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16.06.09 - RULES GOVERNING THE FAMILY SELF-SUPPORT PROGRAM FOR IDAHO RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN AND RECIPIENTS OF FOOD STAMPS

Job Opportunities and Basic Skills Training Program (JOBS)

Job Search Assistance Program (JSAP)

000. LEGAL AUTHORITY.

Pursuant to Sections 39-106(1), 56-202(b) and 56-209, Idaho Code, the Idaho Legislature has delegated to the Director of the Department of Health and Welfare the responsibility to establish and enforce such rules and regulations as may be necessary or proper to administer the education, training and employment programs available to recipients of public assistance. (1-29-91)

001. TITLE AND SCOPE.

01. Title. These rules are to be cited as Idaho Department of Health and Welfare Rules, Title 06, Chapter 09, "Rules Governing the Family Self-Support Program for Idaho Recipients of Aid to Families with Dependent Children and Recipients of Food Stamps." (1-29-91)

02. Scope. The following rules govern Idaho Title IV-A implementation of the education, training, and employment requirements of the Federal Family Support Act of 1988 (Public Law 100-485) and of the Hunger Prevention Act of 1988 (Public Law 100-435) and The Food Security Act of 1985 (Public Law 99-198). These rules will address "Job Opportunities and Basic Skills Training (JOBS)", the program available to families receiving Aid to Families with Dependent Children (AFDC); the parallel program for food stamp (FS) recipients, the "Food Stamp Employment and Training Program" (in Idaho, the "Job Search Assistance Program (JSAP)"); and the child care and supportive services programs necessary to enable client participation in JOBS and JSAP and in subsequent employment. These programs constitute the Family Self-Support (FSS) Program for the state of Idaho. (1-29-91)

002. PURPOSE.

To provide federal Title IV-A Aid to Families with Dependent Children (AFDC) and Department of Agriculture food stamp benefits to residents of the state, the state must make education, training, and employment programs available to recipients of these benefits. The AFDC program, Job Opportunities and Basic Skills (JOBS), and the comparable food stamp program, Idaho Job Search Assistance (JSAP), provide recipient families access to services and resources necessary to attain self-sufficiency. The Department of Health and Welfare consults and coordinates with other community service providers to minimize service duplications and deficits, and to assure that services are available to eligible program participants. The Department is further required to guarantee that child care and supportive services are available to enable recipients to participate in JOBS and JSAP. The Department can provide reimbursement for transitional child care and medical benefits to help eligible former AFDC clients maintain employment. (1-11-94)

003. PROGRAM AUTHORITY.

The Family Self Support Programs, JOBS and JSAP are administered by the Department of Health and Welfare. The Department is responsible for the administration or supervision of the state's Title IV-A Plan and administers the Department of Agriculture's Food and Nutrition Food Stamp Program. (1-11-94)

004. DEFINITIONS.

01. Assessment. A systemic process of identifying individual characteristics within the context of the family system. A face-to-face individual interview will be conducted. (1-11-94)

02. Basic Literacy Level. Literacy capability that allows an individual to function at a level equivalent to at least grade 8.9. (1-11-94)

03. Case Management. A primary function of family services to assure access to needed resources and services, and to provide or coordinate the provision of individual and family assessment, case planning, treatment, protection, advocacy, monitoring and reassessment, and documentation and record maintenance. (1-11-94)

04. Child Day Care. Care and supervision provided for a child during any part of a twenty-four (24)

- hour day. (1-11-94)
05. Components. FSS program activity areas designed to provide a participant with the education, training and experience necessary to find and maintain employment. (1-11-94)
06. Conciliation. A structured procedure for exploring and resolving disputes concerning a recipient's participation in the Family Self-Support Program. (1-11-94)
07. Corrective Action. Client activity designed by FSS staff to demonstrate that failure to comply with program requirements for participation has ceased. (1-11-94)
08. Custodial Parent. Parent with whom a child lives. (1-11-94)
09. Department. The Idaho Department of Health and Welfare. (1-11-94)
10. Dependent Child. Child under the age of eighteen (18) years who is reliant upon adult members of the assistance unit for basic support -- food, clothing and shelter. (1-11-94)
11. Displacement. Loss of employment or reduction in hours, wages or benefits for an employee in the regular community work place caused by assigned activities of a participant in JOBS or JSAP. (1-11-94)
12. Employment Plan. A statement of the participant's employment goal, and a description of the services, resources and program activities needed to accomplish the goal. The plan must include an outline of the responsibilities and expectations for both the participant and staff, and a timetable of implementation for each part of the plan. The employment plan will change as circumstances change and as objectives are reached. (1-11-94)
13. Exempt. An AFDC or FS recipient who is not required to participate in the Family Self-Support Program. The determination of exemption status is made by Medical and Financial Assistance staff in accordance with Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, Subsection 393.04, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)," and Idaho Department of Health and Welfare Rules, Title 03, Chapter 04, Section 221, "Rules Governing the Food Stamp Program in Idaho." (1-11-94)
14. Family and Children's Services (FACS). The programs managed by the Department to meet the social and protective needs of families, individuals and communities, in accordance with Idaho Department of Health and Welfare Rules, Title 06, Chapter 01, "Rules Governing Social Services." (1-11-94)
15. Family Centered Service. Delivery of social services that focuses on families, rather than on individuals. Goals and plans are based on assessment of the total family and include treatment and support services designed to strengthen and maintain families, as well as goals of individuals. (1-11-94)
16. Family Self-Support (FSS) Program. Education, training and employment program for recipients of AFDC and FS which includes the Job Opportunities and Basic Skills Training Program (JOBS) and the Job Search Assistance Program (JSAP). (1-11-94)
17. Family Support Act of 1988 (Public Law 100-485). Establishes the Job Opportunities and Basic Skills Training Program under Title IV-F of the Social Security Act. (1-11-94)
18. FSS Sanction/Penalty. Loss of AFDC or FS benefits or loss of priority status for FSS placements and resources in response to failure to comply without good cause with the participation requirements of the Family Self-Support Program. (1-11-94)
19. Good and Satisfactory Progress. A standard of progress which a participant must meet in an educational or training program. Standards are established by each individual program and must include both qualitative and quantitative measures of progress. (1-11-94)
20. Good Cause. A documented reason for an individual's inability to meet the participation requirements of the Family Self-Support Program in accordance with Section 510 when the individual is not

otherwise exempt in accordance with Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, Subsection 393.04, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)" or Idaho Department of Health and Welfare Rules, Title 03, Chapter 04, Section 221, "Rules Governing the Food Stamp Program in Idaho."
(1-11-94)

21. Grievance Procedure. A structured process to investigate and resolve issues of displacement alleged to have resulted from activities of JOBS or JSAP participants.
(1-11-94)

22. Guaranteed Child Care. Departmental assurance that funds and placement slots for child care are available as needed to enable an individual to participate in the activities of the Family Self-Support Program or to accept or retain employment.
(1-11-94)

23. Hunger Prevention Act of 1988 (Public Law 100-435). Establishes the Food Stamp Employment and Training Program (Job Search Assistance Program in Idaho).
(1-11-94)

