

April 2, 2018

ALL COUNTY LETTER NO. 18-40

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM SPECIALISTS
ALL CalWORKs PROGRAM SPECIALISTS
ALL CALFRESH COORDINATORS
ALL WELFARE-TO-WORK COORDINATORS
ALL TRIBAL TANF ADMINISTRATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
KIDS (CalWORKs) WELFARE-TO-WORK (WTW) EARLY
ENGAGEMENT AND ASSEMBLY BILL 1604

REFERENCE: MANUAL OF POLICIES AND PROCEDURES (MPP) SECTIONS
[42-708](#), [42-709](#), [42-711](#), [42-716](#); ASSEMBLY BILL (AB) 1604
(CHAPTER 303, STATUTES OF 2017)

The purpose of this letter is to provide guidance on the implementation of AB 1604 (Chapter 303, Statutes of 2017). AB 1604 added W&IC Section 11325.3, and amended Section 11320.1, to prioritize the assignment of WTW education activities intended to earn a high school diploma or equivalent. This letter does not apply to clients that are participating in, required to participate in, or exempt from the Cal-Learn program, as they are excluded from WTW participation per MPP Section 42-711.2.

As a reminder, “high school diploma or equivalent” can include a diploma from a secondary school, or a certificate from successfully taking the California High School Proficiency Examination, or a State Board-authorized High School Equivalency Test. A client who has completed some, but not all, of the requirements for his or her program, such as a high school student who has completed all course work but has not passed the California High School Exit Exam and not earned a diploma, is subject to the requirements of AB 1604.

Secondary School or Equivalent Attendance and the WTW Plan

As described in MPP Section 42-711.5, clients who are not exempt are required to participate in WTW activities, beginning with a program orientation and appraisal. This appraisal includes, as described in MPP Section 42-711.523(b), the collection of information relating to the client's education history. Pursuant to AB 1604, if the county determines that the client does not possess a high school diploma or equivalent, the county shall develop a WTW plan designed to earn a high school diploma or equivalent as the primary activity before any other assignment is made.

If the client does not wish to participate in education activities at the time of this determination, then the client may continue in an appropriate initial engagement activity. The client shall make that election, in writing, on the welfare-to-work plan, as required by AB 1604. Since the WTW Plan can contain a number of documents, this requirement may be met in one or more ways. Documentation of the client's decision may be included in the "Additional Comments" section of the WTW Plan Activity Assignment, using a statement such as "Client elects to not pursue a high school diploma or equivalent at this time." Other written documentation methods, such as a separate form attached to the WTW Plan, may be used, so long as the usage is appropriate and consistent with county policies, and the documentation is signed by the client.

A WTW plan developed in order for the client to earn a high school diploma or equivalent is still required to meet the weekly hourly requirements described in MPP Section 42-711. Hours in an education activity may include homework time as described in MPP Section 42-716.61. The client may also benefit from additional activities determined by the appraisal, such as referrals to mental health or substance abuse services.

If the client requires additional hours to meet his or her requirements, or if the client's appraisal determines that additional activities may be beneficial, the client shall be referred to Assessment for the completion of the WTW plan. In accordance with AB 1604, the client cannot be required to attend Assessment prior to beginning his or her course of study, unless a course of study is not immediately available, as described in MPP Section 42-711.648. Furthermore, other assigned WTW activities cannot reduce the hours a client is assigned to his or her course of study without the client's written consent. Clients age 19 or younger are not required to participate in additional activities, as described in MPP Section 42-711.3.

As a reminder, signing a WTW plan will begin a client's WTW 24-Month Time Clock, as described in MPP Section 42-708. In addition, months participating according to the CalWORKs federal standards as described in MPP Section 42-709 will not count toward the WTW 24-Month Time Clock.

Assignment of Secondary School or Equivalent Activities

As described in MPP Section 42-716.61, assigned WTW education activities may include homework time as part of the assigned hours. Supervised homework time and up to one hour of unsupervised homework time for each hour of class time may be assigned as part of the activity in the client's WTW plan. The total hours of homework time combined must not exceed the hours required or advised by the client's education program. In addition, counties are reminded that distance or electronic learning, as described in MPP Section 42-716.62, is a viable option for clients to earn a high school diploma or equivalent, where such programs are offered. The hours assigned in the WTW plan may include English as a Second Language classes and accommodations, or other resources that are required for the client to earn a high school diploma or equivalent.

As a reminder, clients with education activities in their WTW plan are entitled to all necessary supportive services, as described in MPP Section 42-750. These supportive services include ancillary expenses such as books or lab fees, transportation to and from classes, and child care for classes and assigned homework time. As stated in MPP Section 42-750.21, supportive service payments shall be advanced when necessary and desired so that the client does not use personal funds to pay for the services.

If you have any program policy questions regarding the information in this letter, please contact your CDSS CalWORKs Employment Bureau county consultant at (916) 654-2137.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Family Engagement & Empowerment Division