

Date of Hearing: August 3, 2020

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Eloise Gómez Reyes, Chair

SB 1232 (Glazer) – As Amended July 27, 2020

SENATE VOTE: 40-0

SUBJECT: CalWORKs: postsecondary education

SUMMARY: Requires that eligible California Work Opportunity and Responsibility for Kids (CalWORKs) student parents receive a standard allowance per semester or quarter for the purpose of paying costs associated with attending the postsecondary educational institution, and exempts an eligible applicant or recipient who is enrolled in a specified educational plan or program from participating in specified job club or welfare-to-work (WTW) activities. Specifically, **this bill:**

- 1) Requires that an eligible recipient be entitled to receive the standard allowance for ancillary services for books and college supplies and provides that the participant shall not be required to complete job club and that an assessment should only be conducted for the purpose of identifying any barriers, such as domestic violence, substance abuse, mental health, learning disability, or other barriers that the participant may have. Further specifies that in no event that the individual be disallowed to attend a publicly funded postsecondary education institution if otherwise eligible due to any barrier.
- 2) Provides that the benefit for an eligible recipient applies to:
 - a) A recipient attending a publicly funded postsecondary educational institution full time and making satisfactory progress at that institution; or,
 - b) A recipient attending a publicly funded postsecondary educational institution part time and who is meeting the hourly WTW participation rates, as specified. Further requires the county, if a recipient's academic units do not meet the total number of hours required, to assist the recipient in meeting the required hours of participation by allowing the recipient to submit a proposal for meeting those hours based on the full array of options available to the recipient.
- 3) Prohibits an eligible recipient from being subject to WTW requirements.
- 4) Requires a recipient who is attending a publicly funded postsecondary educational institution to provide verification that they are making satisfactory progress at the beginning of each term.
- 5) Provides that the definitions of "full time," "part time," and "making satisfactory progress" be determined according to the rules and regulations of the publicly funded postsecondary educational institution that the individual attends.
- 6) Requires an eligible recipient who wishes to receive supportive services to sign a WTW plan each academic semester or quarter that includes all of the following information:
 - a) The educational schedule for the semester or quarter;

- b) A description of the various supportive services that the recipient is entitled to, if necessary, as specified;
 - c) A request for the supportive services the individual wishes to receive;
 - d) The number of academic units for which the individual has enrolled;
 - e) Class times for the purposes of receiving childcare assistance, if required by law;
 - f) Transportation and parking costs; and,
 - g) Any other costs that are necessary for attending the publicly funded postsecondary educational institution.
- 7) Requires the county to provide the plan to the individual by mail or electronically, if agreed to by the individual 30 days prior to the registration for each semester or quarter. Further, provides that if the plan is not provided by the county 30 days prior to registration for the semester or quarter, supportive services shall continue at the same level for the next semester or quarter.
- 8) Requires the plan to be returned to the county after the individual registers for the classes of the semester or quarter.
- 9) Requires the plan to be mailed to the recipient for completion and shall be returned by mail or by electronic means, if the county has the capacity to make the plan electronically available; if the county requires the plan to be returned by mail, the county shall include a postage-prepaid envelope for that purpose. Further, authorizes the recipient to request, in writing, to meet with a county employee to receive assistance with completing the plan.
- 10) Provides that a CalWORKs eligible individual who provides the county evidence that the individual is participating in an educational activity full time at a publicly funded postsecondary educational institution, as specified, shall receive a payment of \$500 for each semester or \$250 for each quarter; and, a CalWORKs eligible individual who provides the county evidence that the individual is participating in an educational activity part time at a postsecondary educational institution, as specified, shall receive a payment of \$250 for each quarter for the purpose of paying costs associated with attending the postsecondary educational institution 10 days before the beginning of the academic semester or quarter. Further, provides that these amounts shall be considered a standard payment for books and college supplies.
- 11) Authorizes an eligible recipient to request reimbursement for the actual costs for the purpose of paying costs associated with attending the postsecondary educational institution if the recipient provides verification of expenses that exceed the applicable amount for books and college supplies that are required for the classes in which the individual is enrolled. Further requires the county to issue payment within 20 days of the recipient's request.
- 12) Requires the payment amounts to be adjusted upward annually by the increase, if any, in the United States Transportation Consumer Price Index for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics.

