

1 AMENDMENT TO HOUSE BILL 3023

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3023 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 changing Sections 4-2, 9A-3, 9A-5, 9A-7, 9A-8, 9A-9, 11-1,  
6 and 11-20.1 as follows:

7 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

8 Sec. 4-2. Amount of aid.

9 (a) The amount and nature of financial aid shall be  
10 determined in accordance with the grant amounts, rules and  
11 regulations of the Illinois Department. Due regard shall be  
12 given to the self-sufficiency requirements of the family and  
13 to the income, money contributions and other support and  
14 resources available, from whatever source. However, the  
15 amount and nature of any financial aid is not affected by the  
16 payment of any grant under the "Senior Citizens and Disabled  
17 Persons Property Tax Relief and Pharmaceutical Assistance  
18 Act" or any distributions or items of income described under  
19 subparagraph (X) of paragraph (2) of subsection (a) of  
20 Section 203 of the Illinois Income Tax Act. The aid shall be  
21 sufficient, when added to all other income, money  
22 contributions and support to provide the family with a grant

1 in the amount established by Department regulation.

2 (b) The Illinois Department may conduct special  
3 projects, which may be known as Grant Diversion Projects,  
4 under which recipients of financial aid under this Article  
5 are placed in jobs and their grants are diverted to the  
6 employer who in turn makes payments to the recipients in the  
7 form of salary or other employment benefits. The Illinois  
8 Department shall by rule specify the terms and conditions of  
9 such Grant Diversion Projects. Such projects shall take into  
10 consideration and be coordinated with the programs  
11 administered under the Illinois Emergency Employment  
12 Development Act.

13 (c) The amount and nature of the financial aid for a  
14 child requiring care outside his own home shall be determined  
15 in accordance with the rules and regulations of the Illinois  
16 Department, with due regard to the needs and requirements of  
17 the child in the foster home or institution in which he has  
18 been placed.

19 (d) If the Department establishes grants for family  
20 units consisting exclusively of a pregnant woman with no  
21 dependent child or including her husband if living with her,  
22 the grant amount for such a unit shall be equal to the grant  
23 amount for an assistance unit consisting of one adult, or 2  
24 persons if the husband is included. Other than as herein  
25 described, an unborn child shall not be counted in  
26 determining the size of an assistance unit or for calculating  
27 grants.

28 Payments for basic maintenance requirements of a child or  
29 children and the relative with whom the child or children are  
30 living shall be prescribed, by rule, by the Illinois  
31 Department.

32 Grants under this Article shall not be supplemented by  
33 General Assistance provided under Article VI.

34 (e) Grants shall be paid to the parent or other person

1 with whom the child or children are living, except for such  
2 amount as is paid in behalf of the child or his parent or  
3 other relative to other persons or agencies pursuant to this  
4 Code or the rules and regulations of the Illinois Department.

5 (f) Subject to subsection (f-5), an assistance unit,  
6 receiving financial aid under this Article or temporarily  
7 ineligible to receive aid under this Article under a penalty  
8 imposed by the Illinois Department for failure to comply with  
9 the eligibility requirements or that voluntarily requests  
10 termination of financial assistance under this Article and  
11 becomes subsequently eligible for assistance within 9 months,  
12 shall not receive any increase in the amount of aid solely on  
13 account of the birth of a child; except that an increase is  
14 not prohibited when the birth is (i) of a child of a pregnant  
15 woman who became eligible for aid under this Article during  
16 the pregnancy, or (ii) of a child born within 10 months after  
17 the date of implementation of this subsection, or (iii) of a  
18 child conceived after a family became ineligible for  
19 assistance due to income or marriage and at least 3 months of  
20 ineligibility expired before any reapplication for  
21 assistance. This subsection does not, however, prevent a  
22 unit from receiving a general increase in the amount of aid  
23 that is provided to all recipients of aid under this Article.

24 The Illinois Department is authorized to transfer funds,  
25 and shall use any budgetary savings attributable to not  
26 increasing the grants due to the births of additional  
27 children, to supplement existing funding for employment and  
28 training services for recipients of aid under this Article  
29 IV. The Illinois Department shall target, to the extent the  
30 supplemental funding allows, employment and training services  
31 to the families who do not receive a grant increase after the  
32 birth of a child. In addition, the Illinois Department shall  
33 provide, to the extent the supplemental funding allows, such  
34 families with up to 24 months of transitional child care

1 pursuant to Illinois Department rules. All remaining  
2 supplemental funds shall be used for employment and training  
3 services or transitional child care support.