24. Job Entry. Unsubsidized employment obtained by a FSS participant.
(1-11-94)

25. Job Opportunities and Basic Skills Training Program (JOBS). Education, training and employment program established for recipients of Aid to Families with Dependent Children by the Family Support Act of 1988 and provided in accordance with these rules.
(1-11-94)

26. Job Search Assistance Program (JSAP). Education, training and employment program established for food stamp recipients by the Hunger Prevention Act of 1988 and provided in accordance with these rules.
(1-11-94)

27. Licensing. In reference to day care for children in accordance with Idaho Department of Health and Welfare Rules Title 06, Chapter 02, "Rules and Standards for Child Care Licensing."
(1-11-94)

28. Mandatory (Nonexempt). An AFDC or FS recipient who must be referred for participation in the Family Self-Support Program. The determination of exemption status and referral is made by medical and financial assistance staff in accordance with Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, Subsection 393.04, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)," and Idaho Department of Health and Welfare Rules, Title 03, Chapter 04, Section 221, "Rules Governing the Food Stamp Program in Idaho."
(1-11-94)

29. Mandatory Volunteer. A nonexempt recipient of AFDC who volunteers for the FSS Program prior to receipt of notification requiring him to participate.
(1-11-94)

30. Mediation. A structured procedure for exploring and resolving disputes and complaints made by a participant concerning on-the-job working conditions and worker's compensation.
(1-11-94)

31. Medical and Financial Assistance. The programs of the Department which provide for public medical and financial assistance to eligible families and individuals, in accordance with Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)."
(1-11-94)

32. Noncompliance. Failure to meet the participation requirements of the Family Self-Support Program without good cause.
(1-11-94)

33. Participant. An AFDC, AFDC-UP, or FS recipient who has been referred to JOBS or JSAP; or an individual who is closed but who continues to complete an OJT placement or while in a period of transitional support.
(1-11-94)

34. Principal Wage Earner. That parent in a two (2) parent household who earned the greater amount of income in the twenty-four (24) months immediately preceding the month in which the family applies for AFDC-UP.
(1-11-94)

35. Recipient. An individual who has been determined eligible for a public assistance benefit, i.e. AFDC, AFDC-UP or FS, by medical and financial assistance staff. (1-11-94)
36. Region. One (1) of seven (7) geographically defined areas of the state for the administration and delivery of the Department's services. (1-11-94)
37. Regional Director. Primary administrative officer in each of the seven (7) regions of the Department. (1-11-94)
38. Sanction. A penalty imposed because of failure to comply with the requirements of the Family Self-Support Program or Child Support Enforcement. (1-11-94)
39. Satisfactory Participation. Attendance for seventy-five percent (75%) of the hours assigned on the employment plan. (1-11-94)
40. Target Groups. Those populations of AFDC recipients identified by regulation as being most in danger of long-term welfare dependency in accordance with Section 205. (1-11-94)
41. Transitional Child Care. Child care for families closed for AFDC benefits because of increased income or hours from employment or because of the loss of earned income disregards. (1-11-94)
42. Transitional Medical Assistance. Medical benefits for families closed for AFDC assistance because of increased income or hours from employment or because of the loss of earned income disregards. (1-11-94)
43. Transitional/Case Management Services. Supportive services and case management provided to a participant following benefit closure for a reason other than sanction. Services may be continued for up to ninety (90) days following a closure for employment or for the time needed to allow completion of an authorized component activity. (1-11-94)
44. Tribal JOBS. Education, training and employment programs established under the Family Support Act of 1988 for AFDC recipients enrolled in Indian tribes and operated by the tribe rather than the state. (1-11-94)
45. Volunteer. An AFDC recipient not otherwise required to participate in JOBS who requests to enter the program. (1-11-94)

005. ABBREVIATIONS.

01. ABE. Adult Basic Education. (1-11-94)
02. AFDC. Aid to Families With Dependent Children. (1-11-94)
03. AFDC-UP. Aid to Families With Dependent Children - Unemployed Parent. (1-11-94)
04. DOE. Department of Employment. (1-11-94)
05. DHW. Department of Health and Welfare. (1-11-94)
06. ESL. English as a Second Language. (1-11-94)
07. FACS. Family and Children's Services. (1-11-94)
08. FFP. Federal Financial Participation. (1-11-94)
09. FS. Food Stamps. (1-11-94)
10. FSS. Family Self-Support Program. (1-11-94)

11. GATB. General Aptitude Test Battery. (1-11-94)
12. GED. General Equivalency Degree. (1-11-94)
13. IWEP. Idaho Work Experience Program. (1-11-94)
14. JOBS. Job Opportunities and Basic Skills Training Program. (1-11-94)
15. JSAP. Job Search Assistance Program. (1-11-94)
16. JTPA. Job Training Partnership Act. (1-11-94)
17. MA. Medical Assistance. (1-11-94)
18. NOAA. Notice of Adverse Action. (1-11-94)
19. NONC. Notice of Noncompliance. (1-11-94)
20. OJT. On-the-job Training. (1-11-94)
21. PIC. Private Industry Council. (1-11-94)
22. PSE. Postsecondary education. (1-11-94)
23. TABLE. Test of Adult Basic Education. (1-11-94)
24. TCC. Transitional Child Care. (1-11-94)
25. UP. Unemployed Parent. (1-11-94)

006. PROGRAM MANAGEMENT.

01. Geographic Availability. JOBS will be offered in ten counties - Ada, Bannock, Bonneville, Bingham, Bonner, Canyon, Kootenai, Nez Perce, Payette and Twin Falls. JOBS will be offered in additional counties as resources allow. JSAP will serve clients in four counties - Ada, Bannock, Canyon and Kootenai. (10-1-92)
02. Services Only to Recipients. JOBS and JSAP services will not be available to AFDC and FS applicants. (1-29-91)
03. Services to Mandatory Recipients. JOBS and JSAP will serve mandatory recipients as resources are available. (1-11-94)
04. AFDC recipients who have been determined exempt from JOBS participation may choose to volunteer and will be served as resources are available. Exempt Food Stamp Recipients may not volunteer for JSAP. (1-11-94)

007. PARTICIPANT RIGHTS.

Each FSS participant has rights which are protected by federal and state laws and Department rules. (1-11-94)

01. Anti-Discrimination. No person participating in the FSS program shall be denied services or be subjected to discrimination on the basis of race, color, national origin, religion, age, gender, or physical or mental disability. Participants will have all rights available under any applicable federal, state, or local law prohibiting discrimination. Disputes regarding discrimination will be referred to the Department's civil rights/affirmative action officer. JSAP discrimination disputes may also be referred to the Secretary, Department of Agriculture. (1-29-91)
02. Right to Request the Service. Any recipient who meets the JOBS or JSAP program eligibility criteria has the right to request the service. (1-29-91)

03. Accessibility to Service. FSS services will be available and accessible. Services will be provided with reasonable promptness to eligible clients as resources are available within the service area. (1-11-94)

04. Right to Reject Services. Eligible individuals are free to accept or reject FSS services. Departmental staff must inform an individual who is required by regulation to participate of the consequences of his decision. (1-11-94)

05. Access to Hearing. Recipients who are denied or excluded from the FSS program shall have access to the Department's established process for fair hearings. A recipient's right to a hearing is outlined in accordance with Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, Sections 605 through 616, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)," and Idaho Department of Health and Welfare Rules, Title 03, Chapter 04, Sections 540 through 561, "Rules Governing the Food Stamp Program in Idaho." The fair hearing process may also be used in the resolution of participation disputes or complaints in accordance with Section 515 and for concerns about work place safety and worker's compensation. (1-11-94)

008. RESPONSIBILITIES OF FAMILY SELF-SUPPORT STAFF.

01. FSS staff must explain to each participant his rights and responsibilities in JOBS or JSAP. (1-11-94)

02. Family System Assessment. FSS staff will evaluate the circumstances of each participant during a face-to-face interview. (1-11-94)

03. Case Record. FSS staff will maintain accurate, complete family case records. (1-11-94)

009. (RESERVED).

