

## In Brief

● **Waiving Time Limits for Domestic Abuse-** On 8/30/04 San Jouquin County told DSS that they "...have a client who is a victim of domestic abuse (stalking)." She has a new identity and a new social security number. The county wants to know if they can count the months she was on aid for the 60-month purposes prior to getting a new identity. DSS responded, "In the situation you present, the client is a victim of domestic abuse. The regulations provide counties with the discretion to waive CalWORKs program requirements, including the 60-month time limit, for victims of domestic abuse. " ACL 99-09;ACL 01-57, W&IC§ 11495.1(a) and MPP §§ 42.713.221 and 42.715.5.







● **Permanent Homeless for Transitional Housing Client -** On 12/14/04, Faye Tabin of Santa Barbara County asked DSS whether the client who received temporary homeless and has found transitional housing for 18 months is eligible for permanent homeless assistance. The county had decided to deny permanent homeless assistance to this family, but Rosie Avena responded: "Yes. The client is eligible for permanent housing payments even though she is in a transitional homeless program. The transitional homeless program is suppose to be temporary, but still falls under the permanent housing criteria when a client requests for homeless assistance."

● **Orange County Unlawfully Forces Students to Sign a WtW 2 Each Semester -** David O'Meara informed CDSS that Orange County was requiring SIP participants to sign a WtW 2 ( Welfare to Work Plan-Activity Assignment) every semester. This is wrong. A participant does not have to sign a WtW 2 every semester. In fact, according

CDSS analyst, Audrey King, ACL 97-72 provides that a new plan can be signed if the participant changes the activity, but that would not be a WtW 2, rather it would be the WtW 3. Thus, Orange County has been wasting a lot of taxpayer dollars by having students come into their office every semester to sign a form that is contrary to law.

● **Working 45 Hours a Week and Still Being Sanctioned-** Rebecca DelaVega of Lake County asked DSS the following: " A WtW participant who was assigned to 15 hours of behavioral health treatment (BHT) did not cooperate and a second instance (3 month) sanction was imposed. During the three-month sanction period she obtained full-time employment. Do we lift the sanction after the three-month minimum sanction period is up or must she still participate in the assigned activity of BHT? Some individuals in the county believe she should participate in BHT and others think that employment should be her WtW activity. DSS response: "The county should not require the individual to reduce her hours of employment." DSS suggested that Lake County change her activity to that of employment.

● **Refugee Cash Assistance (RCA) Does not Count for CalWORKs 60-month Clock-** Susan West of Monterey County suggested that RCA would tick the CalWORKs 60-month clock. DSS response: "Cash aid received under the RCA program ticks neither the TANF or the CalWORKs 60-month time clocks, because it is a separately

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## TANF UPDATE

A recent federal HHS report shows that in 2002 \$14.6 billion was spent on TANF. Only 30% or \$4.5 billion was used for payments to families. The remainder of the money, a whopping 60% was used for non-assistance expenditures in the amount of \$8.8 billion. States were so swimming in TANF funds that they gave \$1 billion to the social service block grant, \$1.9 billion to child care development fund, \$2.3 billion was used for "other non-assistance" uses, which could be anything, including tax cuts. In 1991, before

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welfare reforms were enacted, 12% of the AFDC funds were used for administration. To be specific, in 1991, the total amount spent on payments to families was \$20 billion while the administration costs were a meager \$2.6 billion. Republicans started to cam-

paign against welfare in the 80's and 90's. Now they have achieved their goal with 60% of the welfare money going to welfare bureaucrats rather than needy families of America This is up from mere 12% going to bureaucrats in the 90's. The Bush TANF proposal continues this trend.



## State Budget Passes Welfare Kids Lose

The 2005-2006 State Budget passed and to no ones surprise, welfare kids were the big losers. In fact, Assembly Democrats agreed to freeze CalWORKs grants for 2005-2006 and 2006-2007. This cut saves \$210 million each year while CalWORKs families live on grant levels of the early 90's. So if kids lost, who won-- welfare bureaucrats, of course.

