

June 23, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-75

This All County Letter answers stakeholder questions regarding [SB 1232](#) implementation instructions issued in [ACL 21-04](#) and codified in [WIC Sections 11322.84 and 11323.21](#). SB 1232 reflects a significant policy change impacting the areas of supportive services, participation hours and homework time in education, the WTW flow of activities, and county interaction with clients.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

June 23, 2021

ALL COUNTY LETTER NO. 21-75

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL COUNTY CONSORTIA PROJECT MANAGERS
ALL COUNTY REFUGEE COORDINATORS
ALL TRIBAL TANF ADMINISTRATORS RECIPIENT NAME(S)

SUBJECT: **CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM: RELEASE OF QUESTIONS AND ANSWERS FOR SENATE BILL (SB) 1232 (CHAPTER 366, STATUTES OF 2020) CalWORKs WELFARE-TO-WORK (WTW) PROGRAM CHANGES**

REFERENCE: [SENATE BILL \(SB\) 1232 \(CHAPTER 366, STATUTES OF 2020\)](#); [ASSEMBLY BILL \(AB\) 79 \(CHAPTER 11, STATUTES OF 2020\)](#); [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTION 11322.8](#), [WIC 11322.84](#), [WIC 11322.85](#), [WIC 11323.2](#), [WIC 11323.21](#), [WIC 11325.22](#), and [WIC 11325.4](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTION 42-709](#), [MPP 42-711.4](#), [MPP 42-711.54](#), [MPP 42-711.543](#), [MPP 42-716.611](#), [MPP 42-750](#), [MPP 42-750.11](#) and [MPP 44-350.15](#); [ALL COUNTY LETTER \(ACL\) No. 21-04](#), [ACL 20-120](#), [ACL 19-99](#), and [ACL 04-04](#); [EDUCATION CODE \(EDC\) SECTIONS 94857](#), [EDC 94858](#), [EDC 94858.5](#), and [EDC 66010\(a\)](#); [TITLE 26 UNITED STATES CODE \(USC\) SECTION 1393\(a\)\(5\)](#), [USC 3306\(i\)\(1\)](#), and [USC 7701\(a\)\(40\)](#); and [TITLE 45 OF THE CODE OF FEDERAL REGULATIONS \(CFR\), PART 45 261.62\(b\)\(4\)](#).

This All County Letter answers stakeholder questions regarding [SB 1232](#) implementation instructions issued in [ACL 21-04](#) and codified in [WIC Sections 11322.84 and 11323.21](#). SB 1232 reflects a significant policy change impacting the areas of supportive services, participation hours and homework time in education, the WTW flow of activities, and county interaction with clients. This letter addresses technical questions identified by stakeholders regarding SB 1232 impacts to the following program areas:

All County Letter No. 21-75
Page Two

1. Allowable Educational Programs and Institutions
2. CalWORKs Flow of Activities
3. Welfare to Work
4. Documentation and Verification
5. Advance Standard Payment, and
6. Federal Reporting

CONTACT

If you have any questions or need additional guidance regarding the information in this letter, contact the CalWORKs Engagement Bureau at (916) 654-2137 or Damien.Ladd@dss.ca.gov.

Sincerely,

Original Document Signed By

JENNIFER HERNANDEZ
Deputy Director
Family Engagement and Empowerment Division

Attachments

ATTACHMENT A
Definitions, Questions (Q), and Answers (A)

DEFINITIONS

Division 10 of Title 3 of the Education Code, Private Postsecondary and Higher Education Institutions provides the following definitions:

Postsecondary Education

Per [California Education Code section 94857](#), “**Postsecondary education**’ means a formal institutional educational program whose curriculum is designed primarily for students who have completed or terminated their secondary education or are beyond the compulsory age of secondary education, including programs whose purpose is academic, vocational, or continuing professional education.”

Private postsecondary educational institution

Per [California Education Code section 94858](#): “**Private postsecondary educational institution**’ means a private entity with a physical presence in this state that offers postsecondary education to the public for an institutional charge.”