010. COMMUNITY WORK FORCE PROTECTION.

Assignments to on-the-job training or work experience activities must not negatively impact employees in the regular community work force. A participant can be placed for on-the-job training in a unfilled position established for regular employment. (1-11-94)

01. Displacement. Assignment of a FSS participant must not result in loss or reduction of employment for a regular employee; impairment of existing contracts or collective bargaining agreements; or infringement of promotional opportunities of regular employees. (1-11-94)

02. Grievance Procedure. The Department will investigate a grievance alleging displacement made by a regular employee in the community work force. If the grievance is not resolved to the satisfaction of the grievant, the grievant may appeal. (1-11-94)

011. -- 099. (RESERVED).

100. JOBS AND JSAP PROGRAMS - REFERRAL STATUS.

Eligibility staff are responsible for determining the work program referral status of AFDC and FS recipients. (1-29-91)

101. -- 199. (RESERVED).

200. PARTICIPATION.

All recipients of AFDC or food stamps are required to participate in JOBS as a condition of eligibility for AFDC and AFDC-UP or in JSAP to be eligible for food stamps in counties where these programs exist except under the following conditions: (1-11-94)

01. Meeting Exception Criteria. The recipient meets one (1) of the exemption criteria; or (1-11-94)

02. Subject to Criteria. The recipient is subject to one (1) of the criteria listed for FSS good cause

deferral from participation in accordance with Subsection 510.08; or (5-5-92)

03. Inadequate Program Resources. Program resources are inadequate to meet the service or activity needs of the individual or family, or are insufficient to adequately meet needs defined for specific recipients. (1-29-91)

201. PROGRAM EXIT.

An individual who loses eligibility for AFDC, AFDC-UP or FS is no longer eligible for the Family Self-Support program unless the participant is eligible for Transitional Services or is in an On-The-Job Placement. An individual who has been a mandatory program participant may withdraw from the program if found to be subsequently exempt. (1-11-94)

202. -- 204. (RESERVED).

205. TARGET PARTICIPATION.

FSS programs are designed to prioritize services to targeted populations. (1-11-94)

01. JOBS Target Groups. Individuals who are: Recipients of AFDC who have received AFDC for thirty-six (36) of the last sixty (60) months; Recipient members of AFDC families in which the youngest child is within two (2) years of being ineligible for AFDC because of age; Custodial parents under the age of twenty-four (24) years who have not completed a high school education or equivalency degree and who are not enrolled in high school or an equivalency degree program at the time of application for AFDC assistance; or Custodial parents under the age of twenty-four (24) years who have had little or no work experience in the preceding year. "Little or no work experience" is defined as work which is less than three (3) months duration; less than an average of thirty (30) hours a week; less than federal minimum wage; or work which made no contribution in skills or experience to the individual's capacity for achieving self-sufficiency. (1-11-94)

02. JSAP Target Groups. Individuals who are certified to receive food stamps for at least three months, and who are under the age of twenty-five (25) years of age who have not completed a high school education or equivalency degree; or who have worked less than three (3) months at an average of 20 hours a week for the same employer during the last eighteen months. (1-11-94)

03. Determination of Target Group. Target status is assigned to an individual prior to or at entry into JOBS or JSAP. The criteria for target assignment are reviewed monthly or prior to authorization of resources for nontargeted recipients and the status changed as the individual meets the qualifying criteria. A targeted recipient retains that status throughout the period of receipt of benefits despite any changes in target status which might occur. (1-11-94)

206. -- 209. (RESERVED).

210. VOLUNTARY PARTICIPATION - JOBS.

Both exempt and mandatory AFDC recipients may volunteer for JOBS and may be selected to participate. The JSAP program is not available to exempt volunteers. (1-29-91)

01. Mandatory Volunteer. A nonexempt recipient of AFDC who volunteers for the JOBS program prior to receipt of notification requiring him to participate is defined as a "mandatory volunteer." (1-29-91)

02. Volunteer Prioritization Within Target Groups. Within the groups targeted by the JOBS program in accordance with Section 205., the Department will give first consideration to making a limited resource available to a volunteer before extending the same service or resource to a nonvolunteering target group member. (5-5-92)

03. Conditions of Voluntary Participation. A volunteer to the JOBS program must agree to participate in the total process, including participation in assessment to develop an employment plan over which the Department has final authority for approval. (1-29-91)

04. Failure to Participate - Volunteers. An exempt individual who volunteers for the JOBS program and then ceases to participate without good cause loses priority for JOBS placements and resources. If the client is

mandatory, he shall be subject to sanction for failure to participate. (1-11-94)

211. -- 214. (RESERVED).

215. PRIORITIZATION OF PARTICIPATION.

The Department will prioritize clients served according to the following schedule: (1-11-94)

01. Mandatory recipients who volunteer and are in a target group; or (1-11-94)
02. Exempt recipients who volunteer and are in a target group; or (1-11-94)
03. Mandatory recipients in a target group, but not volunteering; or (1-11-94)
04. Nontargeted mandatory recipients who volunteer; or (1-11-94)
05. Mandatory recipients not in a target group and not volunteering; or (1-11-94)
06. Nontargeted exempt recipients who volunteer. (1-11-94)

216. -- 219. (RESERVED).

220. HOURS OF PARTICIPATION.

JOBS and JSAP participants must be scheduled for a specified number of hours in each assigned component or activity. (1-11-94)

01. Standard Assignment Time. FSS Participation standard is twenty (20) hours a week. JSAP IWEP participation cannot exceed the monthly benefit amount divided by the federal minimum wage. The actual assignment time for each individual may vary depending on the employment plan. (1-11-94)

02. Scheduled Hours. A participant's weekly scheduled hours are the total of all the hours scheduled for each of the individual activities to which the participant is assigned. (1-29-91)

03. Actual Hours. A participant's hours of actual attendance for each of the individual activities attended. The only exception is school breaks as defined in Subsection 220.05. (1-11-94)

04. Commuting Time. The hours counted for an individual will not include time spent commuting to and from a JOBS assignment or to and from a child care provider for either JOBS or JSAP. (1-29-91)

05. School Breaks. Individuals, other than those in high school, will not be considered to be participating in an educational activity during the period of time between school years. Individuals in all educational activities will be considered to be participating for the assigned hours during shorter scheduled school breaks. (1-11-94)

06. Job Entry Hours. Hours in unsubsidized employment will be counted as participation in JOBS if the employed individual was assigned to a FSS component or received job development services through JOBS for the month of job entry or the preceding month. For JOBS participants, hours may be counted for the month of job entry. Hours may be counted for the following month if the JOBS participant is still employed at the end of the month. Hours of job entry are not countable for JSAP. (1-11-94)

07. Transitional/Case Management Hours. Individuals closed for AFDC for reasons other than sanction may continue to receive FSS services for up to ninety (90) days following employment or for the time needed to complete a component activity. Hours can only be counted for JOBS participants in job entry or on-the-job training. (1-11-94)

221. -- 224. (RESERVED).