There is \$5.9 billion dollars available for the TANF program, which is the federal name for CalWORKs, formerly known as AFDC. Before TANF, 80% of the total welfare expenditures were used for payments to families. In the '05-'06 budget, passed and signed, \$3.1 billion was used for payment to families, which 52% of the total CalWORKs budget. This is a significant decline of 32% in money for payments to families - 50% of whom are working families according to State Department of Social Services.

The budget gives child welfare services over \$2,500 a month for each child while CalWORKs spends less than \$200 for each child.

Child Care received **\$1.4 billion** of TANF money even though CalWORKs kids often starve the last two weeks of each month. \$192 million was transferred to Title XX, which funds social workers.

The budget also sets aside \$30 million dollars to reward counties for doing a good job in running the *welfare to work* program, also known as the *welfare to nowhere* program

or the *welfare to sanction* program. DSS's WtW 25 reports reveal that while 40 to 50% of the unduplicated participants are sanctioned every month, less than 4% of the unduplicated participants find employment that terminated public assistance. As to the 4%, there is no evidence that the county actually found those jobs for the participants. Often participants find their own jobs and the county WtW bureaucrats take credit for it.

Finally, while families are suffering, the budget has a rich reserve of \$105 million, which could have funded half of the 2005-2006 COLA (Cost of Living Adjustment).

The bill that stops the CalWORKs COLA for two years is SB 68, which is known as a trailer bill. There are many other COLA's that received funding in the Budget bill, but not CalWORKs. 4.23% of COLA was given for education - per-pupil growth; vocational training and job placement for special education pupils; regional occupancy centers; for children placed in licensed children's institutions; infant program growth; SELPA's COLA pursuant to Chapter 331 of Statutes of 2001, community day schools and certain child care programs.

This trailer bill provides for a process of distributing the \$30 million dollar county incentive money - a process that would be developed by DSS and counties, with some participation of other stakeholders. This proposal was opposed by CCWRO. Our opposition was based on the theory that no money should be spent on these kinds of things until payments to families are fully funded. Section 34 of SB 68 outlines the conditions for counties to get a piece of the \$30 million:

"SEC. 34. Section 15204.6 is added to the Welfare and Institutions Code, to read:

15204.6. (a) Contingent upon a Budget Act appropriation, for the 2006-07, 2007-08, and 2008-09 fiscal years, a Pay for Performance Program shall provide additional funding for counties that meet the standards developed according to subdivision (c) in their welfare-to-work programs

under Article 3.2 (commencing with Section 11320) of Chapter 2. The state shall have no obligation to pay incentives earned that exceed the funds appropriated for the year in which the incentives were earned.

(b) To the extent that funds are appropriated, the maximum total funds available to each county each year under the Pay for Performance Program shall be 5 percent of the funds the county receives that year, less the amount for child care, from the single allocation under Section 15204.2. If funds appropriated for this

96 section are less than the incentives earned under this subdivision, each county's allocation under this section shall be prorated based on the amount of funds appropriated for that year.

(c) The funds available to each county under the Pay for Performance Program shall be divided each year into as many equal parts as there are measures established for the year under this subdivision. A county shall earn payment of one equal part for each improvement standard that it achieves for the year or by ranking in the top 20 percent of all counties in a measure identified in paragraphs (1), (2), (3), and (4). The department shall consult with the County Welfare Directors Association, legislative staff, and other stakeholders, when developing improvement standards and the methodology for earning and distributing incentives for each of the following measures:

(1) The employment rate of county CalWORKs cases.

(2) The federal participation rates of county CalWORKs cases, calculated in accordance with Section 607 of Title 42 of the United States Code, but excluding individuals who are exempt in accordance with Section 11320.3 and including sanctioned cases and cases participating in activities described in subdivision (q)

of Section 11322.6. If valid data does not exist to measure this outcome, the funds for this measure shall be made available for the Pay for Performance Program in the following fiscal year.

(3) The percentage of county CalWORKs cases that have earned income three months after ceasing to receive assistance under Section 11450.

(4) Any additional measures that the department may establish in consultation with the County

Welfare Directors Association, legislative staff, and other stakeholders.