Publicly funded postsecondary institution

Per [California Education Code section 94858.5](#): “**Public institution of higher education**’ means any of the following:

- (a) An institution that meets the definition of [California Education Code subdivision \(a\) of Section 66010](#), including a district or campus of the California Community Colleges.
- (b) An institution operated by the United States government, a state, as defined in [Section 3306\(j\)\(1\) of Title 26 of the United States Code](#), a local government, as defined in [Section 1393\(a\)\(5\) of Title 26 of the United States Code](#), or Indian tribal government, as defined in [Section 7701\(a\)\(40\) of Title 26 of the United States Code](#).
- (c) An institution that is an instrumentality of a state or local government if it meets all of the following:
 - (1) The institution’s employees are government employees.
 - (2) The institution’s liabilities are payable to the same degree as if they were liabilities of the state or local government, in the state or local government jurisdiction where the institution is formed.
 - (3) The institution is subject to the same financial oversight and open public records laws as the state or local government, in the state or local government jurisdiction where the institution is formed.”

Additionally, the [California Education Code section 66010, subdivision \(a\)](#) reads:

- (a) Public higher education consists of (1) the California Community Colleges, (2) the California State University, and each campus, branch, and function thereof, and (3) each campus, branch, and function of the University of California.
- (b) As used in this part, “independent institutions of higher education” are those nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that are formed as nonprofit corporations in this state and are accredited by an agency recognized by the United States Department of Education.

ALLOWABLE EDUCATION PROGRAMS AND INSTITUTIONS

1. **Q:** Does SB 1232 apply to students in privately funded institutions?

A: No. Provisions of SB 1232 apply only to clients in publicly funded postsecondary educational institutions, in accordance with [WIC Section 11322.84\(b\)](#). Clients in privately funded education programs are still supported under normal pre-SB 1232 rules for WTW hourly participation and supportive services. The California Department of Consumer Affairs’ Bureau for Private Postsecondary Education maintains a [list of privately funded postsecondary educational institutions in California](#).

SB 1232 also applies to clients attending online schools that meet the definition of a “publicly funded postsecondary institution,” aka “public institution of higher education,” even if actual institution is located out-of-state.

2. **Q:** Does SB 1232 apply to students enrolled in “independent institutions of higher education” as defined above.

A: Yes. Students enrolled in “independent institutions of higher education,” also known as “non-profit postsecondary educational institutions,” are eligible for all provisions of SB 1232. For the purposes of this policy, all references to publicly funded postsecondary educational institutions shall include independent institutions of higher education as defined by California Education Code section 66010.

3. **Q:** Do policies set forth by SB 1232 apply to all publicly funded postsecondary educational programs?

A: Yes. SB 1232 policies apply to all postsecondary education courses at publicly funded postsecondary educational institutions, including Associate, Bachelor’s, Master’s, and PhD programs, teaching credential and certificate

programs, vocational training, remedial education, and includes students with no declared major or certificate program.

4. **Q:** Do counties have to approve a student's course of study and can the CWD deny educational pathways or programs under certain circumstances, such as when a client is legally unable to work in a field due to a criminal history, or when the program does not appear to lead to a viable job?

A: No. There is no limitation to participants' educational access under SB 1232. Under SB 1232, CWDs may not deny a client's choice of postsecondary education program, courses, or fields of study. Clients may choose to participate in any education program or courses in which they are permitted to enroll by the educational institution, even if the educational program is not expected to lead to employment in a particular field due, for example, to a criminal history or lack of job opportunities in the labor market. However, CWDs may advise clients about the job potential of their chosen educational path, considering relevant factors including but not limited to, labor market conditions, the client's individual work and educational history, and any criminal background that would impact employability.

5. **Q:** How does SB 1232 affect SIPs?

A: Although SB 1232 did not make any changes to the SIP statute and regulations found at [MPP Section 42-711.54](#), SB 1232 supersedes all SIP guidance as it pertains to students attending publicly funded postsecondary educational institutions. Henceforth, SIPs only apply to individuals attending for-profit postsecondary education at the time of Appraisal.

Counties must transition current SIPs attending publicly funded postsecondary educational institutions who are now eligible under SB 1232 to a new plan reflecting the requirements of SB 1232 as soon as administratively possible. Additionally, only SIPs who are eligible under SB 1232 but have not yet transitioned to a new plan are entitled to the advanced, standard ancillary service payments. Once all SB 1232 eligible SIPs have been transitioned to new plans, there will be no overlapping guidance between SIPs and SB 1232 students.

CalWORKs FLOW OF ACTIVITIES

6. **Q:** How does SB 1232 affect the WTW flow of activities?