225. SPECIAL PARTICIPATION REQUIREMENTS FOR EDUCATION - JOBS.

A custodial parent not yet twenty (20) years of age who lacks a high school diploma or equivalency degree must participate in high school education or a GED program. Participation is required regardless of the age of a child as long as child care is available. Participants with children under the age of six (6) can be required to attend educational activities for more than twenty (20) hours a week. (1-11-94)

01. The Department may excuse a custodial parent who is under eighteen (18) years of age from the school attendance requirement when it is not appropriate to the individual's employment plan or if an alternative program is available. (1-11-94)

02. The Department may require a custodial parent who is eighteen (18) or nineteen (19) years of age and who lacks a high school education or its equivalent to participate in skills training or work instead of education. Education may not be appropriate if the parent has been assigned to educational activities in the past and has failed to make good progress; another plan would be more appropriate for the individual; or no resource is available to meet the individual's educational needs. (1-11-94)

226. -- 229. (RESERVED).

230. GOOD AND SATISFACTORY PROGRESS.

Individuals participating in FSS approved educational and training activities must meet a periodically measured standard of progress defined as "good and satisfactory." (1-29-91)

01. Period of Measurement. The period of measurement must be less than one (1) year and appropriate for the specific educational or training program, such as a semester or quarter. (1-29-91)

02. Development of Standard. The standard of progress which qualifies as "good and satisfactory" is defined in written policy agreed to by the educational institution or training provider, the Department, and the appropriate state or local education agency. (1-29-91)

03. Qualitative and Quantitative Measurement. The standard must include both a qualitative measurement, a grade point average of at least 2.0 or a gain in proficiency level; and a quantitative measurement, such as a reasonable time limit in which the participant is expected to complete the educational or training program. (1-29-91)

04. Exceptions to Standard. The standard may be waived if the participant is making satisfactory progress during a probationary period. (1-11-94)

05. Factor in Noncompliance. Failure to demonstrate good and satisfactory progress may be a factor in a decision that a client has failed to participate in an educational or training activity when good cause in accordance with Section 510, cannot be established for the participant's failure. (5-5-92)

231. -- 234. (RESERVED).

235. SPECIAL PARTICIPATION REQUIREMENTS FOR AFDC-UP RECIPIENTS.

Within 30 days from the date approved for AFDC-UP benefits, at least one parent in an AFDC-Unemployed parent household must participate in one of the following activities: (1-11-94)

01. Work Experience. The parent must participate at least sixteen (16) hours a week in a community work experience program; or (1-11-94)

02. On-the-Job Training (OJT). The parent must participate at least sixteen (16) hours a week in an OJT; or (1-11-94)

03. Education. A parent under age twenty-five (25) who has not completed high school or an equivalency degree may be required to participate and make satisfactory progress in educational activities such as Adult Basic Education, GED preparation, English as a Second Language, or remedial education. A parent cannot meet the participation requirement through job skills training or post-secondary education. (1-11-94)

04. Job Search. A parent may participate in job search twenty (20) hours per week for the first two months the family receives benefits in lieu of participation in work experience, on-the-job training, or education. Beginning the third month, Job Search cannot be substituted for the required activities. (1-11-94)

236. --399. (RESERVED).

400. PROGRAM OPERATION.

All FSS participants begin the program with an initial process of screening/assessment and employment planning. The initial assessment of employability is based on: (1-11-94)

01. The individual's educational, child care, and other supportive service needs; and (1-11-94)
02. The individual's proficiencies, skill deficiencies, and prior work experiences; and (1-11-94)
03. A review of the individual's physical, mental and emotional capacity; and (1-11-94)
04. A review of family circumstances, including the needs of the participant's children. (1-11-94)

401. EMPLOYMENT PLAN.

Employment plans are based on information from assessment and are developed by FSS staff with the individual participant. The employment plan must reflect a direct path to available employment. Final approval of the content of the employment plan is the responsibility of the Department. The employment plan must contain the following: (1-11-94)

01. An employment goal which is reasonable for the individual and for the family and which takes into consideration the availability of Departmental and community resources; and (1-11-94)
02. A description of the FSS activities which will be undertaken by the participant to achieve the employment goal; and (1-11-94)
03. An outline of the general time frame for completion of the activities and hours scheduled per week for each assigned activity; and (1-11-94)
04. An outline of the time frame and criteria for a determination that the participant is making satisfactory progress in education, skills training or on-the-job training; and (1-11-94)
05. A description of the child care, supportive services, counseling or referral needs of the participant or other household members; and (1-11-94)
06. An outline of the services and resources to be provided by the Department. (1-11-94)
07. The employment plan will be signed by both the FSS staff representative and by the participant. (1-11-94)
08. Failure of the participant to sign the employment plan, either because of oversight or because of refusal, does not constitute failure to participate, as long as the participant meets the requirements outlined in the plan. (1-11-94)
09. The employment plan shall not be considered a contract. (1-11-94)

402. -- 409. (RESERVED).

410. JOBS AND JSAP PROGRAM COMPONENTS.

Components are program activities designed to provide a participant with the education, training and experience necessary to find and maintain employment. (1-11-94)

01. Participants are assigned to components identified in the employment plan. (1-11-94)
02. A participant may be assigned to more than one (1) component. (1-29-91)
03. Component activity may be provided directly by the Department or may be contracted for or arranged with other agencies or community resources. (1-11-94)
04. Before the Department purchases any component activity, it must assure that the component is not otherwise available to FSS participants without cost. (1-11-94)

411. -- 414. (RESERVED).

415. EDUCATIONAL ACTIVITY.

Educational activities below the postsecondary level include, but are not limited to: (1-11-94)

01. High school education or an equivalency certificate program; and (1-29-91)
02. Basic and remedial education that will provide the participant with a literacy level of at least an 8.9 grade level; and (1-29-91)
03. Education in English proficiency for an individual who does not have the oral or written English language skills to permit realization of the employment goal. (1-29-91)
04. The participant's involvement with educational activities is subject to assessment for "good and satisfactory progress," in accordance with Section 230. (5-5-92)

416. JOB SKILLS TRAINING.

This component covers vocational training, or equivalent knowledge and abilities in a specific occupational area. (1-11-94)

01. The Department must monitor the participant in this component for "satisfactory progress" in accordance with Section 230. (5-5-92)
02. The participant must have no prior skills or training which would support self-sufficiency. (5-5-92)

417. JOB READINESS.

Job readiness activities help prepare a participant for work by assuring that the individual is familiar with general work place expectations, and exhibits work behavior and attitudes necessary to successfully compete in the labor market. (1-29-91)

418. JOB DEVELOPMENT AND JOB PLACEMENT.

The employment plan will show participant assignment to this component but with no client hours scheduled, since these activities are primarily an administrative responsibility. Component activities include: (1-29-91)

