work.*

County and State staff have been provided instructions and training on reviewing cases for federal data reporting purposes. Based on information received from ACF on the federal reporting of sanctioned cases, the limit of three months of 12 preceding months did not previously apply to sanctioned cases in California because the adult was not aided and was removed from the assistance unit. However, beginning with the October 2006 sample, these cases have been reported to ACF based on modified business rules, edits, and instructions that have been provided to the data reporting staff. In addition, training was provided to further support these changes.

3. *Describe the State's procedures for ensuring a family deemed engaged in work based on 20 hours of participation in countable work activities meets the requirements of a single custodial parent or caretaker relative with a child under age six.*

The State currently has processes in place to ensure that single custodial parents with a child under age six are meeting the federal requirements. As with other populations, the State has established business rules, edits, and written instructions that assist in the provision of accurate data.

RESPONSES TO QUESTIONS ABOUT THE IMPLEMENTATION OF CALIFORNIA’S TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) WORK VERIFICATION PLAN

The following are a series of answers to questions that the California Department of Social Services (CDSS) has received regarding local implementation of California’s Work Verification Plan (WVP). The following answers are only from the federal data reporting perspective, *unless noted as CalWORKs*, and were written to reflect the TANF Final Rule and subsequent revisions made to the WVP, which were both effective October 1, 2008. The questions and answers have been organized under the following categories and sub-categories:

- 1. Paid Activities Pages 1-3
- 2. Unpaid Activities Pages 3-10
 - Educational Activities Pages 5-6
 - Excused Absences Pages 7
 - Homework Time Pages 8-9
 - Satisfactory Progress Pages 9-10
 - Cal-Learn Page 10
- 3. Miscellaneous Pages 10-11

PAID ACTIVITIES

1. Question: Does work study participation count as subsidized employment toward the work participation rate?

Answer: Yes, subsidized work may include work study activities. [WVP, pages 4 and 5; All County Letter (ACL) 08-08, Attachment 3, pages 24 and 25; and ACL 08-55, Attachment 1, pages 9 and 10]

2. Question: What is the methodology for counting hours of self-employment? Please provide an example of the calculation.

Answer: The maximum number of hours per month that is allowed to be counted for self-employment is calculated by dividing the monthly net self-employment income by the federal minimum wage.

Net self-employment income is determined by offsetting monthly business expenses, evidenced by receipts submitted by the participant, against monthly gross income from self-employment. Based on current California Work Opportunity and Responsibility to Kids (CalWORKs) eligibility rules, the recipient may choose either actual costs of producing self-employment income or a standard deduction of 40 percent of gross earned income, which will be reported as business expenses for federal data reporting purposes. Net monthly income is then divided by the federal minimum wage to get the monthly hours of participation.

Weekly hours of participation in self-employment are determined by dividing the participant’s monthly hours by 4.33 weeks. (WVP, page 4; ACL 08-08, Attachment 3, pages 2 and 3, question 5; and ACL 08-55, Attachment 3, page 3)

Net self-employment income = monthly gross income – monthly business expenses
Maximum allowable hours = net self-employment income ÷ federal minimum wage (\$6.55/hour)
Average weekly hours of participation = monthly hours ÷ 4.33weeks

Example A (meeting the 30-hour requirement)

Gene reports monthly earnings of \$1,025 from mowing lawns. He reports \$150 in gasoline expenses for the month and chose actual costs to determine the net self-employment income.

Maximum countable hours per week: 31

- 1) $\$1025 - \$150 = \$875$ of monthly net self-employment income
- 2) $\$875 \div \$6.55 = 134$ hours per month (rounded)
- 3) $134 \div 4.33 = 31$ hours per week (rounded)

Example B (not meeting the 30-hour requirement)

Rita reports monthly earnings of \$450 from selling handcrafted items in a retail store. She chose the standard deduction of 40 percent of gross earned income, which equals \$180 for the month.

Maximum countable hours per week: 10

- 1) $\$450 - \$180 = \$270$ of monthly net self-employment income
- 2) $\$270 \div \$6.55 = 42$ hours per month (rounded)
- 3) $42 \div 4.33 = 10$ hours per week (rounded)

3. Question: How many pay stubs are needed to project hours of participation? What about pay stubs that are submitted mid-quarter (the client gets a new or better job)?