- 13) Authorizes the California Department of Social Services (CDSS) to implement, interpret, or make specific these provisions by means of all-county letters or similar written instructions from the department until regulations are adopted; these all-county letters or similar instructions shall have the same force and effect as regulations.
- 14) Requires CDSS to adopt emergency regulations by January 1, 2023. Further, authorizes CDSS to readopt any emergency regulation authorized by these provisions that is the same as, or substantially equivalent to, an emergency regulation previously adopted under these provisions.
- 15) Provides that the initial adoption of emergency regulations and one readoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare. Further provides that the initial emergency regulations and the one readoption of emergency regulations shall be exempt from review by the Office of Administrative Law. Further provides that the initial emergency regulations and the one readoption of emergency regulations shall be submitted to the Office of Administrative Law for filing with the Secretary of State and each shall remain in effect for no more than 180 days, by which time final regulations shall be adopted.
- 16) Provides that the provisions of this bill shall become operative only if funds are appropriated in the annual Budget Act or another statute for its purposes.

EXISTING LAW:

- 1) Establishes in federal law the Temporary Assistance for Needy Families (TANF) program, which provides block grants to states to develop and implement their own state welfare-to-work programs designed to provide cash assistance and other supports and services to low-income families. (42 United States Code Section 601 et seq.)
- 2) Establishes the state's TANF program, the CalWORKs program. CalWORKs provides cash assistance and other supports and services to low-income families and is administered by the counties. (Welfare and Institutions Code Section [WIC] 11200 et seq.)
- 3) Requires, generally, a recipient of CalWORKs benefits to participate in WTW activities as a condition of eligibility for aid. (WIC 11320 et. seq.)
- 4) Mandates the sequence of employment-related activities a CalWORKs participant must engage in subsequent to the receipt of aid, unless otherwise exempted. Further requires that recipients shall, and applicants may, at the option of the county and with consent of the applicant, receive orientation to the WTW program. (WIC 11320.1)
- 5) Requires a CalWORKs applicant or recipient to participate in WTW activities for 24 cumulative months, as specified, unless they are otherwise exempt. (WIC 11322.85)
- 6) Permits a CalWORKs recipient subject to the 24-month time limitation to request an extension, as specified, and to present evidence to the county that he or she meets certain specified circumstances. (WIC 11322.87)
- 7) Requires necessary supportive services to be available to every WTW participant in order to participate in an assigned program activity or to accept employment, to include childcare,

diaper costs, transportation costs, ancillary expenses, which include the cost of books, tools, clothing specifically required for the job, fees, and other necessary costs and personal counseling, as specified. (WIC 11323.2)

- 8) Requires that payments for supportive services shall be advanced to the participant, wherever necessary, and when desired by the participant, so that the participant need not use his or her funds to pay for these services. Further requires that payments for childcare services shall be made, as specified. (WIC 11323.4(a))
- 9) Requires any individual who is required to participate in WTW activities to enter into a written WTW plan with the county welfare department after assessment, but no more than 90 days after the date that a recipient's eligibility for aid is determined or the date the recipient is required to participate in WTW activities, as specified. (WIC 11325.21)
- 10) Requires that all participants, except for certain teenage parents, shall be assigned to participate for a period of up to four consecutive weeks in job search activities, which may include job club to identify the participant's qualifications, as specified. These activities may include the use of job clubs to identify the participant's qualifications, as specified. (WIC 11325.22)
- 11) Requires a participant to work with the county welfare department to develop and agree on a WTW plan on the basis of an assessment of the individual's skills and needs. The assessment must include the participant's work history and employment skills, knowledge, and abilities; the participant's educational history and present educational competency level; the participant's need for supportive services in order to obtain the greatest benefit from the employment and training services; an evaluation of the chances for employment given the current skills of the participant and the local labor market conditions; local labor market information; and physical limitations or mental conditions that limit the participant's ability for employment or participation in WTW activities. (WIC 11325.4)

FISCAL EFFECT: According to the Senate Appropriations Committee on June 18, 2020, this bill may result in the following costs:

- 1) Cost pressures, as the bill's amendments make it subject to a budget appropriation, of one-time \$1.3 million for the Statewide Automated Welfare System (SAWS) automation changes (Office of Systems Integration), which may be spread over outyears, depending on the implementation timing;
- 2) Cost pressures for limited-term, potentially ten thousands for CDSS staff resources to promulgate regulations; and,
- 3) County welfare departments currently provide reimbursement to students for educational expenses, and this bill would change the point in time at which funds are disbursed to the participant. In addition, CalWORKs employment services are based on actual expenditures, so reimbursements to clients are captured in methodology.