01. Soliciting unsubsidized job openings from both public and private employers; and (1-29-91)
02. Marketing participants to potential employers; and (1-11-94)
03. Arranging job interviews for participants. (1-29-91)

419. GROUP AND INDIVIDUAL JOB SEARCH.

Individual job search includes the provision of job-seeking skills training, information and referral, and support and counseling on a one-to-one basis. Group job search includes the provision of counseling and training in a group setting where recipients are taught job-seeking skills. Participants must be actively looking for employment. JSAP participants are referred to DOE to register for work as part of their job search activity. (1-11-94)

01. Participation in the job search component may not exceed eight (8) weeks, or the equivalent of

eight (8) weeks, in any twelve (12) month period of consecutive receipt of benefits. The twelve (12) month period begins with the date the participant is first assigned to the job search component. For JSAP, ineligibility for more than one (1) month, reapplication and approval for benefits constitutes a new twelve (12) month opportunity for assignment to the job search component. (1-11-94)

02. An assignment to the job search component under JOBS will not be allowed if the recipient has participated in job search for four (4) months, or the equivalent of four (4) months, during the twelve (12) preceding months. (1-11-94)

420. ON-THE-JOB TRAINING.

On-the-job training (OJT) provides a "hands on" training experience which is expected to result in retention of the participant as a regular employee at the training site. On-the-job training services are available through other employment and training programs and are not provided directly by FSS programs. (1-11-94)

01. All placements must meet qualitative and quantitative measures of satisfactory progress in accordance with Section 230. (1-11-94)

02. An OJT participant who loses benefit eligibility for a reason other than sanction and who chooses to continue in the OJT component continues to be an FSS participant until completion of the component. (1-11-94)

421. IDAHO WORK EXPERIENCE PROGRAM - NON-PAID.

Participants are assigned to non-paid work experience placements to become familiar with the practical expectations and demands of employment and to improve technical skills. (1-11-94)

01. AFDC benefits are not compensation for participation in work experience. (1-11-94)

02. Work experience placements are developed with public or private nonprofit employers. These placements must not be used to fill established but unfilled positions. (1-11-94)

03. Participants are not employed by the placement site but are assigned to slots under the work experience employer contracts. (1-29-91)

04. Job placement will have priority over participation in work experience. (1-11-94)

05. The maximum number of hours that can be required for each JOBS participant in work experience is 20 hours per week. For JSAP, the number of hours are determined by dividing the amount of the family food stamp benefit received per month by the federal minimum hourly wage. (1-11-94)

06. IWEP participants may volunteer for additional work experience hours if this extra time is consistent with the requirements of the individual's employment plan. (1-29-91)

07. Review of the work experience assignment must occur at thirteen (13) weeks. Reassessment and revision of the individual's employment plan, as appropriate, must be made after each six months of an individual's participation, and at the conclusion of each assignment. (1-11-94)

422. IDAHO WORK EXPERIENCE PROGRAM - PAID.

Participants are assigned to paid work experience placements to become familiar with the practical expectations and demands of employment and to improve technical skills. Paid work experience is provided by other employment and training programs and is not provided directly by FSS programs. (1-11-94)

01. The maximum number of hours that can be required for each JOBS participant in work experience is 20 hours per week. For JSAP, the number of hours are determined by dividing the amount of the family food stamp benefit received per month by the federal minimum hourly wage. (1-11-94)

02. IWEP participants may volunteer for additional work experience hours if this extra time is consistent with the requirements of the individual's employment plan. (1-11-94)

03. Review of the work experience assignment must occur at thirteen (13) weeks. Reassessment and revision of the individual's employment plan, as appropriate, must be made after each six months of an individual's participation, and at the at the conclusion of each assignment. (1-11-94)

423. (RESERVED).

424. SELF-INITIATED EDUCATION OR TRAINING.

A recipient in this component is enrolled and about to begin or is already attending a self-arranged education or vocational training program at the time he would otherwise begin participation in JOBS. Program funds cannot be used for tuition, books, fees, room and board. These programs may be approved as activities within the FSS program if they meet the following criteria: (1-11-94)

01. The recipient and the program must meet all of the qualifications noted for postsecondary education or job skills training in accordance with Section 416 and 423; and (1-11-94)

02. The recipient must participate in assessment and in development of an employment goal to determine the appropriateness of the self-initiated plan to the individual; and (1-11-94)

03. The participant must be attending the program at least half-time as defined by the institution; and (1-29-91)

04. The participant must make satisfactory progress in accordance with Section 230. (5-5-92)

05. An individual will be required to accept employment consistent with the individual's employment goal which would support self-sufficiency. (1-11-94)

425. --504. (RESERVED).

505. NONCOMPLIANCE.

FSS must determine when a participant failed to comply with participation requirements and whether the participant has good cause for that failure. Criteria for a finding of noncompliance include, but are not limited to: (1-11-94)

01. The participant's oral or written statement of disagreement with the requirements of the employment plan and refusal to attend assigned activities. If possible, a participant shall follow an oral refusal with a signed, written statement; or (1-29-91)

02. Failure of the recipient to appear for assessment or for subsequent JOBS or JSAP interviews; or (1-29-91)

03. After attending screening and/or assessment, failure to report to an assigned activity at least twice; or (5-5-92)

04. Failure of the participant to appear for a job referral or job interview when the job meets the criteria of the employment plan; or (1-29-91)

05. The participant's refusal to accept appropriate child care when this refusal presents a barrier to a component activity; or (10-1-92)

06. Behavior that disrupts an activity site or the FSS program or which constitutes a threat or hazard to program staff or other participants; or (1-29-91)

07. Failure of the participant to provide information or documentation necessary for employment planning or to determine a good cause exemption; or (1-29-91)

08. Failure to attend the number of hours scheduled; or (1-29-91)

09. Failure to comply in any other way with the agreements on the employment plan; or (1-29-91)

10. Failure to comply with employment requirements, including failure to accept a bona fide offer of employment without good cause, and termination of employment or reduction of earnings without good cause. (1-29-91)

506. -- 509. (RESERVED).