Answer: Pay stubs must reflect the entire report month; however, there is no set number of pay stubs needed to project hours. If an individual reports hours of paid employment during the QR 7 process, those hours may be projected as participation for three months. Weekly hours of participation are determined by dividing the total monthly hours by 4.33. If an individual reports changes in work hours mid-quarter, the changes must be documented and verified and the average weekly projected hours must be recalculated for purposes of participation. (WVP, page 4; ACL 08-08, Attachment 2, page 1; and ACL 08-55, Attachment 2, page 5)

4. Question: How are hours of participation determined when there is an extended period of time between the report month and the day the county receives the pay stub? For example, what if the pay stub for the report month is two weeks behind?

Answer: Federal data reporting regulations require documentation and verification of actual hours of participation, but allow for hours of paid employment to be projected for up to three months based on the documentation and verification of actual hours during one month. Therefore, counties would project the hours of paid employment for up to three months forward from the date the paid employment hours are first reported *and* documented and verified. In the above example, the projection period would start from the month the paid employment is reported (report month) *if* the documentation (hours of participation, etc.) is received. For TANF work participation reporting purposes, counties have 75 days from the end of the sample month to provide data. (WVP, page 3; ACL 08-08; and ACL 08-55, Attachment 2, page 5)

- 5. Question: Can in-kind income be counted as participation in a federal activity toward the work participation rate? If so, how are hours determined and what are the documentation and verification requirements? Is in-kind income that is reported on the QR7 sufficient documentation and verification?**

Answer: To count in-kind income toward a federal work activity, the in-kind income must meet the definition and the documentation and verification requirements of that particular activity as specified in the Work Verification Plan. For example, if in-kind income is provided for work performed, then it meets the definition of unsubsidized employment and would require the same verification and documentation as other forms of unsubsidized employment to be counted in the work participation rate—the QR7 form alone is not sufficient documentation. (WVP, throughout; ACL 08-08, Attachment 1, page 4; ACL 08-55, Attachment 3, page 6)

In-kind income is difficult to assess for federal data reporting purposes. If you need assistance determining hours of participation for the purposes of federal data reporting on a specific case, please contact the CDSS Federal Data Reporting and Analysis Bureau at (916) 515-3525.

- 6. Question: To contact the employer, should the county require that clients sign a waiver?**

Answer: A county should always attempt to obtain verification and documentation from the client first before using third-party sources. A county must obtain authorization from the participant to contact his or her employer(s). A *signed* written waiver is not specifically required; however, a county may choose this method of authorization. (WVP, page 3; ACL 08-08, Attachment 2, page 3; and ACL 08-55, Attachment 2, page 1)

- 7. Question: Is the New Hire Registry an acceptable source of verification?**

Answer: A third-party source of employment information, such as the National Directory of New Hires (NDNH) or the Income Eligibility and Verification System (IEVS), may be accessed when additional employment information is necessary. Prior to counting these hours, the information from third-party sources must be verified through collateral contact, such as contacting the employer with the consent of the participant. (WVP, page 3; and ACL 08-55, Attachment 2, page 1)

UNPAID ACTIVITIES

- 8. Question: Does the food stamp allotment count toward deeming? Please provide an example for deeming 20 or 30 core hours.**

Answer: Yes. The food stamp allotment counts when determining the allowable participation hours for work experience and community service. Maximum allowable hours of participation per month in *unpaid* work experience and *unpaid* community service are determined by combining the CalWORKs assistance unit's grant with the assistance unit's food stamp allotment and then dividing the sum by the state or federal minimum wage, whichever is higher. If the actual hours are equal to the calculated maximum number of hours, but are less than the federal core hourly work participation requirement of 20 or 30 hours per week, then the additional hours of participation will be deemed. (WVP, pages 7, 13, 23 and 24; and ACL 08-08, Attachment 2, page 2; ACL 08-55, Attachment 1, page 2, and Attachment 2, page 2)