COMMENTS:

California Work Opportunity and Responsibility to Kids: The CalWORKs program, which implements the federal TANF program, provides eligible low-income families with cash grants

and supportive services aimed at helping them to secure education, training, and employment. CDSS is charged with program supervision at the state level, and counties administer the caseloads at the local level. CalWORKs is funded largely through the federal TANF block grant and state maintenance-of-effort contributions. Families participating in CalWORKs have access to a range of services that can include childcare and services aimed at addressing mental health needs, substance use disorders, experiences of domestic violence, and learning disabilities, among other issues. The average monthly cash grant for a family of three on CalWORKs (one parent and two children) in 2019-20 was \$682 and the maximum monthly grant if the family has no other income and lives in a high-cost county was \$785. However, many families earn some income and do not qualify for the maximum grant amount. According to recent data from CDSS, approximately 423,000 families rely on CalWORKs.

Employment-Related Services: After a person has been determined to be eligible for the CalWORKs program, the sequence of employment-related services starts with orientation and appraisal. Following orientation and appraisal, recipients may be required to participate in job search and job club; family stabilization; or, substance abuse, mental health, or domestic violence services, whichever is appropriate. The county may determine that the recipient should skip these activities and proceed directly to assessment. Once referred to assessment, participants work with the county welfare department to develop and agree on a WTW plan that is based on the participant's skills and needs. A recipient who has not received a high school diploma or its equivalent may choose to participate in a high school education or equivalency program.

Welfare-to-Work: Unless deemed exempt or otherwise not required to participate per CalWORKs rules, participants are required to develop and participate in a WTW plan. CalWORKs-approved WTW activities can include public or private sector subsidized or unsubsidized employment; on-the-job training; community service; secondary school, adult basic education and vocational education and training when the education is needed for the recipient to become employed; specific mental health, substance abuse, or domestic violence services if they are necessary to obtain or retain employment; and a number of other activities necessary to assist a recipient in obtaining unsubsidized employment. Adult benefits in the CalWORKs program are contingent upon participation in WTW activities, which are designed to promote job readiness and self-sufficiency.

Under current CalWORKs program rules, adults may not receive CalWORKs cash benefits for more than 48 months throughout the entirety of their lifetime. During those 48 months, adults may receive a total of 24 months of WTW services and activities if they meet program requirements. AB 79 (Committee on Budget), Chapter 11, Statutes of 2020, commencing May 1, 2022, will expand the total lifetime limit for CalWORKs from 48 months to 60 months, and will eliminate the 24-month limit on WTW services and activities.

Supportive services: Certain supportive services are available to CalWORKs participants to enable them to participate in a program activity or to accept or maintain employment. These services include childcare, diaper costs, transportation costs (including, but not limited to gas for a vehicle, a bus pass, taxi fare, and parking costs, necessary to complete WTW activities) personal counseling, and ancillary expenses (including the costs to purchase books, tools and other expenses related to WTW activities). Under current law, such payments "shall be advanced to the participant, wherever necessary, and when desired by the participant, so that the participant need not use his or her funds to pay for these services." Typically, in order to receive reimbursement for supportive services, including ancillary expenses, a recipient must have a

signed WTW plan. However, supportive services can be provided to a client at any point after they have come onto aid to mitigate barriers to participation.

Need for this bill: The cost for college books can be prohibitive for CalWORKs recipients; thus, CalWORKs rules permit a recipient to obtain an advance for supportive services. Because participants must receive a reimbursement for supportive services, including ancillary expenses to cover the costs for books, CalWORKs student parents are often unable to buy books before classes begin because they do not receive their funds from the county in time. This bill makes it easier for CalWORKs student parents to continue their postsecondary education by providing a cash aid to pay for books and other costs associated with attending school.

