

March 29, 2018

ALL COUNTY LETTER (ACL) NO. 18-34

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL COUNTY REFUGEE PROGRAM COORDINATORS
ALL CONSORTIA PROJECT MANAGERS

SUBJECT: ASSEMBLY BILL (AB) 557 CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS (CalWORKs) VICTIMS OF ABUSE

REFERENCE: [ASSEMBLY BILL 557](#)(CHAPTER 691, STATUTES OF 2017);
[WELFARE AND INSTITUTIONS CODE \(WIC\) SECTIONS 11253.5,](#)
[WIC 11265.8, WIC 11450, AND WIC 11495; MANUAL OF POLICIES](#)
[AND PROCEDURES \(MPP\) 42-715.11 AND 42-715.13-133;](#)
[ACL NO. 14-59 , ACL NO. 15-22](#)

The purpose of this ACL is to outline the provisions of AB 557 “CalWORKs: Victims of Abuse” and to provide County Welfare Departments (CWDs) clarification regarding domestic abuse protocols for CalWORKs program applicants and recipients. Further guidance regarding the implementation of the expanded benefit of temporary homeless assistance for CalWORKs applicants who are domestic abuse victims will be released under separate cover.

Informing Victims of Domestic Abuse

Effective January 1, 2018, California statute requires CWDs to inform all CalWORKs applicants and recipients of the availability of services designed to aid victims of domestic abuse in identifying, escaping, addressing the lasting effects of, and preventing future domestic abuse. While CalWORKs [Manual of Policies and Procedures \(MPP\) Sections 42-715.1 and 42-715.13](#) already require this of CWDs, AB 557 codifies these directions into the [Welfare and Institutions Code Section 11495.16](#).

CWDs are reminded that the information shall be provided verbally and in writing at application, during the development of the welfare-to-work plan, and at annual re-determination. Information on domestic abuse shall be provided in a safe and private space to provide opportunities for applicants and recipients to confidentially disclose domestic abuse. Information regarding domestic abuse victims and their dependents shall not be released to any outside party who is not directly involved in the applicant's or recipient's case, unless the information is required to be disclosed by law or the release was authorized in writing by the victim or recipient ([MPP Section 42-715.31](#)).

The [MPP Section 42-715.132](#) states that CWDs shall maintain a comprehensive and current list of local domestic abuse resources and provide materials to clients. These materials should include domestic abuse resources available in the county, information regarding confidentiality and any required limits on confidentiality, available waivers of program requirements that may be requested, safety planning, and information regarding county assistance with tailoring WTW plans to meet the needs of past or present abuse victims. CWDs should also provide information on exceptions to immigrant sponsor deeming requirements and on applying for legal status for immigrants who are victims of domestic abuse ([MPP 42-715.133](#)).

CWDs are strongly encouraged to maintain written domestic abuse policies and procedures, and county resource materials, on county welfare department websites in order to maximize access to information for all applicants and recipients of the CalWORKs program.

Domestic Violence Constitutes Good Cause for Immunizations and School Attendance Requirements

Current CalWORKs school attendance rules state that if a child 16 years of age or older, is deemed a chronic truant and meets other criteria, the needs of that child shall not be considered in computing the grant for the family unless specific exception criteria exists, including whether good cause for school nonparticipation exists at any time during the month. Good cause shall be determined by the CWD. The CWD may use existing school attendance good cause criteria to establish those policies. Please see [ACL No.15-22](#) for additional information regarding school attendance rules.

Current CalWORKs immunization rules require all children under the age of six to be immunized. The [Immunization Good Cause Request Form – CW 2209](#) is used to establish immunization good cause due to the lack of reasonable access to immunization services, language barriers, physical distance, illness of a child and/or parent(s)/caretaker relative(s), transportation problems or a lack of available appointments.

Effective July 1, 2018, AB 557 explicitly adds domestic violence as a circumstance constituting good cause to the current school attendance and immunization rules for applicants and recipients who are victims of past or present domestic abuse. If the abuse occurred in the past, the issue causing the non-cooperation or inability to comply

must be related to the current situation. This determination of good cause is separate from domestic abuse waivers that counties may offer for welfare-to-work participants.

Temporary Homeless Assistance for Victims of Domestic Abuse

Effective July 1, 2018, AB 557 provides that a CalWORKs applicant who provides a sworn statement of past or present domestic abuse and is fleeing his or her abuser shall be deemed homeless and shall be eligible for temporary homeless assistance, notwithstanding any income and assets attributable to the alleged abuser.

Further guidance regarding the implementation of sworn statements of domestic abuse and temporary homeless assistance payments for CalWORKs applicants that are domestic abuse victims is forthcoming.

If you have any questions regarding this letter, please contact your CDSS Employment Bureau County Consultant at (916) 654-2137. For questions regarding Temporary Homeless Assistance, please contact the Housing and Homelessness Bureau at (916) 651-5155 or Housing@dss.ca.gov.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Family Engagement and Empowerment Division