Example

Based on the Fair Labor Standards Act (FLSA), the maximum allowable hours of participation per month in unpaid community service for participant A is calculated to be 62.5 hours [\$400 grant plus \$100 food stamp allotment, divided by \$8 (California minimum wage) = 62.5 hours]. The maximum allowable weekly hours of participation are 14.4 hours (62.5 divided by 4.33 = 14.4 hours). Because the calculated number of hours (14.4) is not sufficient to meet the core hourly requirement (20 hours), the individual must participate for 14.4 hours per week in order for the remaining hours to count. (WVP, pages 23 and 24; ACL 08-08, Attachment 3, page 3; ACL 08-55, Attachment 1, page 2, and Attachment 2, page 2)

Under CalWORKs FLSA still applies in determining the maximum allowable hours for participation in community service and work experience. However, for the same scenario under CalWORKs, the additional hours needed to meet the core requirement would not be “deemed”—the participant would be assigned additional hours in another appropriate core activity that is neither work experience nor community service in order to meet the requirement.

- 9. Question: Are we required to have a timesheet for unpaid activities? Is there any other method for collecting the required information for unpaid activities outside of a timesheet? How do we document and verify unpaid activities?**

Answer: Actual hours of participation in unpaid activities are documented using report cards, time sheets, attendance records and similar records from the service provider or recipient. If information necessary to verify actual hours is not in the case file or if the documentation is not signed by the service provider, the hours are verified by obtaining permission from the participant and contacting the service provider. The documentation needed to support all the reported hours of participation is maintained in the case file and must include the participant’s name, the name of the service provider, the number of hours, and the name and phone number of the person verifying the hours. Documentation is required to be reported to the county welfare department on a monthly basis. (WVP, pages 7, 11, 13, 15, 16, 17, 18, 19, 21 and 22)

- 10. Question: Is a single group sign-in sheet adequate for documentation? For example, a variety of classes (job search, job retention, soft skills, etc.) may be offered at a single one-stop where many services are co-located and all participants sign in on a single group sign-in sheet. Will the group sign-in sheet be adequate for documentation?**

Answer: Yes. A group sign-in sheet from the service provider is adequate for documentation of participation hours if it includes the participant’s name, the name of the service provider, the number of hours, and the name and phone number of the person verifying the hours. (WVP, pages 7, 11, 13, 15, 16, 17, 18, 19, 21 and 22)

- 11. Question: Mental health, substance abuse, and rehabilitation services fall under job search and job readiness assistance for federal data reporting. However, some participants may need to remain engaged in these activities for months or years to resolve these barriers. Do participants stay in job readiness after the four- to six-week federal time limit is reached or are they re-categorized?**

Answer: For federal data reporting purposes, participation in these services does not count toward the work participation rate beyond the four-week or 120-hour and 180-hour limits. The conversion of weeks to hours, as permitted by the TANF final rule, may allow additional hours

of participation in mental health, substance abuse, and job readiness assistance to count toward federal participation. (WVP, pages 9–12; and ACL 08-55 Attachment 2, Page 3)

Under CalWORKs rules, mental health, substance abuse and rehabilitation services do not fall under the definition of job search and job readiness and there are no time limits on these services. As required by CalWORKs rules, activities in a participant's welfare-to-work (WTW) plan must be based on the participant's assessment and be tailored to assist the participant in attaining self-sufficiency, regardless of whether or not the activities are federally countable. However, no recipient may participate in a substance abuse treatment program for longer than six months without concurrently participating in a WTW activity. If the participant 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 a day, three days per week, or otherwise not to participate in nonprogram activities, the requirements of the treatment program shall fulfill the recipient's welfare-to-work activity requirement.

12. Question: How should counties report hours of participation in Job Search and Job Readiness Assistance that exceed the four- to six-week federal time limit?

Answer: Job search and job readiness assistance activities are limited to no more than four consecutive weeks and up to six weeks total in the preceding 12-month period. The six-week limit is based on the average number of hours per week required for a family to count in the overall participation rate, 20 or 30 hours. Thus, the six-week limit equates to 120 hours and 180 hours, respectively. For the limit of no more than four consecutive weeks, a week is seven consecutive days and is not converted to hours. Reporting any hours in a week uses a week of participation.

