

In Brief

✓ **COUNTY WtW 25 REPORTS QUESTIONED BY COUNTIES.** At a CWDA meeting of March 23, 2005, the subject of county statistical reporting was discussed again. It appears that data included in the WtW 25 reports depends on the business model that a county uses. The counties blame the State for not clearly defining what has to be reported. This is quit outrageous, for the counties were at the table each time the WtW 25 has been modified, often at the request of the counties. The problem is that not all of the stakeholders were at the table when the WtW 25 reporting system was developed or modified.

✓ **SB 786 by Senator McClintock opposed by counties.** Counties and advocates alike, have come out in opposition to SB 786, which would mandate that counties have a home visit for all CalWORKS applicants. The bill was defeated in the Senate Human Services by a vote of 5-0. The author asked and was granted reconsideration of the bill. That means the bill can be heard again provided the Committee voted to grant reconsideration, which is very unlikely.

✓ **WtW 30 Report to Be Revised.** CDSS is planning to revise the WtW 30 form. This form is used for counties to report how many WtW participants are meeting the federal TANF participation rates. Counties have been invited to participate in this endeavor. Advocates have not yet been contacted for participation in this effort.

✓ **CWDA opposes IHSS Wage Rollback.** The CWDA Board of Directors have voted to oppose the IHSS wage rollback proposed by the Schwarzenegger Administration.

✓ **Counties Breaking the Law -** According to ACIN No-1-84-04 dated October 20,

2004, only 11 counties use applications other than in English even though the translated form are available in Spanish, Chinese, Russian and Viet Namese to counties. The counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Lake, Lassen, Los Angeles, Madera, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama Trinity, only Spanish, Tulare, Ventura only Tagalog, Yolo, Yuba were in violation of Civil Rights of Limited English speaking persons by only using English forms based on the statement made by the counties to CDSS.

✓ **Bruce Wagstaff, County Welfare Director of Sacramento County.** Bruce Wagstaff, who started with DSS in 1975 as an analyst in the Food Stamp Bureau has been appointed Director of the Department of Human Assistance. He was in charge of the implementation of the GAIN program in California. He was then appointed Deputy Director for welfare to work program. In 2004 he was appointed Deputy Director of Children Services and now he a County Welfare Director and a member of the California Welfare Directors Association (CWDA).



In Brief



State Capitl Report Assembly Budgte Hearing



Counties do not tell the truth. Is that Lying?

Publisher: CCWRO.

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ASSEMBLY STATE BUDGET HEARINGS

On April 13, 2004 the Assembly Budget Committee's subcommittee on Health and Human services held its hearing for CalWORKs. The first issue for the committee is the anticipated impact of TANF reauthorization on the CalWORKs program. While the administration is proposing to make changes in anticipation of unknown federal changes, most other agreed that making changes in state law before federal law is enacted is premature.

RAIDING OF THE CALWORKS BUDGET -

The next issue was the raid on CalWORKs funding. Mike Herald of Western Center on Law and Poverty stated that CalWORKs has been a "donor to the State budget for the past five (5) years. Previously the State Budget used over \$1 billion CalWORKs dollars for non-CalWORKs programs. The 2004-2005 budget partially stopped the "raid on the CalWORKs budget".

The Schwarzenegger 2005-2006 proposed again to raid the CalWORKs budget by stealing \$1.2 billion from TANF and using it for non-CalWORKs budget items. The taking of CalWORKs funds is made possible in the 2005-2006 Schwarzenegger budget by cutting CalWORKs grants by 6.5%, denying CalWORKs COLA and cutting the earnings disregards.

EARNED INCOME DISREGARDS:

John Wallace of MDRC, which is a nonprofit organization that is a research firm testified before the Assembly Budget Subcommittee on Health and Human Services regarding the Schwarzenegger Administrations proposal to reduce earnings disregards for working CalWORKs recipients. The studies show that children of parents who were receiving earnings disregards had positive effects on school achievement, but when the earnings disregards stopped, the positive achievements also stopped. The conclusion is that Schwarzenegger's proposed budget cuts will have a negative impact on CalWORKs children, but it will not effect the children of Governor Schwarzenegger or his colleagues promoting

these anti-family and anti child initiatives. Also testifying against the reduction of the earnings disregards was Liz Schott of the Center on Budget Policies and Priorities. Liz explained that many states have State Earned Income Tax Credit, which California does not have. She also rebutted the assertion of the Schwarzenegger administration that California is most generous with the income disregards.

CALWORKS BENEFIT REDUCTIONS :

The Schwarzenegger Administration has singled out CalWORKs families and children for the most severe cuts of the Century - No COLA and 6.5% reduction of current benefits which at this time is what CalWORKs recipients received in 1989.

A number of representatives from LIFETIME testified against being targets for Governor Schwarzenegger and explained how these cuts would effect their families.

The Schwarzenegger Administration representatives argued that California has grants that are higher than most States. Opponents of the cuts argued that the cost of living in California is higher than in most states.

