

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



ALL COUNTY INFORMATION NOTICE I- 95

REASON FOR THIS TRANSMITTAL

TO: ALL COUNTY WELFARE DIRECTORS

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

SUBJECT: AFDC Eligibility for Participants in Job Corps

REFERENCE: MPP Sections: 41-450/82-812 (Absence/Temporary Absence)
42-101 (Age)
42-760/42-790 (Work Registration)
44-101.52 (Earned Income)
44-101.53 (Unearned Income)
44-111.2 (JTPA/Student Exemption)
44-111.436 (Grants and Loans)
44-115/44-111.452 (Income In Kind)
44-207.2 (185 Percent Gross Income Test)

The purpose of this letter is to clarify Aid to Families with Dependent Children (AFDC) eligibility rules for participants in Job Corps. Job Corps is one of the programs under the Job Training Partnership Act (JTPA) which provides training for individuals from ages 16 to 24 years to prepare them to compete in the labor force. This letter reiterates various AFDC rules which apply to Job Corps participants.

Work Registration/Deferral

Individuals 16 to 18 years of age, who are not pregnant or parenting teens and are enrolled in Job Corps, are exempted from Greater Avenues for Independence (GAIN) per MPP 42-790.1. Additionally, MPP 42-790.1 stipulates that an individual who is 16 or 17 years of age who loses this exemption due to a break in his/her education or training and becomes a mandatory GAIN participant, shall not requalify for this exemption if subsequent participation in education or training is the individual's required GAIN activity. However, subsequent Job Corps participation by such an individual may be considered as a GAIN self-initiated program (SIP) per MPP 42-772.4, or may be a basis for a deferral from GAIN per MPP 42-761.4.

GAIN registrants who are subject to Cal-Learn requirements (pregnant or parenting teens under age of 19 who lack a high school diploma or its equivalent) are required to participate in Cal-Learn per MPP 42-763.1, unless they are exempt per MPP 42-763.2 (serious illness or incapacity) or deferred per 42-763.3 (needed supportive or case management services which are unavailable, or the serious illness of a child). Cal-Learn participants may enroll in Job Corps to fulfill their Cal-Learn participation requirements if the Job Corps activity is a full-time program that leads to a high school diploma or its equivalent, as required by MPP 42-763.7.

Other individuals who are enrolled in Job Corps, may have their Job Corps participation qualify as an approved GAIN self-initiated program (SIP), in so far as it meets the requirements of MPP 42-772.4; or they may be deferred from GAIN if their Job Corps program participation meets the requirements of MPP 42-761.4.

Absence/Temporary Absence

AFDC parents participating in Job Corps who are away and have otherwise eligible dependent children are not considered absent from the home if they are involved in the parental functioning as a provider of support and care of their children. They are considered temporarily absent due to a connection with current or prospective employment (MPP 41-450).

Dependent children in Job Corps who meet Age requirements (MPP 42-101) may be considered temporarily absent from the home for purposes of AFDC. However, an evaluation must be made to determine if the caretaker relative is retaining care and control of the child during the child's absence (MPP 82-812).

In-Kind Income

Any need item provided for Job Corps participants who are absent for the entire month would be considered exempt as a Partial Item of Need, unless the need item is provided for the full need for the entire AU (MPP 44-115/44-111.452).

Treatment of Income

The Earned Income provisions apply to adult participants of Job Corps who receive payments which meet the definition of Earned Income (MPP 44-101.5).

Job Corps payments which meet the definition of Earned Income (MPP 44-101.5) paid to a dependent child are disregarded from consideration of income in the 185 Percent Test for up to six calendar months per year (MPP 44-207.211(c)). After exhausting the six-month time limitation, if the AU passes the 185 Percent Gross Income Test, the Job Corps earnings of dependent children who meet Student Exemption requirements (MPP 44-111.22) are disregarded for Financial Eligibility (MPP 44-111.21) and grant computation purposes indefinitely. These disregards do not apply to adult participants.

Payments, other than wages, which are intended for and used to cover non-need items, such as child care, supplies, etc., do not meet the Definition of Income. They are exempt from consideration of income because they are unavailable to meet current needs (MPP 44-101).

Contacts

If you have questions regarding: Income or Temporary Absence, contact Julie Lopes at (916) 654-1786; AFDC-U, contact Henry Puga at (916) 654-1068 (CALNET prefix 454); GAIN and Cal-Learn, contact your Employment Programs Analyst at (916)657-3442.

Sincerely,



BRUCE WAGSTAFF
Acting Deputy Director
Welfare Programs Division