A: SB 1232 creates a separate track in CalWORKs for clients engaged in publicly funded postsecondary education from other clients in education and

training. The policies of SB 1232 take effect at the point the client provides proof of enrollment in the publicly funded postsecondary educational institution, which may occur at any point in the CalWORKs flow of activities.

Clients enrolled in publicly funded postsecondary educational institutions are required to attend orientation and appraisal/OCAT consistent with the normal CalWORKs flow. However, they are not required to be referred to and complete an assessment.

Here is an example timeline of the sequence of activities for a client under SB 1232:

- Application
- Expressed intent to participate in a publicly funded postsecondary school
- Orientation
- Appraisal/OCAT
 - Note: Per page two of [ACL 21-04](#), students already enrolled in school at the time of appraisal are not required to complete an OCAT.
- Provides proof of enrollment
- Optional barrier assessment
- WTW plan provided at least 30 days prior to session start date
- Advance payment provided at least 10 days before session start date
- Client attends school
- Session ends – county may assign bridging activities
- Next session / existing plan if appropriate or new plan

7. Q: Are clients enrolled in publicly funded postsecondary education required to attend an assessment to have the education approved?

A: No. Pursuant to [WIC Section 11322.84\(a\)\(2\)](#), CWDs cannot require assessment to evaluate or approve participation in an educational program. Counties may conduct an assessment, voluntary for the client, for the sole purpose of identifying barriers to participation, including learning disabilities.

However, counties may require assessments for students enrolled in education part-time to assign additional activities during the educational session and for bridging activities between academic sessions for the specific purpose of assigning participation hours necessary to fulfill their hourly participation requirements, in accordance with [SB 1232](#).

WELFARE TO WORK

8. Q: Are clients in publicly funded postsecondary education required to sign a plan?

A: Yes. Individuals who are eligible for the provisions of SB 1232 shall be required to sign a WTW plan. The individual must continue to provide proof of enrollment at the beginning of each term.

New or revised WTW plans must be provided to the client no later than 30 days prior to the start of the educational session ([WIC Section 11322.84\(e\)\(1\)](#)). If the WTW plan is not provided to the client by 30 days before the start of the session, the previous WTW plan will remain in effect and the previous advance standard payment amount will be issued to the client.

Depending on CWD practice, the case worker may complete a WTW plan based on enrollment information received and mail it to the client to sign and return to the CWD, or the WTW plan may be mailed blank to the client for completion. The county should work with the client to ensure the WTW plan is accurate and timely, so the advance payment is made based on the most current information.

Counties may send the WTW plans more than 30 days prior to the session start date to ensure enough processing time. A suggested practice is to issue the WTW plan to the client as soon as the CWD becomes aware they intend to enroll/register for the next session. Another suggested practice is to send WTW plans to the client for revision or recertification at known educational enrollment periods. Doing so will help ensure sufficient processing time to complete and sign a WTW plan and provide the advance standard payment at least 10 days prior to the session start date.

In cases where a CWD becomes aware of an individual's enrollment in a publicly funded postsecondary institution less than 30 days prior to the session start date, the CWD must issue the WTW plan to the client as soon as administratively possible upon receiving required proof of enrollment to ensure supportive services are received in a timely manner.

Although counties must mail clients a WTW plan each academic session, if a participant's full-time/part-time enrollment status and supportive service needs remain the same across sessions, they do not have to sign and return a new or revised plan in order to remain in good standing, and the existing plan may continue in effect.

9. Q: What must be included in the WTW plan and how should it be indicated on the Welfare to Work Plan Activity Assignment (WTW 2)?

A: Below is a list of required content for the WTW Plan
([WIC Section 11322.84\(e\)\(2\)](#)):

- The education schedule for the session, including
 - The number of units the client is enrolled in.
 - Class times, or course weekly hours for online courses, including approved SB 1232 3:1 ratio study time, for the purpose of receiving categorically approved child care. Note: This does not supersede [ACL 19-99](#) which provides that “Child care shall be authorized full-time unless the recipient specifically requests part-time care.” ACL 19-99 also states that CalWORKs recipients who are expected to be referred to WTW or who are required to participate or are participating in WTW shall receive an immediate and continuous child care authorization. If a mandatory WTW participant stops participating in their activity, child care services will continue for the remainder of the authorization period or until the child care authorization is discontinued.
- A description of the supportive services the client may request, including the advance payment for books and college supplies
- A request for supportive services the client wishes to receive
- A space to indicate any anticipated transportation and parking costs
- A field to indicate any other necessary costs of attending school

Note: The CWD will continue to use the WTW 8 with each WTW 2 for recipients of financial aid and the WTW 8 should have no impact on provision of the advance standard payment. In other words, if a client decides to use financial aid for supportive services, the CWD must still provide them the appropriate advance standard payment.