Hours of participation in job search and job readiness activities that exceed the maximum allowable to be counted toward the work participation rate—four- or six-week (hourly) limit—are reported as other work activities. These hours will not count in the work participation rate. (ACL 08-55, Attachment 3, page 14)

13. Question: Do counties have discretion to choose how much participation is counted toward the Job Search and Job Readiness Assistance time limit?

Answer: No. The counties must report all actual hours of participation until the four- or six-week (120- or 180-hour) federal time limit is reached. Job search and job readiness assistance hours reported by the counties are deducted from any time limit imposed by the TANF rules.

EDUCATIONAL ACTIVITIES

14. Question: Please clarify the high school diploma criterion for education directly related to employment.

Answer: A participant cannot already have obtained a high school diploma or certificate of high school equivalency to count participation in education directly related to employment. For federal purposes, education directly related to employment is primarily for adults, but in some instances can include minors without a high school diploma or General Educational Development (GED) certificate and can include adult basic education, English as a Second Language (ESL), and where required as a prerequisite for employment, education leading to a GED certificate or high school equivalency diploma.

For individuals who have attained their high school diploma or certificate of high school equivalency, their training or education-related activities would be counted in job skills training directly related to employment. (WVP, page 18; ACL 08-08, Attachment 1, pages 2 and 3; Attachment 3, pages 30 and 31; and ACL 08-55, Attachment 1, page 4, and Attachment 3, pages 12, 27, and 42)

15. Question: Can self-initiated programs (SIPs) count toward the federal work participation rate requirement? How do we document and count SIPs in federally-time-limited programs? In particular, how do we count a vocational education SIP participant who is approved under CalWORKs for participation in this activity as a SIP for the full 60 months allowed on aid?

Answer: If a SIP participant is a work-eligible individual, then the case will be included in the work participation rate calculation in the denominator. Since a SIP is not a federally-defined work activity, if the SIP activity otherwise fits the definition of a federally-allowable activity, then the participation and documentation requirements of that activity apply. If the activity is the same as any other federally-allowable activity and if the participant is participating the appropriate number of hours, his or her hours will be counted in the work participation rate numerator.

In particular, if the individual is participating in a self-initiated vocational education activity, the hours can count toward the work participation rate provided the individual is meeting the federal hourly requirements and has not exceeded the 12-month lifetime limit on vocational education as a core activity. After the 12 months, vocational education may count as job skills training directly related to employment or education directly related to employment, which are non-core activities, if the SIP meets the definition of these activities.

Note: CalWORKs rules regarding SIP participants have not changed and still apply. The minimum weekly participation requirement for SIPs is 32 hours. Counties cannot require SIP participants to meet the 20 core hours required to count participation in the federal work participation rate or limit participation to 12 months as a vocational education program. However, SIP participants may volunteer to participate for the additional hours in core activities and be counted in the numerator of the work participation rate calculation. (ACL 07-05, Attachment 4, page 6, questions 24 and 25)

16. Question: How are the documentation, verification, and confidentiality issues addressed if a client transfers to a university? Can a university advisor sign? If so, what are the confidentiality barriers?

Answer: Counties must work with local service providers to develop the process for transfers, authorized signatures, and confidentiality barriers. A university advisor can verify participation if that is part of the verification process that is established by the county.

17. Question: How can we document and verify hours of participation in on-line classes?

Answer: In general, participation that is completed as part of distance learning must be monitored, documented, and verified by the service provider using the same standards as other unpaid activities; reported to the county welfare department on a monthly basis; and documented in the case file. More specifically, actual hours of participation in on-line classes can be documented and verified using records in the case file, such as laboratory and classroom time sheets, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. In some instances, automated systems are capable of producing a record of on-line usage, which could be used as documentation. If information necessary to verify actual hours is not in the case file, the county welfare department will seek documentation from the service provider. The documentation needed to support all the reported hours of participation must be maintained in the case file and include the participant's name, the name of the service provider, the number of hours, and the name and phone number of the person verifying the hours. The individual (county, service provider, or other responsible party) verifying participation confirms that the individual was enrolled in an allowable course of study during the period of time for which hours are being reported and that the hours of participation correspond to the days or timeframes classes are scheduled. (WVP, pages 15, 16, 18, 19, 20, and 21; ACL 08-08, Attachment 2, page 3, Attachment 3, page 8 and 10; and ACL 08-55, Attachment 3, pages 11, 12, 26, 27, 41 and 42)