(d) Performance measures, standards, outcomes, and payments to counties under subdivisions (a), (b), and (c) shall be based on the following schedule:

(1) For the performance measure described in paragraph (2) of subdivision (c), payments in fiscal year 2006-07 shall be based on outcomes for the period of July 1, 2005, through December 31, 2005, compared to outcomes for the period of January 1, 2006, through June 30, 2006, and payments in fiscal year 2007-08 and 2008-09 shall be based on outcomes for the fiscal year prior to payment, compared to outcomes for the fiscal year two years prior to payment.

(2) For all other performance measures, payments shall be based on outcomes for the fiscal year prior to payment, compared to outcomes for the fiscal year two years prior to payment.

(e) The department may make further adjustments to any of the performance measures listed under subdivision (c), in consultation with the County Welfare Directors Association, legislative staff, and other stakeholders.

(f) The funds paid in accordance with this section may only be used in accordance with subdivisions (f) and (g) of Section 10544.1 and only for the purpose of enhancing family self-sufficiency. Funds earned by a county in accordance with this section shall be available for expenditure in the fiscal year that they are received and the following two fiscal years. Following the period of availability, and notwithstanding any provisions of subdivision (f) of Section 10544.1 to the contrary, any unspent balance shall revert to the Temporary Assistance for Needy Families (TANF) block grant.

(g) Any funds appropriated by the Legislature for the Pay for Performance Program, but not earned by a county, shall revert to the TANF block grant at the end of the fiscal year for which the funds were appropriated.

(h) Notwithstanding the rulemaking provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement this section through all-county letters throughout the duration of the Pay for Performance Program.”

The other major provision in SB 68, primarily lobbied and secured by the California Food Policy Advocates ([www.cfpa.net](http://www.cfpa.net)) provides that DSS shall apply for counties eligible for ABAWDS waivers unless the County Board of Supervisors decline such waiver.

Single adults and childless couples who are not elderly or disabled can only receive food stamps for 3 months, unless they are working 20 hours a week or working off their food stamp benefits in a local workfare program. The federal law exempts certain states, counties and cities from this rule if they have certain unemployment rate. In California there were many counties that refused to apply for this waiver, thus, thousands of Californians went hungry.

This bill would change the dynamics of forcing the county to refuse the apply. It is a step in the right direction. Many of the people not getting food stamps are veterans who served their country unlike many in power currently.

The statute provides as follows:

“SEC. 37. Section 18926 is added to the Welfare and Institutions Code, to read:

18926. (a) To the extent permitted by federal law, the department shall annually seek a federal waiver of the existing Food Stamp Program limitation that stipulates that an able-bodied adult without dependents (ABAWD) participant is limited to three months of food stamps in a three-year period unless that participant has met the work participation requirement.

(b) All eligible counties shall be included in and bound by this waiver unless a county declines to participate in the waiver request. If a county declines, the county shall submit documentation from the board of supervisors of that county to that effect.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 2 of the Government Code) the

department may implement this section by all county letters or similar instructions.”

Of all the groups fighting against the Swarzenegger cuts, the only big losers were the poor families of California. They took the biggest hit so that more money would be available to the welfare bureaucracy for the next two years.

## Statistic of the Week

**Sanction Rate- about 45%**

**CalWORKs Statistics  
for the period of 12/03 through 11/04.**

In a DSS document to justify giving counties pay-for-performance money, reveals that the sanction rate is about 45%.

Total CalWORKS cases	485,887
Child only cases - Timed out families	196,369
Total Adult cases	289,518
Cases with WtW Exemptions	58,180
Total nonexempt cases	231,338
Cases participating in WtW	118,302
Sanctioned cases	53,561
Noncompliant (not yet sanctioned)	22,317
Unaccounted for cases	37,158

More Statistical information on page 6.



## CWD Client Abuse Report

Ms. A.S. was required to participate in a workfare project for Stanislaus County. She was assigned to the workfare program after she completed her job search activity. Ms. A.S. had never had an assessment, which is a precondition before a WtW activity agreement is signed. She was assigned to a local church and was asked to work in their food pantry. Ms. A.S. was fired from the church food pantry because they did not like her political views and the way she dressed did not please them.