10.Q: Are CWDs required to change existing pre-SB 1232 WTW plans in accordance with SB 1232 policy?

A: No. Clients may continue in existing plans until the next regular contact or expiration of their current plan. However, clients must be notified as soon as administratively possible about SB 1232 policy and their ability to enroll in school and receive an advance standard ancillary payment. CWDs are responsible for sending mass communication to all WTW eligible clients on the implementation of SB 1232. All WTW plans that include publicly funded postsecondary education must be modified, as necessary, by the fall educational session of 2021 to reflect provisions of SB 1232, as described above in question and

answer #8. WTW plans that align with the provisions of SB 1232 do not need to be modified.

11. Q: Can the CWD assign other activities when school is not in session?

A: Yes. Per existing CalWORKs policy, the CWD may assign “bridging” activities when school is not in session. These activities can be any of the full array of WTW activities provided in [MPP Section 42-716.1](#). However, the bridging activity should complement and must not interfere with, the client’s educational program. Clients who are not assigned bridging activities when school is out of session will have good cause to not participate.

12. Q: Does the WTW 24-MTC apply to clients in publicly funded postsecondary education receiving services under SB 1232?

A: No. In accordance with [WIC Section 11322.84\(b\)\(2\)](#), clients in publicly funded education will not be subject to the WTW 24-MTC. However, the CalWORKs minimum standard hourly participation requirements do apply.

NOTE: Pursuant to [Assembly Bill 79 \(Chapter 11, Statutes of 2020\)](#), both the WTW 24-MTC and CalWORKs federal standards are repealed as of May 1, 2022. At that time, the CalWORKs minimum standards will become known as the “CalWORKs Hourly Participation Requirements” and be applied throughout a client’s time on aid (see [ACL 20-120](#)).

13. Q: Are clients enrolled in an educational program under SB 1232 subject to WTW hourly participation requirements?

A: Yes. All clients in CalWORKs are subject to WTW participation as a condition of eligibility. Clients enrolled full-time in publicly funded postsecondary educational institutions are considered to be meeting WTW participation requirements by adhering to satisfactory progress requirements of the educational institution as defined by the educational institution ([WIC Section 11322.84\(b\)\(1\)\(A\)](#) and [WIC 11322.84\(d\)](#)). Clients attending school part-time are subject to WTW hourly participation requirements and may need to combine their education with other activities to meet their required hours in accordance with [MPP sections 42-711.4](#) and [MPP 42-709](#). Following the repeal of the WTW 24-MTC May 1, 2022, in accordance with SB 79, only hourly requirements provided in MPP 42.711.4 will apply to SB 1232 clients.

In a Two-Parent Assistance Unit (AU), at the option of the AU, both parents may contribute towards , the hourly participation requirement. In situations where both parents in the AU are attending school, the SB 1232 rules would apply to each parent in determining the correct advance standard payment amounts and enrollment and satisfactory progress requirements.

Under SB 1232, WTW requirements apply to two-parent AUs in the following manner:

Example 1

One parent is attending school full-time and the other is not participating. In this example, the AU is considered to be meeting their hourly participation requirements as per SB 1232. Note: If the parent who is not participating is excused or exempt, both parents remain in good standing and on aid. If the parent who is not participating is sanctioned or timed out, the parent participating would remain in good standing and on aid.

Example 2

One parent is attending school full-time and one parent is attending part-time. In this example, the AU is considered to be meeting their participation requirements as per SB 1232.

Example 3

Both parents are going to school part-time. In this example, the AU is subject to hourly requirements of [MPP Section 42-711.4](#) and the hours of both parents are combined. In many instances, the participants' combined part-time educational activity hours will meet the AU's minimum hourly participation requirement. In these cases, there would be no additional hours needed.

In instances where the participants' combined part-time educational activity hours do not meet the AU's hourly participation requirements, one or more additional activities must be assigned in order to meet their combined hourly requirement.