EXCUSED ABSENCES

18. Question: Is there an excused absence policy for unpaid activities in CalWORKs? What are the federal and state rules for excused absences while on Spring Break? Please clarify the difference between the state one-week-off policy and the federal rule about two excused absence days per month.

Answer: Under current CalWORKs rules, there is no excused absence policy. Under CalWORKs, recipients can be granted "good cause" for not participating when appropriate and on a case-by-case basis. For clarification regarding Spring Break absences under CalWORKs rules, please see ACL 08-50 and ACL 99-65.

The federal data reporting rule for excused absences allows 80 hours of excused absences, not more than 16 hours per month, during the preceding 12-month period. Documentation and verification of excused absences must be maintained in the case file. (WVP, page 23; ACL 08-08, Attachment 2, page 4; and ACL 08-55, Attachment 2, page 2)

19. Question: Is paid vacation an excused absence?

Answer: The paid vacation hours count as participation in that paid activity because they are the actual hours for which the participant receives a wage; therefore, paid vacation would not

be considered an *excused absence* under federal policy but an actual paid work hour. Under federal rule, excused absences are allowed only for recipients engaged in unpaid work activities. (WVP, page 23; ACL 08-08, Attachment 2, page 4; and ACL 08-55, Attachment 2, page 2)

20. Question: What counts as an excused absence for federal data reporting purposes?

Answer: Excused absences in unpaid work activities include ten state holidays as well as 80 hours of additional excused absences during the preceding 12-month period. The state holidays allowed as excused absences are New Year's Day; Martin Luther King, Jr., Day; President's Day (Washington's Birthday); Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving; Day after Thanksgiving; and Christmas Day. Only the number of hours the work-eligible individual was scheduled to participate may be counted as excused absence hours. In addition to the holidays, 80 hours of excused absences, not more than 16 hours per month, are allowed for semester breaks; planned work shutdowns; school appointments; medical appointments for self or dependents; caseworker appointments; child care breakdown; own illness or child illness; family problems, including domestic abuse issues, housing issues, transportation breakdown; and other similar problems. (WVP, page 23; and ACL 08-08, Attachment 2, page 4)

HOMEWORK TIME

21. Question: How can we count unsupervised homework time, such as studying at home, toward federal work participation hours?

Answer: Counties can count actual hours of supervised homework time *and* unsupervised homework time as long as the homework time counted toward the work participation rate meets the following criteria:

- Unsupervised homework time does not exceed a maximum of one hour of unsupervised homework time for each hour of class time.
- A statement from the educational program indicating the amount of homework required or advised is included in the case file.
- Total supervised and unsupervised homework time counted toward the work participation rate does not exceed the hours required or advised by the educational program.
- The documentation exists to support all the reported hours of participation in homework time.
- The hours spent in these activities are verified and documented in the case file.
- For all homework time, documentation must include a time sheet or record of actual participation hours signed by the individual verifying that the number of homework hours does not exceed the maximum number of hours allowed.

Documentation of actual hours of homework—supervised or unsupervised—must be provided to the county welfare department on a monthly basis. (WVP, pages 15, 16, 18, 19, 20, and 21; and ACL 08-07, page 5)

Note: For CalWORKs participation purposes, rules for homework time have not changed. SIP participants are not eligible to be assigned homework time in their WTW plan, and non-SIP participants are subject to CDSS Manual of Policies and Procedures (MPP) Section 42-716.26. Additionally, the CalWORKs County Plan must include homework time as an allowable activity. If assistance or instructions are needed in amending a CalWORKs County

Plan, please contact the CDSS Employment Bureau at (916) 654-2137 or refer to MPP Section 42-780.5 to .53.