The county issues a notice of action imposing a sanction for failing to make good progress in her workfare activity.

When we contacted Ms. Toledo, the Deputy Director of Stanislaus County regarding sanctioning a workfare participant, she assured us that Ms. A.S. was not being sanctioned. We believed Ms. Toledo and had no reason to doubt her creditability.

At the hearing, a Stanislaus County hearing specialist testified under oath that indeed the county was proposing to sanction Ms. A.S. for failing to make good progress at the workfare site. The county admitted under oath that they knew of no regulation that authorized the county to sanction a workfare participant for failing to make good progress in a Workfare activity, but they still wanted to sanction her.

The Stanislaus County representative also testified that the purpose of the WtW program was to make Ms. A.S. self-sufficient. The Stanislaus County representative was informed that during February of 2005, Stanislaus County had 1,808 unduplicated participants, of which 808 were sanctioned and only 1 participant was able to find employment based upon Stanislaus County WtW 25 and WtW 25A reports. The County Welfare to Work supervisor responded that the county reports are incorrect.

## WELFARE TO WORK

### NEW DATA

## *A lot of Sanction and a few jobs*

We just reviewed the April, 2005 data for the WtW program in California.

The new report shows that counties have been busy sanctioning WtW participants for allegedly not participating in the WtW program. During April of 2005 counties successfully sanctioned 53% of the unduplicated participants while they only found jobs for 3% of the participants.

Some counties did not even submit reports. Merced, Placer, Riverside, Sacramento and San Bernardino simply refused to report.

The leading counties in the sanction column are:

Counties	Sanction Rate	Job Rate
Fresno	93.06%	44.63%
Inyo	88.46%	19.23%
Colusa	88.37%	9.30%
Los Angeles	82.21%	0.80%
Sonoma	76.53%	12.00%
Plumas	75.61%	93.06%
San Luis Obispo	74.34%	93.06%
Stanislaus	71.35%	0.00%
Shasta	68.09%	1.53%
San Diego	62.13%	7.62%
Monterey	56.08%	5.76%

If you want to know how your county is doing, look at Table "A" on this page.

**TABLE # 1**

April, 2005	Sanctions	Job	Und. Part.
<b>Statewide</b>	<b>45,724</b>	<b>2,765</b>	<b>86,643</b>
Alameda	1,692	113	5,654
Alpine	1	0	5
Amador	31	1	56
Butte	210	32	1,138
Calaveras	51	3	116
Colusa	38	4	43
Contra Costa	874	125	2,306
Del Norte	47	2	284
El Dorado	63	10	321
Fresno	5,565	277	5,980
Glenn	80	4	161
Humboldt	325	13	692
Imperial	54	33	1,322
Inyo	23	5	26
Kern	1,517	88	5,267
Kings	352	25	975
Lake	141	24	373
Lassen	66	9	153
Los Angeles	22,313	217	27,143
Madera	243	10	954
Marin	151	8	339
Mariposa	18	0	70
Mendocino	186	8	586
Merced	0	0	0
Modoc	8	0	75
Mono	4	1	18
Monterey	526	54	938
Napa	72	5	149
Nevada	55	3	214
Orange	955	25	4,900
<b>Placer</b>	<b>0</b>	<b>0</b>	<b>0</b>
Plumas	31	3	41
Riverside	0	0	0
Sacramento	0	0	0
San Benito	36	3	181
San Bern,	0	0	0
San Diego	1,957	240	3,150
San Fran.	592	152	2,419
San Joaquin	1,190	105	3,343
San Luis Ob.	252	38	339
San Mateo	182	155	386
Santa Bar.	307	147	896
Santa Clara	1,033	166	4,183
Santa Cruz	193	54	664
Shasta	623	14	915
Sierra	1	0	19
Siskiyou	74	3	226
Solano	172	120	710
Sonoma	476	75	622
Stanislaus	939	0	1,316
Sutter	151	8	578
Tehama	182	7	402
Trinity	20	4	67
Tulare	828	220	2,416
Tuolumne	22	10	196
Ventura	417	87	2,057
Yolo	221	35	557
Yuba	164	20	702