



CDSS

WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.  
GOVERNOR

June 10, 2015

ALL COUNTY LETTER NO. 15-53

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY CHILD CARE COORDINATORS  
ALL WELFARE-TO-WORK COORDINATORS  
ALL CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY  
TO KIDS (CalWORKs) PROGRAM SPECIALISTS

SUBJECT: CalWORKs STAGE ONE CHILD CARE FOR SANCTIONED  
ADULTS

REFERENCE: MANUAL OF POLICIES AND PROCEDURES (MPP) SECTIONS  
42-721.41, 47-220.32, 47-230.142, 47-301.5, EDUCATION CODE  
SECTIONS 8351 and 8353 CALIFORNIA CODE OF  
REGULATIONS (CCR) TITLE 5 SECTIONS 18400(o)

The purpose of this letter is to provide clarification on Stage One child care policies for Welfare-to-Work (WTW) sanctioned clients. The letter also transmits the attached child care forms: NA 834 (Notice of Action Child Care Denial) and NA 835 (Notice of Action Child Care Discontinuance). The forms were revised to provide additional guidance for noticing clients who are in a sanctioned status.

Pursuant to the MPP section 42-721.41, in summary, a county must impose a sanction when a non-exempt WTW participant fails or refuses to comply with program requirements, without good cause, and efforts to resolve their noncompliance status through the compliance process has failed. The sanction occurs when the non-exempt aided adult is removed from the assistance unit.

**Stage One Child Care and Sanctioned CalWORKs Adults**

Current regulations provide that a sanctioned or penalized individual remains eligible for Stage One child care for the hours that they are working or participating in county-approved activities (MPP section 47-220.32). Stage One child care should be provided to a sanctioned individual in the following circumstances: 1) when the client is in the process of curing a sanction; and 2) during the months in sanction the client is working

or participating in a county-approved program activity (MPP section 47-220.32). County-approved “activities” are activities that are assigned as part of a WTW plan, or activities necessary to accept or retain employment. The county-approved activities may also include, but are not limited to, pre-assessment activities, orientation, appraisal, education and training, job search and/or activities assessed by the county as needed to develop the WTW plan.

Under existing regulations, necessary supportive services must be available to every participant in order to participate in the county-approved program activities to which he or she is assigned or to accept or retain employment. If necessary supportive services are not available, the individual has good cause for not participating in the activities on their WTW plan, and thus is not subject to WTW sanctions.

Clients who are in a sanctioned status can request to comply with WTW requirements by entering into a plan to stop the WTW sanction (WTW 29), either at a scheduled meeting with the county, or by mail, and be satisfactorily performing the county-approved activities specified in the curing plan until completed, or up to a maximum of 30 calendar days, whichever is shorter, from the date the curing plan is signed. During this time, a client will be provided a full array of supportive services as necessary to meet his/her curing plan requirements. Any sanctioned individual who is unable to cure a sanction due to the lack of necessary supportive services must have the sanction removed on the basis of good cause for non-participation.

### **Transitioning Between the Stages of Child Care for Sanctioned CalWORKs Adults**

The County Welfare Departments (CWDs) are responsible for managing a client’s transition from Stage One to Stage Two child care after determining the family’s situation is stable (MPP section 47-301.5 and Education Code section 8351(b)). Under existing regulations, a sanctioned client is eligible for Stage One child care as long as they are participating in county-approved program activities or working (MPP section 47-220.32).

However, if a sanctioned client engages in activities outside of his/her curing plan or is working, they may still be eligible for Stage Two child care pursuant to the California Department of Education (CDE) regulations. For example, a sanctioned client who fails to perform the activities specified in the curing plan, but is participating in an approvable activity should be assessed by the CWDs to determine whether or not transfer may be appropriate. When deemed appropriate, the CWD should transfer sanctioned families to Stage Two through the formal process. When a CWD transfers a sanctioned client to Stage Two, they should follow the same transfer procedures it uses to transition non-sanctioned families to Stage Two.