22. Question: When community college educational plans are developed, they include homework time. Can those hours count?

Answer: The community college educational plan alone is not sufficient for counting homework hours. Participation must be documented and verified by the service provider or other responsible party. Verification of hours spent in class must confirm that the individual was enrolled in all the classes for which hours were reported and that the hours of reported class time for the month correspond to the individual's class schedule. For example, if a client provided documentation, such as a timesheet, of 12 hours spent in class time for a week, then verification of those hours could include a schedule, or printout, that shows current enrollment in 12 semester units. For total supervised and unsupervised homework time, verification would include an assurance that the reported hours did not exceed the maximum or recommended hours as specified in the statement in the case file from the educational program indicating the amount of homework time required or advised. (ACL 08-07, page 6)

Community college staff should work closely with their county partners to ensure the colleges are following county-established processes for reporting, documenting, and verifying participation. Such collaboration helps lead to simplification of data reporting and maximization of countable participation.

Note: Under CalWORKs, participants cannot be assigned more than 32 hours per week, or 35 hours per week if a two-parent family, according to CalWORKs core and non-core participation requirements.

23. Question: Please explain how homework time can be documented using swipe cards or sign-in sheets?

Answer: Swipe cards or sign-in sheets can be used to provide a record of participation hours that can be incorporated into a timesheet or equivalent documentation. The timesheet or equivalent must be maintained in the case file and must include the participant's name, the name of the employer, work site supervisor or other service provider, the number of hours, and the name and phone number of the person verifying the hours. (ACL 08-07, page 4)

SATISFACTORY PROGRESS

24. Question: How will the state deem two months of satisfactory progress for students who are not making the required progress? When does the two months end and participation no longer count toward the federal work participation rate?

Answer: The CalWORKs rules regarding the satisfactory progress criteria have not changed. However, for purposes of how participation is counted toward the federal work participation rate, for a participant who is not making good or satisfactory progress but who is regularly attending any hours during the report month, the first two months of participation that has not met the satisfactory progress criteria can be counted toward the work participation rate. The federal criteria only applies to data reporting for the federal definitions of education directly related to employment, and satisfactory attendance at a secondary school or in a course of study leading to a certificate of general equivalence. (WVP, pages 19 and 21; ACL 08-08,

Attachment 3, pages 9, 10, 20, 21, 31 and 32; and ACL 08-55, Attachment 3, pages 13, 14, 28, 30, and 44)

25. Question: How should community colleges determine satisfactory progress?

Answer: The criteria for satisfactory progress are determined by the county welfare department but should be in accordance with the service provider's standard. In general, attendance, academic performance, and completion timeframes may be included in the criteria. (WVP, pages 19 and 21; and ACL 08-08, Attachment 3, pages 9, 10, 20, 21, 31 and 32)

26. Question: Does the satisfactory progress requirement apply to community service?

Answer: No, not for federal data reporting purposes. Community service is training that is temporary and transitional, is performed in the public or private nonprofit sector, and provides basic job skills that may lead to employment while meeting a community need. The total number of hours of participation per month is the standard for determining participation in community service. (WVP, page 13)

27. Question: How does satisfactory progress apply to adult schools and regional occupational programs?

Answer: The criteria for satisfactory progress are determined by the county welfare department. In general, attendance, academic performance and completion timeframes may be included in the criteria. Under the WVP, the satisfactory progress requirement would apply to education directly related to employment and satisfactory attendance at a secondary school provided to participants by an adult school or regional occupational program. (WVP, pages 19 and 21; and ACL 08-08, Attachment 3, pages 9, 10, 20, 21, 31 and 32)

CAL-LEARN

28. Question: Cal-Learn students have monitors. Can the Cal-Learn monitor verify hours?

Answer: Yes. A Cal-Learn monitor can verify hours of participation if that is part of the verification process that is established by the county. (WVP, pages 18 and 20)

29. Question: Are Cal-Learn students counted in the federal work participation rate?

Answer: The answer depends on whether or not the Cal-Learn student meets the definition of a work-eligible individual. For example, a Cal-Learn student who is a minor child head-of-household would be considered work eligible. Work-eligible individuals are subject to federal work participation and data reporting requirements. Cal-Learn student participation in satisfactory school attendance meets federal requirements when satisfactory progress is made despite the number of actual hours of participation. Participation counts as core hours. (WVP, pages 19, 21, and 24)

Note: Under CalWORKs, Cal-Learn participation is limited to attending school full-time (as defined by the school or 10 hours per week) for the purpose of obtaining a high school diploma or its equivalent, i.e., a General Education Diploma. Therefore, Cal-Learn students cannot be mandatorily assigned to other work activities.