4 In making the transfers authorized by this subsection,  
5 the Illinois Department shall first determine, pursuant to  
6 regulations adopted by the Illinois Department for this  
7 purpose, the amount of savings attributable to not increasing  
8 the grants due to the births of additional children.  
9 Transfers may be made from General Revenue Fund  
10 appropriations for distributive purposes authorized by  
11 Article IV of this Code only to General Revenue Fund  
12 appropriations for employability development services  
13 including operating and administrative costs and related  
14 distributive purposes under Article IXA of this Code. The  
15 Director, with the approval of the Governor, shall certify  
16 the amount and affected line item appropriations to the State  
17 Comptroller.

18 Nothing in this subsection shall be construed to prohibit  
19 the Illinois Department from using funds under this Article  
20 IV to provide assistance in the form of vouchers that may be  
21 used to pay for goods and services deemed by the Illinois  
22 Department, by rule, as suitable for the care of the child  
23 such as diapers, clothing, school supplies, and cribs.

24 (f-5) Subsection (f) shall not apply to affect the  
25 monthly assistance amount of any family as a result of the  
26 birth of a child on or after January 1, 2004. As resources  
27 permit after January 1, 2004, the Department may cease  
28 applying subsection (f) to limit assistance to families  
29 receiving assistance under this Article on January 1, 2004,  
30 with respect to children born prior to that date. In any  
31 event, subsection (f) shall be completely inoperative on and  
32 after July 1, 2007.

33 (g) (Blank).

34 (h) Notwithstanding any other provision of this Code,

1 the Illinois Department is authorized to reduce payment  
2 levels used to determine cash grants under this Article after  
3 December 31 of any fiscal year if the Illinois Department  
4 determines that the caseload upon which the appropriations  
5 for the current fiscal year are based have increased by more  
6 than 5% and the appropriation is not sufficient to ensure  
7 that cash benefits under this Article do not exceed the  
8 amounts appropriated for those cash benefits. Reductions in  
9 payment levels may be accomplished by emergency rule under  
10 Section 5-45 of the Illinois Administrative Procedure Act,  
11 except that the limitation on the number of emergency rules  
12 that may be adopted in a 24-month period shall not apply and  
13 the provisions of Sections 5-115 and 5-125 of the Illinois  
14 Administrative Procedure Act shall not apply. Increases in  
15 payment levels shall be accomplished only in accordance with  
16 Section 5-40 of the Illinois Administrative Procedure Act.  
17 Before any rule to increase payment levels promulgated under  
18 this Section shall become effective, a joint resolution  
19 approving the rule must be adopted by a roll call vote by a  
20 majority of the members elected to each chamber of the  
21 General Assembly.

22 (Source: P.A. 91-676, eff. 12-23-99; 92-111, eff. 1-1-02.)

23 (305 ILCS 5/9A-3) (from Ch. 23, par. 9A-3)

24 Sec. 9A-3. Establishment of Program and Level of  
25 Services.

26 (a) The Illinois Department shall establish and maintain  
27 a program to provide recipients with services consistent with  
28 the purposes and provisions of this Article. The program  
29 offered in different counties of the State may vary depending  
30 on the resources available to the State to provide a program  
31 under this Article, and no program may be offered in some  
32 counties, depending on the resources available. Services may  
33 be provided directly by the Illinois Department or through

1 contract. References to the Illinois Department or staff of  
 2 the Illinois Department shall include contractors when the  
 3 Illinois Department has entered into contracts for these  
 4 purposes. The Illinois Department shall provide each  
 5 recipient who participates with such services available under  
 6 the program as are necessary to achieve his employability  
 7 plan as specified in the plan.

8 (b) The Illinois Department, in operating the program,  
 9 shall cooperate with public and private education and  
 10 vocational training or retraining agencies or facilities, the  
 11 Illinois State Board of Education, the Illinois Community  
 12 College Board, the Departments of Employment Security and  
 13 Commerce and Community Affairs or other sponsoring  
 14 organizations funded under the federal Workforce Investment  
 15 Job--Training--Partnership Act and other public or licensed  
 16 private employment agencies.

17 (Source: P.A. 92-111, eff. 1-1-02.)

18 (305 ILCS 5/9A-5) (from Ch. 23, par. 9A-5)

19 Sec. 9A-5. Exempt recipients.

20 (a) Exempt recipients under Section 9A-4 may volunteer  
 21 to participate.