According to the author, “According to the Public Policy Institute of California, by 2025, California will face a shortfall of one million college graduates. At the same time, college students in California are experiencing unprecedented levels of housing and food insecurity, making a college education less accessible, especially for low-income students.

“A college education is even more difficult to attain for student parents on CalWORKs. College student parents on CalWORKs may be required to work an additional 20-30 hours to receive full CalWORKs benefits. Not only is it difficult to be a parent, full time student, and work 20-30 hours all at the same time, but if a student parent on CalWORKs does not meet their work hour requirement, they may have their benefits reduced. This effectively punishes low-income parents for seeking a college education. With the current CalWORKs time limit of 48 months of available aid, it is imperative that we ensure our student parents have an opportunity to complete their education before timing out of CalWORKs.

“Furthermore, some CalWORKs student parents are unable to buy their books before classes begin because they do not receive their funds from the county in time. In these scenarios, students either do not buy their books, which puts them behind in their coursework, or they buy their books with their own funds or on credit, further straining them financially.

“[This bill] will make an education more attainable for student parents. This bill allows parents to receive full CalWORKs benefits and receive funds to purchase books prior to the beginning of the academic year.”

Staff comments: The goal of this bill is to remove one barrier to pursuing postsecondary education that some CalWORKs student parents face—paying for books and other supplies associated with attending school. This bill provides an eligible CalWORKs student parent cash aid, prior to the start of the academic period, for the purpose of paying costs associated with attending the postsecondary educational institution. A full-time student would receive a payment of \$500 for each semester or \$250 for each quarter while a part-time student would receive a payment of \$250 for each quarter.

While this is a worthy goal, the bill, as it is currently written, does not account for part-time students who are attending school on a semester schedule; there is no standard payment provided for these students. Additionally, the payment that a part-time student in a quarterly system receives would ultimately be equivalent to the payment that a full-time student in a quarterly system receives. While it is important that student parents receive cash assistance to cover the costs associated with attending a postsecondary educational institution, all full-time and part-time students should be considered. Further, any difference in allocation between full-time

students and part-time students should be accurately reflected with different payment amounts. In consideration of these concerns, *should this bill move forward, the author may wish to consider including part-time students attending a postsecondary school in a semester system in the payment structure, and amending the rate structure to more accurately reflect the difference in books and supplies needs between full-time and part-time students.*

RELATED AND PRIOR LEGISLATION:

SB 374 (Glazer) of 2019 would have required that a CalWORKs eligible individual participating in an educational activity full time and making satisfactory progress, as specified, receive a standard allowance of \$500; be deemed to be meeting all WTW requirements, including the hourly participation requirements; be entitled to advance payments for allowance or reimbursement and other necessary supportive services, as specified; and is entitled to an extension of the 24-month cumulative participation period, as specified. SB 374 was held on Senate Appropriations Committee suspense file.

AB 227 (Mayes) of 2017 would have created the CalWORKs Educational Opportunity and Attainment Program to offer education grants and stipends to eligible CalWORKs participants who complete certain educational programs. AB 227 died in the Senate Human Services Committee.

AB 1994 (Lopez) of 2016 would have created the CalED program to provide a one-time \$500 supplement to eligible CalWORKs participants upon successful completion of a high school equivalency examination. AB 1994 was held on the Assembly Appropriations Committee suspense file.

REGISTERED SUPPORT / OPPOSITION:

Support

Coalition of California Welfare Rights Organizations (Co-Sponsor)
 Asian Americans Advancing Justice - California
 Associated Students of the University of California
 California Association of Christian Colleges and Universities
 California Association of Food Banks
 California Catholic Conference
 California Food Policy Advocates
 County Welfare Directors Association of California (CWDA)
 East Bay Community Law Center
 Friends Committee on Legislation of California
 National Association of Social Workers, California Chapter
 National Lawyers Guild San Francisco Bay Area Chapter, Doris Brin Walker Legislative Reform Committee
 San Francisco Senior and Disability Action
 University of California Student Association
 Western Center on Law & Poverty, INC.

Opposition

None on file

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