MISCELLANEOUS

30. Question: How does a secondary review of select data elements work? Please provide an example.

Answer: A secondary review of TANF data elements is completed by state staff who evaluate the federal data looking for inconsistencies and/or errors before transmission to the Administration for Children and Families. If necessary, the case is discussed with and/or returned to the county to ensure that the data reported is accurate based on the information obtained from the case file. (WVP, pages 26 and 27)

31. Question: How often does the state train counties on how to meet the federal work participation rate documentation and verification requirements?

Answer: The state provided initial training on Enterprise II Lite (E2Lite) to all 58 counties on February 2 and 5, 2007. Since the training, counties have been provided ACLs, All County Information Notices (ACINs) and e-mails outlining instructions, changes, and updates on these requirements. Federal Data Reporting and Analysis Bureau (FDRAB) staff also provided workshops at the CalWORKs Partnerships Summits in November 2007 and December 2008. In addition, Performance Measurement County (PMC) meetings are held monthly to share information and provide updates to all counties. Each county has also been assigned a CDSS FDRAB County Consultant to assist them with these requirements and can be reached at (916) 515-3525.

32. Question: Do we use the 4.33 methodology for eligibility/QR7?

Answer: No, the 4.33 methodology is not used for eligibility/quarterly reporting purposes. The 4.33 methodology is used to calculate average weekly hours of participation in TANF work activities for federal data reporting purposes. Average weekly hours are determined by dividing the total monthly hours of participation by 4.33 (the average number of weeks in a month). (WVP, pages 4, 6, 7, and 9)

33. Question: Does the Research and Development Enterprise Project (RADEP) only apply to certain counties?

Answer: No. RADEP replaced the Quality Control Information System (Q5i) for data collection for the Food Stamp and TANF programs for the federal sample beginning with the October 2007 sample month. (WVP, page 25; ACIN I-47-07; and ACL 08-55, Attachment 4, page 1)

34. Question: When are the county work participation rates determined in the E2Lite system?

Answer: County TANF work participation rates are calculated monthly using the information collected by the RADEP and E2Lite systems. Annual participation rates are calculated after the end of each Federal Fiscal Year (FFY).

35. Question: Is the county work participation rate a combination of data from RADEP and E2Lite?

Answer: Yes, the monthly work participation rate for each county is calculated using a merged database that includes data from both the E2Lite sample and the RADEP sample. (ACL 08-08, Attachment 4, page 1)

36. Question: Why aren't CalWORKs state requirements aligned with the TANF federal requirements?

Answer: The TANF program requires the state to have a minimum of 50 percent of its work-eligible caseload in compliance with the federal work participation rate requirements. Federal guidance stressed that states are required to create individualized plans and should meet individual needs required for participants to reach self-sufficiency and be compliant with other federal laws, such as the Americans with Disabilities Act, even though meeting those needs is not countable toward the work participation rate, unless the activities are otherwise countable as federally-allowable activities. Therefore, CalWORKs statutes and regulations were negotiated to respond to the individualized needs of participants whether the activities are or are not federally countable. California determined it was more important to target the right array of services and activities to allow a family to be successful in moving toward self-sufficiency, based on that family's needs and abilities, without regard to WPR impacts.

37. Question: Does the Work Verification Plan (WVP) change the CalWORKs program?

Answer: The WVP does not alter the manner in which services are provided in the CalWORKs program, but the WVP alters how CalWORKs data must be collected in order to meet federal requirements. We strongly encourage counties to work with their local partners to establish procedures for obtaining information necessary for federal data reporting purposes and to maximize countable hours in the federal WPR.