22 (b) Services will be offered to exempt and non-exempt  
 23 individuals who wish to volunteer to participate only to the  
 24 extent resources permit.

25 (c) Exempt and non-exempt individuals who volunteer to  
 26 participate become program participants upon completion of  
 27 the initial assessment, development of the employability  
 28 plan, and assignment to a component. An exempt individual who  
 29 volunteers to participate may not be sanctioned for not  
 30 meeting program requirements. ~~Volunteers who fail to attend~~  
 31 ~~the orientation or initial assessment meetings or both will~~  
 32 ~~not be sanctioned.~~ ~~Exempt and non-exempt individuals who~~  
 33 ~~attend the orientation meeting and become program~~

1 participants---by---completing---the---initial---assessment,  
 2 development--of--the--employability-plan,  
 3 component-may-be-sanctioned--if--they--do--not--meet--program  
 4 requirements-without-good-cause.

5 (Source: P.A. 92-111, eff. 1-1-02.)

6 (305 ILCS 5/9A-7) (from Ch. 23, par. 9A-7)

7 Sec. 9A-7. Good Cause and Pre-Sanction Process.

8 The Department shall establish by rule what constitutes  
 9 good cause for failure to participate in education, training  
 10 and employment programs, failure to accept suitable  
 11 employment or terminating employment or reducing earnings.

12 The Department shall establish, by rule, a pre-sanction  
 13 process to assist in resolving disputes over proposed  
 14 sanctions and in determining if good cause exists. Good cause  
 15 shall include, but not be limited to:

- 16 (1) temporary illness for its duration;
- 17 (2) court required appearance or temporary  
 18 incarceration;
- 19 (3) (blank);
- 20 (4) death in the family;
- 21 (5) (blank);
- 22 (6) (blank);
- 23 (7) (blank);
- 24 (8) (blank);
- 25 (9) extreme inclement weather;
- 26 (10) (blank);
- 27 (11) lack of any support service even though the  
 28 necessary service is not specifically provided under the  
 29 Department program, to the extent the lack of the needed  
 30 service presents a significant barrier to participation;
- 31 (12) if an individual is engaged in employment or  
 32 training or both that is consistent with the employment  
 33 related goals of the program, if such employment and

1 training is later approved by Department staff;

2 (13) (blank);

3 (14) failure of Department staff to correctly  
4 forward the information to other Department staff;

5 (15) failure of the participant to cooperate  
6 because of attendance at a test or a mandatory class or  
7 function at an educational program (including college),  
8 when an education or training program is officially  
9 approved by the Department;

10 (16) failure of the participant due to his or her  
11 illiteracy;

12 (17) failure of the participant because it is  
13 determined that he or she should be in a different  
14 activity;

15 (18) non-receipt by the participant of a notice  
16 advising him or her of a participation requirement. ~~7--if~~  
17 ~~documented-by-the-participant.-Documentation-can-include,~~  
18 ~~but--is-not-limited-to:-a-written-statement-from-the-post~~  
19 ~~office-or-other-informed-individual:-the-notice-not--sent~~  
20 ~~to--the--participant's--last--known-address-in-Department~~  
21 ~~records;-return-of-the-notice-by-the-post--office;-other~~  
22 ~~returned--mail;-proof--of--previous-mail-theft-problems.~~  
23 ~~When-determining--whether--or--not--the--participant--has~~  
24 ~~demonstrated--non-receipt,~~ the Department shall take into  
25 consideration a participant's history of cooperation or  
26 non-cooperation in the past. If the documented  
27 non-receipt of mail occurs frequently, the Department  
28 shall explore an alternative means of providing notices  
29 of participation requests to participants;

30 (19) (blank);

31 (20) non-comprehension of English, either written  
32 or oral or both;

33 (21) (blank);

34 (22) (blank);



1           (23) child care (or day care for an incapacitated  
2 individual living in the same home as a dependent child)  
3 is necessary for the participation or employment and such  
4 care is not available for a child under age 13;

5           (24) failure to participate in an activity due to a  
6 scheduled job interview, medical appointment for the  
7 participant or a household member, or school appointment;

8           (25) the individual is homeless. Homeless  
9 individuals (including the family) have no current  
10 residence and no expectation of acquiring one in the next  
11 30 days. This includes individuals residing in overnight  
12 and transitional (temporary) shelters. This does not  
13 include individuals who are sharing a residence with  
14 friends or relatives on a continuing basis;

15           (26) circumstances beyond the control of the  
16 participant which prevent the participant from completing  
17 program requirements; or

18           (27) (blank).