Example 4

One parent is attending school part-time and the other parent is not involved in any activity. One or more additional activity(ies) would have to be assigned in order to fulfill the hourly participation requirements of the AU, in accordance with [MPP Section 42-711](#) and [MPP 42-709](#). Note: If parent not participating is excused or exempt, either parent could increase hours to remain in good standing and on aid. If the parent who is not participating is sanctioned or timed out, the parent participating would need to increase hours to remain in good standing and on aid.

14. Q: How are study time hours calculated to determine countable participation for part-time education?

A: Three hours of study time, whether supervised or unsupervised, are counted per week for each academic unit in which the client is enrolled. Students may receive actual study time hours, above the 3 hours per academic unit, if the school verifies this higher need for any given course(s) or individual(s); e.g. for an individual with a learning disability that requires additional study time be allotted.

The total weekly study time is then added to the total number of academic units the client is enrolled in to determine the weekly participation hours ([WIC Section 11322.84\(b\)\(1\)\(B\)](#)).

To calculate weekly homework hours for noncredited courses, counties should determine the total number of weekly instructional hours and multiply that by 3 to determine the total weekly study time. The total weekly study time would then be added to the weekly instructional hours to determine the total weekly participation hours.

Example A (credited academic units):

- A client is enrolled in 8 credited units.
- Weekly homework time calculation:
 - 8 credited units X 3 hours of study time = 24 weekly study time hours
- Total participation hours calculation:
 - 24 weekly study time hours + 8 credited units = 32 total weekly hours of participation

Example B (noncredited):

- A client is enrolled in a non-credited course that meets three times a week for one hour each time.
 - 1 noncredited instructional hour X 3 times per week = 3 classroom/instructional hours per week.
- Weekly homework time calculation:
 - 3 noncredited instructional hours X 3 hours of study time = 9 weekly study time hours
- Total participation hours calculation:
 - 9 weekly study time hours + 3 noncredited instructional hours = 12 total weekly hours of participation.

- 15. Q:** What is the process to identify additional activities to meet hourly participation requirements for individuals participating part-time in an SB 1232 eligible educational activity?

A: In accordance with [WIC Section 11322.8](#), clients attending publicly funded postsecondary education part-time are subject to hourly participation requirements. If education hours are insufficient to meet hourly participation requirements, clients must combine education hours with other activities to remain compliant with WTW requirements. Part-time students participating in publicly funded postsecondary education shall be allowed to submit a proposal for meeting their hours based on the full array of options available to the recipient, as provided in [ACL 21-04](#). The proposed plan may be completed and submitted to the county in whatever manner is most convenient for the client (e.g. via hard copy, electronically, or by phone), should indicate what activity(ies) the individual prefers to do to meet their hourly participation requirements, and should be documented in the client's case file.

The CWD must assist the client in providing the information necessary to complete the assignment of needed hours, such as providing the client with information on hourly requirements and available activities. This coordination between the CWD and client may occur by any mode available, such as phone conversation, email, or postal mail. Once the needed information is received by the CWD, the activities and hours chosen by the client must be documented in a WTW plan, and supportive services provided accordingly.

As a reminder, the advance standard payment must be issued 10 days prior to the start of the education session, upon the client providing proof enrollment, regardless whether the WTW plan is created and signed in time.

- 16. Q:** Are clients in publicly funded postsecondary education subject to noncompliance?

A: No. If a student fails to attend their assigned activity(ies) including appointments, sign a WTW plan, or provide required documentation such as proof of satisfactory progress without good cause ([MPP Section 42-721.22](#)), then the participant will be scheduled for a non-SB 1232 activity. From that point, normal CalWORKs rules apply, and the client may be subject to noncompliance for failing to meet program requirements. As a reminder, assessments are not required for individuals enrolled and making satisfactory progress in postsecondary educational institutions, as described in [SB 1232](#) and [ACL 21-04](#).

DOCUMENTATION AND VERIFICATION

17. Q: What documentation is required of the client to qualify for the SB 1232 provisions?

A: Enrollment documentation at the educational institution serves as proof that the client is enrolled in publicly funded, postsecondary education and is making satisfactory progress. As such, documentation of enrollment qualifies clients for both the SB 1232 participation provisions of [WIC Section 11322.84](#) and qualifies them to receive advance standard payments pursuant to [WIC Section 11323.21\(a\)](#).