As we have noted above, the Schwarzenegger Administration has decided to use \$1.2 billion CalWORKs dollars for nonCalWORKs recipients while proposing the following major cuts aimed at the basic survival needs of CalWORKs families:

	(millions)
CalWORKs 6.5% grant reduction	\$212.3
CalWORKs COLA Deletion	\$ 163.8
Decrease of Earned Income disregard	\$82

PAY FOR PERFORMANCE:

The Budget proposed to hold back 5% of the county annual administration allocation and give it to counties who meet certain performance goals which are not defined.

When the CalWORKS program was initially

enacted, the statute provided for county incentive payments for counties doing their job - making families self-sufficient. Millions were given to counties who used the money to pay for projects as:

- WtW Core Services, funding workers to sanction WtW clients - \$53 million
- Child Welfare Services - \$57 million
- Ten services - \$47 million
- Home visits - \$24 million
- Health care - \$15 million
- Child care - \$15 million
- Law enforcement - \$14 million
- Planning and evaluation - \$6 million
- Prop 10 - \$1 million
- Library \$570,000
- Housing and motel assistance \$4 million

This is a partial list of what the money was used for. We have mailed a Public Records Act request to DSS requesting copies of all documents regarding what happened to the Incentive Monies, but have not received a response within the statutory 10 day time limit for the response.

Most of the money was used for programs that **do not meet the basic survival needs** of CalWORKs recipients, i.e. housing, food, utilities and clothing.

The counties were represented by Phil Ansel of Los Angeles County. Phil testified that the counties oppose holding back money from their regular CalWORKs allocation because they cannot plan an operation without knowing exactly how much funds will be forthcoming.

However, Phil turned around and suggested that the county would support giving counties performance incentive money beyond the regular county annual allocation. He suggested that \$300 million be set aside for this purpose. Of course \$300 would be enough to fund the

CalWORKs COLA and restore the proposed 6.5% reduction- cuts which the counties did not oppose during the hearing. Phil did not express any problem of budgeting and spending these suggested millions that are at best, iffy.

Curt Child testifying for the advocates stated that he agreed with Los Angeles County, but suggested that this issue should be taken up next year. Chairman Hector de La Torre urged the department to work with the county and legislative staff to come up with an agreement for Pay for Performance proposal.

It is the view of CCWRO that counties should not be given incentives for doing their job - especially when counties sanction over 50% of the unduplicated WtW participants. If the county does not do their job, they should be sanctioned just like they sanction CalWORKs recipients without mercy.

SANCTIONS: The budget last year asked DSS to do a study on sanctions by April 1, 2005. DSS contracted with the Rand Corporation who was supposed to present a study. The Rand Corporation failed to deliver the sanction report. CDSS testified that the Rand Corporation was sanctioned for failure to submit the report on time. However, DSS did not indicate that they will not contract with Rand in the future.

California sanctioned over 50% of the unduplicated participants during December of 2004. A LIFETIME Board Member Tammy Marquez testified that although she has a special needs child, she works and gets CalWORKs. One Monday she was scheduled for participation in the WtW program, but could not attend the WtW assignment because she was working. Well that did not sit well with the WtW sanction machine. She was sanctioned and her benefits were reduced by 25% for daring to go to work and not obeying the com-

mands and demands of the county WtW Gods.

Many of these issues will be discussed again during early May when the Schwarzenegger Administration releases it's May Revised Budget, also known as the "May Revise".

**STANISLAUS COUNTY NOT
TELLING THE TRUTH**

On March 14, 2005 CCWRO mailed a Public Act Records request to all California counties asking for copies of county forms that applicants for CalWORKs and food stamps are required complete prior to their face-to-face interview. For CalWORKs this interview is required to be conducted within 7 working days of the date of application pursuant to Welfare and Institutions Code Section 11052.5

State law requires that the county respond within 10 days from receipt of the letter.

See California Government Code Section **6253 (c)** Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days.

Stanislaus County responded on April 1, 2005, admitting that they received our letter on 4/17/05.

The letter then goes on to assert that Stanislaus County does not have any county forms that applicants for CalWORKs and Food Stamps are required to complete.

We questioned the truthfulness of their letter. Our suspicion had merit. We discovered that Stanislaus County has made a false statement in their 4/1/05 letter alleging that they do not

have a county form that applicants have to complete. The fact is they do. It is known as county form Stangen-108.B.

CCWRO has mailed a letter to Stanislaus stating:

We have information from reliable sources that Stanislaus County uses a forms known as "**Stangen108.B**", which solicits prescreening information.

Your transmission of this form would be appreciated. Failure to comply promptly would force us to file litigation to assure that the county of Stanislaus is obeying the laws of California."

Below is the actual text of W&IC§ 11052.5

11052.5. "No applicant shall be granted public assistance under Chapters 2 (commencing with Section 11200) and 5 (commencing with Section 13000) of this part until he or she is first personally interviewed by the office of the county department or state staff for patients in state hospitals. The personal interview shall be conducted promptly following the application for assistance. If an applicant is incapable of acting in his or her own behalf, the county department shall verify this fact by personal contact with the applicant before aid is authorized. As used in this section, the term public assistance does not include health care as provided by Chapter 7 (commencing with Section 14000).

The interview conducted pursuant to this section shall occur within seven days after the time of application unless there are extenuating circumstances that justify further delay." (Our emphasis added)