510. DETERMINING GOOD CAUSE FOR FAILURE TO PARTICIPATE IN JOBS AND JSAP.

A participant with a valid reason for being unable to meet program requirements is said to have "good cause" for not participating. The participant must supply documentation needed for a determination of good cause. A good cause determination must be reviewed at least annually. Criteria for good cause is as follows: (1-11-94)

01. The participant is the parent or other relative personally providing care for a child under six (6) years of age and the program activity or employment would require that the participant attend more than twenty (20) hours a week; or (1-29-91)

02. In order for the recipient to participate in the program or to accept or maintain employment, care for a child or incapacitated individual living in the household is necessary but unavailable, and the Department is unable to provide such care; or (1-29-91)

03. Acceptance of employment would result in the family of the participant experiencing a net loss of cash income. The family's gross income minus work related expenses must be at least equal to the cash assistance being received at the time employment is offered. (1-11-94)

04. A JSAP participant lives in a JSAP county but in an area served by a non-JSAP county field office; or (1-11-94)

05. A JSAP participant has a verified expected date of delivery showing her to be in her second or third trimester of pregnancy; or (1-11-94)

06. Personal difficulties, such as health, structured drug and alcohol treatment, incarceration or necessary court appearances, or conflicts with verified and practiced religious and ethical beliefs; or (1-29-91)

07. Family emergencies, such as unexpected failure of arrangements for child care, housing or utility problems which require immediate attention, a crisis in family health, or child legal or behavioral problems; or (1-11-94)

08. Weather conditions which prevent the participant from reaching the work site. (1-11-94)

09. An unexpected loss of transportation. (1-11-94)

10. Work site or FSS placement problems including a layoff of less than ninety (90) days from a full-time regular job; a verified job due to begin in ninety (90) days; work site conditions which do not meet legal or local standards of health and safety, hours, pay or benefits; or allegations of discrimination in the educational or training activity or on the job site. (1-11-94)

511. GOOD CAUSE REASONS FOR DEFERRING JOBS PARTICIPATION.

A JOBS participant who meets the criteria identified in Section 510 can be deferred from the requirement to participate in JOBS. (1-11-94)

512. JSAP INDIVIDUAL/PERSONAL EXEMPTION.

JSAP Individual/Personal Exemptions include the following: (1-11-94)

01. Lack of transportation to job site or placement including lack of public transportation or vanpools; friends or neighbors not available to provide transportation; or the participant is not within walking distance of the site; or (1-11-94)

02. Lack of adequate child care includes a person who has a dependent household member between the age of six (6) and twelve (12) and adequate day care is not available. If the only care available exceeds the limit of one hundred sixty dollars (\$160) per child, the participant will not be required to participate in JSAP. If the JSAP activities can be completed during school hours, this exemption does not apply. (1-11-94)

03. Pending employment includes a person who will begin a job within one hundred twenty (120) days. (1-11-94)

04. A woman is in her second or third trimester of a medically verified pregnancy or is in a post-partum recuperation period as verified by a physician. (1-11-94)

05. Temporary medical disability includes a person that is ill or has been injured and the illness or injury prevents the individual from participating up to ninety (90) days. (1-11-94)

06. A person who resides in an area of a JSAP county served by a non-JSAP field office. (1-11-94)

07. A person who resides more than two (2) hours round-trip commuting time from the JSAP office and available work and training sites. (5-5-92)

08. A person employed thirty (30) hours or more a week. (1-11-94)

513. -- 514. (RESERVED).

515. CONCILIATION.

Conciliation is a structured procedure for exploring and resolving disputes about a recipient's participation in the Family Self-Support Program. Conciliation is used to resolve issues of clients' participation, complaints about working conditions, worker's compensation coverage, and participants' complaints. (1-11-94)

01. Required Conciliation. FSS staff must initiate conciliation prior to any determination of noncompliance without good cause. (1-11-94)

02. Conciliation must begin within one (1) day of the date FSS staff become aware of an apparent instance of noncompliance. (5-5-92)

03. Time Frame. Thirty (30) Days. Conciliation shall be time-limited lasting no longer than thirty (30) days. (1-29-91)

04. Days. Conciliation may be terminated at any time during the thirty (30) day time limit if the complaint or dispute is resolved, good cause is established, the participant becomes exempt, both parties agree that the complaint or dispute cannot be resolved, the participant refuses to continue the conciliation, or the participant requests a fair hearing. (1-11-94)

05. If there has been a determination that failure to participate was without good cause, the participant must participate in assigned activities for the remainder of the thirty (30) day period of conciliation to avoid sanction. (1-11-94)

06. A new thirty (30) day period of conciliation is not required when a recipient ceases to participate following conciliation if the noncompliance is for the same reason. (1-11-94)

516. -- 524. (RESERVED).

525. NOTICE OF ADVERSE ACTION.

The Notice of Adverse Action (NOAA) provides the participant with a written description of the consequences of his failure to meet program participation requirements and outlines the steps he must take to dispute the action. The NOAA is sent to the participant by the medical and financial assistance staff. (1-11-94)

526. -- 529. (RESERVED).

530. FSS SANCTION.

FSS sanctions are the consequences of noncompliance with the participation requirements of JOBS and JSAP. Sanctions are imposed by medical and financial assistance staff. (1-29-91)

531. -- 534. (RESERVED).

535. FAIR HEARINGS.

An individual who is aggrieved by the Department's determination of his appropriate participation in the FSS program, may request a hearing using the Department's established fair hearing procedure (Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, Sections 605 through 616, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)," and Idaho Department of Health and Welfare Rules, Title 03, Chapter 04, Sections 540 through 561, "Rules Governing the Food Stamp Program in Idaho"). (1-11-94)

01. JOBS participants have thirty (30) days to request a hearing. JSAP participants have ninety (90) days. (1-29-91)

02. Unless the hearing is requested to address a noncompliance issue, the client must continue his FSS assignment pending the hearing. (1-11-94)

03. The Hearing Officer's decision about participation issues or participants' complaints may be appealed to District Court. (1-11-94)

04. The Hearing Officer's decision about working conditions or worker's compensation can be appealed within twenty (20) days of the receipt of the decision to the Office of Administrative Law Judges, U. S. Department of Labor. (1-11-94)

536. -- 539. (RESERVED).

540. CORRECTIVE ACTION.

In order for a mandatory recipient to requalify for AFDC benefits following sanction, the individual must demonstrate that failure to comply has ceased. Mandatory food stamp recipients may correct the noncompliance or may wait for the two (2) month sanction period to expire. (1-11-94)

01. The client must contact the Department and request an opportunity to comply. (1-11-94)

02. The Department may require the client to attend the assigned activity for a two (2) week time period to demonstrate a willingness to participate prior to certifying that failure to comply has ceased. (1-11-94)

03. Termination of Sanction Following Corrective Action. If the client successfully corrects the noncompliance by participating in the assigned activity for the trial period, the sanction will be terminated. The first JOBS sanction end the date the client contacted the Department requesting the opportunity to comply if the client completes the assigned activity. The second and subsequent benefit sanctions for a JOBS client ends with the final date of the required sanction period if the participant has completed the assigned activity. A JSAP sanction terminates on the date a client successfully completes the assigned corrective action. (1-11-94)

04. A JSAP participant may repeatedly noncomply, and repeatedly correct the noncompliance by completing an assigned activity, but never complete the component. A JSAP worker can determine that the participant is not making a good faith effort to comply and can disqualify the individual for the two (2) month sanction period. (1-11-94)

541. -- 599. (RESERVED).