Acceptable enrollment verification forms must clearly indicate both full-time/part-time status, so the appropriate advance payment is issued, and the number of units enrolled in for the purpose of determining participation hours for part-time students. Acceptable documentation of enrollment may include, but is not limited to, a letter from the institution stating the client is enrolled at the school for the upcoming session, a class schedule for the upcoming session, an email from the institution indicating enrollment for the upcoming session, etc.

18. Q: How will CWDs document whether satisfactory progress is being met under SB 1232?

A: Documentation of enrollment at the institution at the beginning of each session, as described above, is considered proof of satisfactory progress for purposes of qualifying for SB 1232 provisions ([WIC Section 11322.84\(c\)](#)). Clients with proof of enrollment are considered to be meeting satisfactory progress in their SB 1232 educational activity for the duration of the current educational session. CWDs may not require proof of satisfactory progress (such as progress reports, grades, or verification of hours) more frequently than once before each educational session and may only determine satisfactory progress based on documentation of enrollment.

Lack of satisfactory progress is indicated if/when an educational institution does not allow an individual to enroll. CWDs should work with individuals who were in an educational program who are no longer allowed to enroll to identify another appropriate activity in accordance with normal non-SB 1232 rules. However, if the client is permitted to enroll at a different education institution, they will again qualify for [SB 1232](#) education rules.

ADVANCE STANDARD PAYMENT

19. Q: Is a client required to sign a WTW plan to receive the advance standard payment?

A: Yes. In accordance with [WIC Section 11322.84\(e\)](#), clients are required to have a signed WTW plan on file to receive supportive services, including the advance standard payment. See responses to questions 9 through 11 above for more details.

In the event there are delays in receiving a signed plan from the client, including receipt of the plan after the start of the educational session, the CWD must issue the payment within 20 days after receipt of the signed plan, provided other requirements of [SB 1232](#) are met.

Clients whose full-time or part-time student status has not changed from the previous educational session may continue their programs under their existing plan and receive the commensurate advance standard payment.

Additionally, clients who have a signed WTW plan on file, but who did not receive a revised plan from the CWD at least 30 days prior to the start of the upcoming session for any reason, shall continue receiving the same level of advance standard payments for the upcoming educational session ([WIC Section 11322.84\(e\)\(1\)](#)). In this situation, all provisions of the initial/previous plan, including the advance standard payment, continue until a new plan is signed by the client, or until there is a lack of documentation verifying enrollment at the start of an educational session.

20. Q: Do overpayment provisions apply to the advance standard payment?

A: Yes, however, an advance standard payment is only considered an overpayment if the student was ineligible for the payment. If the student was eligible for the advance standard payment that they received, then there is no overpayment even if the individual's enrollment status later changes from full-time to part-time, or they decide not to attend school.

21. Q: In attempting to determine whether an overpayment should be issued, can the CWD ask for receipts to substantiate the advance standard payment was used appropriately?

A: No. The advance standard payment is issued without the requirement of receipts and an overpayment can only be assessed for payments a client received but was not eligible for ([MPP Section 44-350.15](#)). See question 20 above.

- 22. Q:** Can CWDs seek overpayment if actual costs for required books and supplies are known to be less than the full amount of the advance standard payment?

A: No. An overpayment can only be assessed for payments a client received but was not eligible for ([MPP Section 44-350.15](#)). The advance standard payment is a flat rate of \$500/\$350 for full-time students and \$250/\$175 for part-time students per semester/quarter per [WIC Section 11323.21](#), is provided without the need for supporting documentation, and is not subject to overpayment as long as the client was eligible for the payment received.

- 23. Q:** If the CWD is aware that costs for the books and supplies are less than the standard advance payment amount, can the CWD provide only the amount of actual costs?

A: No. In accordance with [WIC Section 11323.21](#), CWDs must provide the required advance standard payment in the applicable flat-rate amount based only on quarter/semester guidelines and the full- or part-time education status of the client. This also applies to counties using vouchers for provision of books and other educational supplies.

- 24. Q:** What is the definition of “necessary books and college supplies” as stated in [ACL 21-04](#) for purpose of approving ancillary amounts beyond the standard payment?

A: Current county ancillary supportive services practices for defining college supplies remains unchanged. Both the standard advance payment and any actual expenses reimbursed beyond the standard payment amount are for books and supplies required for, or necessary for the client to participate in, courses in which the client is enrolled, including general college supplies needed to attend school. Per [MPP Section 42-750.113](#), tuition and school fees in the nature of tuition are the only school related expenses that are prohibited from being paid as an education-related supportive service, unless the county or county authorized entity contracts for the training.

- 25. Q:** For ancillary expenses beyond the advance standard payment amount, how does the county determine if the additional costs are necessary?

A: In accordance with [WIC Section 11323.21\(c\)](#), clients can request reimbursement for actual ancillary expenses in addition to the advance standard payment when those expenses exceed the advance standard payment amount (see also MPP Section 42-750). Clients may only receive expense reimbursement for required and/or necessary materials for the classes in which the client is enrolled and that have been verified to exceed the advance standard payment amount. In determining the authorized reimbursement amount, the CWD should review all documentation of expenses including those covered by the advance standard payment.

If the participant cannot provide receipts for the advance standard payment the participant may provide documentation from the course(s) such as a syllabus to substantiate the required materials, or a written declaration which includes an explanation of why expense was necessary and no documentation is available, and signed by the participant under penalty of perjury, shall be acceptable if the CWD has no information to the contrary.

The county shall issue ancillary expense reimbursement payments within 20 calendar days of the WTW participant's request and provision of verification of expenses.

26. Q: Can the CWD deny a request for costs above the advance standard payment?

A: Yes. As with other ancillary expenses per [WIC Section 11323.2](#), CWDs can deny such requests where the client has not provided verification of costs exceeding the advance standard payment or where the costs do not fall under the definition of allowable ancillary expenses. The CWD may ask for documentation of and consider expenses covered by the advance standard payment when determining whether the additional amount should be authorized. All ancillaries for school—the advance payment and additional reimbursed amount—are for required and/or necessary books and college supplies to attend school in accordance with [WIC Section 11323.21\(a\) and \(c\)](#).

CWDs cannot impose caps on ancillary service payments. While capping necessary ancillary services is not allowed, there is no prohibition against a secondary review of proposed supportive services costs beyond a predetermined level of expenditures. For additional guidance on capping and ancillary services policy, see [ACL 04-04](#).

- 27. Q:** Can the advance standard payment be combined with an amount over the standard payment for instances of substantiated additional ancillary expenses?

A: Yes. The CWD may choose to pay the advance standard amount and expenses in excess of the standard payment amount in a single advance payment, to be received at least 10 days before the school session begins.

- 28. Q:** When should payment be made for late school enrollees and individuals who are delayed in providing proof of enrollment?

A: Clients who provide late proof of enrollment, including after the start of the session, must be given a WTW plan to sign and be issued the advance payment within 20 days after the CWD receives the signed plan.

- 29. Q:** Does SB 1232 impact the provision of other costs of attending school outside the advance payment?

A: No. Clients must receive all other appropriate supportive services including transportation, diapers, and additional needed ancillary costs in accordance with normal CalWORKs program rules.

- 30. Q:** If CWDs currently provide vouchers for amounts less than the advance standard payments, must the CWD increase their voucher amounts to reflect the full advance standard payments as detailed in ACL 21-04 and SB 1232?

A: Yes. Clients attending publicly funded postsecondary education must receive at least the full advance standard payment amounts specified under [WIC Section 11323.21](#). Existing county cash or voucher programs for required books and school supplies that are less than the required amounts must be increased to the amounts detailed in [ACL 21-04](#) to meet the requirements of [SB 1232](#).

SB 1232 and FEDERAL REPORTING

- 31. Q:** What are the WPR documentation and verification requirements for hours of participation in education under SB 1232?

A: Federal reporting requirements and procedures associated with the Temporary Assistance for Needy Families WPR are unchanged by SB 1232. Counties must continue to verify and document hours in accordance with

California's [TANF Work Verification Plan](#) (WVP) and federal data reporting instructions.

For purposes of federal reporting only, CWDs may pursue monthly documentation of hours to process the TANF sample data. However, no action against the client's education status, or WTW program status can be taken based on documentation intended for federal reporting purposes only. Additionally, under existing rules only activities meeting the federal definition of a countable work activity need to be reported (see [45 CFR 261.62\(b\)\(4\)](#)).