600. CHILD CARE AND OTHER SUPPORTIVE SERVICES.

When the Department approves an FSS plan for educational or training activities, or to allow a FSS participant to accept or maintain employment, the Department must guarantee the child care and other supportive services required

to implement the plan. (1-29-91)

01. Prior Authorization. No payment or reimbursement for child care or for a support service will be made without prior approval by authorized FSS staff. (1-29-91)

02. No Authorization if Service Otherwise Available. No child care or support service will be authorized by the Department if the resource is otherwise available to the FSS participant without cost. (1-29-91)

03. General Criteria for Approval. In order for an AFDC or FS eligible family member participating in JOBS or JSAP to receive supportive services or child care, the need must be related to the employment plan and the participant must be making satisfactory progress. (1-11-94)

04. Responsibility to Inform. The Department must inform a participant of the availability of child care and supportive services and of his rights and responsibilities in receipt of these services. (1-29-91)

05. Timely Response. The Department must respond to a request for assistance with child care or with a support service within forty-five (45) days of the date of the request. (1-29-91)

06. Responsibility for Approval. The Department has final responsibility for determining the need for child care or support services. (1-11-94)

07. Denial of Service. A notice of denial of service must be mailed to the client within thirty (30) days of the decision to deny. A decision to deny service is subject to a request for hearing according to Section 535. (1-11-94)

08. Timely Notice. Decisions to terminate, suspend, or reduce support services and child care must be mailed ten (10) days prior to the date of action. (1-11-94)

09. Access to Hearing. Participants in JOBS or JSAP are entitled to use the fair hearing procedure to appeal Departmental decisions to deny, terminate, suspend, or reduce child care assistance or support services, or for issues concerning appropriateness of or prompt issuance of these services according to Section 535. (1-11-94)

601. -- 604. (RESERVED).

605. SERVICE AVAILABILITY.

Child care and supportive services may be provided for JOBS or JSAP participants in the following situations: (1-29-91)

01. Prior to Assignment. Prior to assignment to a component to enable an individual to resolve barriers to participation; or (1-29-91)

02. For Interim Services. For up to a month pending entry into an assigned JOBS or JSAP activity or into a job placement to complete a needed service or to allow retention of an arrangement for child care or another supportive service. A client is eligible for interim services only if the case manager has verification from the service provider, educational institution or employer that the client is hired or enrolled in the approved program. The one (1) month period of eligibility will begin with the date of verification; or (1-29-91)

03. During Component Activity. To allow participation in a JOBS or JSAP activity; or (1-29-91)

04. During Corrective Action. To support a client in corrective action; or (1-11-94)

05. To Accept or Maintain Employment. One time supportive services to allow a participant to accept or retain employment in the absence of any other resource. (Child care or on-going supportive services cannot be provided.) (5-5-92)

06. During the Ninety (90) Days of Transitional Supportive Service Employment. For a period not to exceed ninety (90) days following loss of AFDC eligibility because of increased hours or income from employment

or because of the loss of earned income disregards (with the exception of hours or income from OJT employment). Supportive services may be provided on an emergency basis, if funds were committed prior to benefit closure or if the service is necessary to maintain current employment. Transitional supportive services do not include FSS child care; or (1-11-94)

07. During the Ninety (90) Days of Transitional Supportive Services, Component Completion. For a period not to exceed ninety (90) days following loss of AFDC eligibility for a reason other than sanction, supportive services may be provided on an emergency basis or if funds were committed prior to benefit closure to allow a participant to complete FSS component. Participants in OJT are eligible for any appropriate supportive service. Supportive services do not include FSS child care. (1-11-94)

606. -- 609. (RESERVED).

610. ELIGIBILITY FOR CHILD CARE.

When the Department requires a mandatory AFDC or FS recipient to participate in JOBS or JSAP, or allows an exempt volunteer entry into JOBS, the Department must guarantee that child care is available. (1-11-94)

01. Child care must be provided when the child is under thirteen (13) years of age; or (1-11-94)
02. Child Care must be provided when the child is thirteen (13) years of age or older and is physically or mentally incapable of self-care, as verified by a physician or a licensed psychologist; or (1-11-94)
03. Child Care must be provided when the child is under court supervision; or (1-11-94)
04. A child is dependent if the child would be a member of the AFDC unit except for the receipt of supplemental security income or foster care benefits. (1-11-94)
05. The Department may determine that care is not necessary for an otherwise eligible child if participant's hours of employment or assigned activity occur within the child's school hours, or if there is another adult in the home legally responsible to care for the child, such as an ineligible parent or a legal guardian. Such an individual may be considered unavailable to care for the child if unable to provide adequate care or if involved in other conflicting activities contributing to the goal of family self-sufficiency. (1-11-94)
06. The participant is responsible for locating and arranging child care. (1-11-94)
07. The parent has the right to select from among all available types of child care. (1-11-94)
08. A mandatory participant may refuse an available child care resource if he can make other arrangements or if his refusal does not interfere with his participation in JOBS or JSAP. (1-11-94)

611. STANDARDS OF CHILD CARE.

Child Care must meet the following standards: (1-11-94)

01. Health and Safety Standards. Standards of health and safety as identified in Idaho Department of Health and Welfare Rules, IDAPA 16.06.12.251, IDAPA 16.06.12.256, and IDAPA 16.06.12.257, "Rules Governing the Idaho Child Care Program". (8-10-95)T
02. Facility Conforms to Applicable Laws. The facility conforms to applicable state, local and tribal laws governing the provision of child care. (8-10-95)T
03. Allowance of Parental Access. The care provider allows parental access. (8-10-95)T

612. CHILD CARE PAYMENTS.

The JOBS and JSAP programs pay approved child care directly to the care provider. Child care will be approved for children of individuals who are participating in component activities; corrective action; or who are completing an OJT assignment and have been closed from AFDC without eligibility for Transitional Child Care benefits. (1-11-94)

01. Child care payment must not exceed the lower of the the actual amount of the child care cost, the statewide limit for child care of that type or the local market rate. The local market rate is established at the seventy-fifth (75%) percentile of costs for that type of care in the local area. (1-11-94)

02. Rates for part-time child care for less than eighty (80) hours per month for JOBS are provided in Idaho Health and Welfare Rules, IDAPA 16, Title 6, Chapter 10, Subsections 305.01 and 305.02 and 305.04 through Table 305B, "Idaho Child Care Program For At-Risk Families." (1-11-94)

03. Rates for full-time child care for eighty (80) or more hours per month for JOBS are provided in Idaho Health and Welfare Rules and Regulations, Title 6, Chapter 10, Subsections 305.01. and 305.02. and 305.04. through Table 305B "Idaho Child Care Program For At-Risk Families." (1-11-94)

04. Payment for child care for children of JSAP participants cannot exceed lower of the actual cost or one hundred sixty dollars (\$160) per child per month. (1-11-94)

05. The Department will not pay for care provided by a child's parent, legal guardian, or a member of the child's assistance unit. (1-29-91)

06. The Department will not pay child care provided in a child's own home (1-11-94)

07. Entry or application fees required by child care providers are allowed as an AFDC administrative cost. Entry or application fees cannot be recurring charges. (1-11-94)

08. The Department may authorize payment to more than one (1) care provider concurrently for an individual child as long as authorized daily time periods do not overlap. The total authorized payment can not exceed the state or local market rate. (1-11-94)

09. Hours of child care must be reasonably related to hours of participation. (1-11-94)

613. -- 614. (RESERVED).

615. SUPPORTIVE SERVICES FOR FSS PROGRAM ACTIVITIES.

The Department must provide, pay for, or reimburse transportation and other supportive services it has determined are necessary to enable an individual to participate in JOBS or JSAP if these services are not otherwise available to the participant without cost. (1-11-94)

01. To purchase or reimburse supportive services for an individual in postsecondary education, the individual must be assigned to a JOBS target group as defined in Section 205. (1-11-94)

02. Funds may be used to make up the difference between amounts budgeted in the participants' grants, scholarships, and loans, and the actual cost of these expenses to the participant. Funds used may not exceed the maximum costs allowed in Section 619. (1-11-94)

03. A participant is eligible for child care or supportive services determined by FSS staff to be necessary to participate in corrective action activities. (1-11-94)

616. SUPPORTIVE SERVICES FOR EMPLOYMENT.

The Department may provide, pay for, or reimburse one (1) time, work-related expenses which it determines are necessary for a recipient to accept or maintain employment if these services are not otherwise available to the participant without cost. Transportation may be authorized for one (1) month up to the maximum amount allowed. (1-11-94)

617. METHODS OF PAYMENT FOR SUPPORTIVE SERVICES.

All compensated supportive services will be purchased by vendor payment, with the exception of costs for gasoline which may be met by vendor payment or by reimbursement to the participant. (1-11-94)

618. JSAP SUPPORTIVE SERVICE MAXIMUMS.

JSAP participants are eligible for the categories of supportive service listed in Section 619, up to a total monthly expenditure of twenty-five dollars (\$25). This twenty-five dollars (\$25) does not include child care. (1-11-94)

619. MAXIMUM ALLOWANCES FOR SUPPORTIVE SERVICES AND WORK-RELATED EXPENSES.

Available services are described as follows: (1-11-94)

01. Transportation. Includes gasoline, other auto fluids and minor repairs like windshield wipers. The maximum amount which may be authorized for this expense must not exceed two hundred dollars (\$200) a month. Mileage is paid at the rate established by the State Board of Examiners for mileage reimbursement. (1-11-94)

02. Car Repair. The maximum amount which can be authorized for car repair must not exceed a total of three hundred dollars (\$300) within any twelve month period. The twelve months will be calculated from the date of the initial expenditure for car repairs. (1-11-94)

03. Clothing. The maximum amount which may be authorized for clothing must not exceed a total of one hundred and fifty dollars (\$150) within any twelve month period. The twelve months will be calculated from the date of the initial expenditure for clothing. (1-11-94)

04. Tools and Equipment. Payment for tools and equipment must not exceed three hundred dollars (\$300) and can be authorized only once in any FSS participation. The training instructor or the employer must verify that the participant has been admitted to the training program or has been hired, and that the tools or equipment are necessary to enter training or employment. (1-11-94)

05. Payment for licensure or certification must not exceed one hundred fifty dollars (\$150) and can be authorized only once in any FSS participation. (1-11-94)

06. Dental. The maximum amount which can be authorized for dental services must not exceed a total of one thousand dollars (\$1,000). No expenditures beyond one thousand (\$1,000) dollars can be authorized for three years from the date of the latest expenditure. Dental services can only be authorized to treat pain, disease, or for cosmetic purposes if justified by the employment plan. (1-11-94)

07. Eyeglasses. Payment for eyeglasses must not exceed two hundred and fifty dollars (\$250) and can only be authorized once in any FSS participation. (1-11-94)

08. Medical Examination. If a needed medical examination is not covered by the participant's medical card or other medical insurance, JOBS may authorize a one (1) time payment not to exceed one hundred dollars (\$100) for the examination in any FSS participation. (1-29-91)

09. Counseling. JOBS may authorize up to one thousand dollars (\$1000) within any twelve (12) month period for family and individual counseling services. The twelve months will be calculated from the date of the initial expenditure. (1-11-94)

10. Social Services. Social services will be provided by FSS staff within the context of FACS family centered services (Idaho Department of Health and Welfare Rules, Title 06, Chapter 01, Subsection 050.04, "Rules Governing Social Services" and Subsection 015.14. Services will include help with barrier removal (help with housing, resources and services for children, basic needs, etc.) and the range of activities defined as case management in accordance with Subsection 004.03. (1-11-94)

11. Drug and alcohol rehabilitation services are available to some participants through Departmental contracts, may be partially covered by Medical Assistance by association with another medical condition or may be available to the client without reimbursement or for minimal reimbursement in the community. Drug and alcohol rehabilitation services are not purchased by FSS. (1-11-94)

12. Other Education, Training or Employment Expenses. The maximum amount which may be authorized for other necessary expenses in addition to the services listed must not exceed fifty dollars (\$50) for each

expenditure. (5-5-92)

620. -- 624. (RESERVED).

625. OVERPAYMENTS - CHILD CARE AND SUPPORTIVE SERVICES.

Overpayments may occur for child care and supportive services and for payments to providers or contractors for component services, and may be the result of agency error, client or provider error or fraud pursuant to Section 56-227, Idaho Code. (5-5-92)

01. Required Overpayment Recovery. Overpayment recovery must be attempted in all cases involving a current recipient of child care benefits, supportive services, FSS component services, in all cases of fraud, and in all cases where the overpayment amount would equal or exceed the costs of recovery (thirty-five dollars (\$35), Idaho Department of Health and Welfare Rules, Title 03, Chapter 01, "Rules Governing Eligibility for Aid for Families with Dependent Children (AFDC)."

(12-31-91)

02. FSS Staff Responsibilities. FSS staff are responsible for determining that an overpayment has occurred and for communicating this to the participant and service provider, and to DHW regional personnel responsible for collections.

(1-29-91)

03. Conditions of Recovery - Child Care. A child care overpayment may be recovered from other IV-A child care payments made to the same provider. Recovery of child care overpayments may not be made from AFDC grants.

(1-29-91)

04. Conditions of Recovery - Supportive Services. Recovery of overpayments for supportive services paid from IV-F funds may only be made from subsequent IV-F payments, not from AFDC or IV-A child care payments.

(1-29-91)

05. Conditions of Recovery - Component Services. Recovery of payments made in error to providers or contractors shall be withheld from subsequent payments from the same funding source. At the Department's discretion, the provider may make direct reimbursements on a voluntary basis.

(1-29-91)

626. -- 699. (RESERVED).

700. TRIBAL JOBS PROGRAMS.

Indian tribes may receive JOBS IV-F fund allotments to operate JOBS programs separate from the programs managed by state IV-A agencies. The Department retains responsibility for funding needed child care costs for tribal members participating in the tribal JOBS program.

(1-29-91)

701. -- 995. (RESERVED).

996. ADMINISTRATIVE PROVISIONS.

Contested case appeals shall be governed by Idaho Department of Health and Welfare Rules, Section 05.03.000 et seq., "Rules Governing Contested Cases and Declaratory Rulings."

(12-31-91)

997. CONFIDENTIALITY.

The rights of a recipient to confidentiality are contained in Idaho Department of Health and Welfare Rules, Title 05, Chapter 01, "Rules Governing Protection and Disclosure of Department Records."

(1-29-91)

998. INCLUSIVE GENDER AND NUMBER.

For the purpose of Idaho Department of Health and Welfare Rules and Regulations, Title 06, Chapter 09, words used in the feminine gender include the masculine, and vice-versa where appropriate.

(1-29-91)

999. SEVERABILITY.

Idaho Department of Health and Welfare Rules, Title 06, Chapter 09, are severable. If any rule, or a part of any rule, or the application of such rule to any person or circumstance, is declared invalid, that invalidity does not affect the validity of any remaining portion of this chapter.

(1-29-91)