19           (b) (Blank).

20           (c) (1) The Department shall establish a reconciliation  
21 procedure to assist in resolving disputes related to any  
22 aspect of participation, including exemptions, good  
23 cause, sanctions or proposed sanctions, supportive  
24 services, assessments, responsibility and service plans,  
25 assignment to activities, suitability of employment, or  
26 refusals of offers of employment. Through the  
27 reconciliation process the Department shall have a  
28 mechanism to identify good cause, ensure that the client  
29 is aware of the issue, and enable the client to perform  
30 required activities without facing sanction.

31           (2) A participant may request reconciliation and  
32 receive notice in writing of a meeting. At least one  
33 face-to-face meeting may be scheduled to resolve  
34 misunderstandings or disagreements related to program

1 participation and situations which may lead to a  
2 potential sanction. The meeting will address the  
3 underlying reason for the dispute and plan a resolution  
4 to enable the individual to participate in TANF  
5 employment and work activity requirements.

6 (2.5) If the individual fails to appear at the  
7 reconciliation meeting without good cause, the  
8 reconciliation is unsuccessful and a sanction shall be  
9 imposed.

10 (3) The reconciliation process shall continue after  
11 it is determined that the individual did not have good  
12 cause for non-cooperation. Any necessary demonstration  
13 of cooperation on the part of the participant will be  
14 part of the reconciliation process. Failure to  
15 demonstrate cooperation will result in immediate  
16 sanction.

17 (4) For the first instance of non-cooperation, if  
18 the client reaches agreement to cooperate, the client  
19 shall be allowed 30 days to demonstrate cooperation  
20 before any sanction activity may be imposed. In any  
21 subsequent instances of non-cooperation, the client shall  
22 be provided the opportunity to show good cause or remedy  
23 the situation by immediately complying with the  
24 requirement.

25 (5) The Department shall document in the case  
26 record the proceedings of the reconciliation and provide  
27 the client in writing with a reconciliation agreement.

28 (6) If reconciliation resolves the dispute, no  
29 sanction shall be imposed. If the client fails to comply  
30 with the reconciliation agreement, the Department shall  
31 then immediately impose the original sanction. If the  
32 dispute cannot be resolved during reconciliation, a  
33 sanction shall not be imposed until the reconciliation  
34 process is complete.

1 (Source: P.A. 90-17, eff. 7-1-97.)

2 (305 ILCS 5/9A-8) (from Ch. 23, par. 9A-8)

3 Sec. 9A-8. Operation of Program.

4 (a) At the time of application or redetermination of  
5 eligibility under Article IV, as determined by rule, the  
6 Illinois Department shall provide information in writing and  
7 orally regarding the education, training and employment  
8 program to all applicants and recipients. The information  
9 required shall be established by rule and shall include, but  
10 need not be limited to:

11 (1) education (including literacy training),  
12 employment and training opportunities available, the  
13 criteria for approval of those opportunities, and the  
14 right to request changes in the personal responsibility  
15 and services plan to include those opportunities;

16 (1.1) a complete list of all activities that are  
17 approvable activities, and the circumstances under which  
18 they are approvable, including work activities, substance  
19 abuse or mental health treatment, activities to escape  
20 and prevent domestic violence, caring for a medically  
21 impaired family member, and any other approvable  
22 activities, together with the right to and procedures for  
23 amending the responsibility and services plan to include  
24 these activities;

25 (1.2) the rules concerning the lifetime limit on  
26 eligibility, including the current status of the  
27 applicant or recipient in terms of the months of  
28 remaining eligibility, the criteria under which a month  
29 will not count towards the lifetime limit, and the  
30 criteria under which a recipient may receive benefits  
31 beyond the end of the lifetime limit;

32 (2) supportive services including child care and  
33 the rules regarding eligibility for and access to the

1 child care assistance program, transportation, initial  
2 expenses of employment, job retention, books and fees,  
3 and any other supportive services;

4 (3) the obligation of the Department to provide  
5 supportive services;

6 (4) the rights and responsibilities of  
7 participants, including exemption, sanction,  
8 reconciliation, and good cause criteria and procedures,  
9 termination for non-cooperation and reinstatement rules  
10 and procedures, and appeal and grievance procedures; and

11 (5) the types and locations of child care services.

12 (b) The Illinois Department shall notify the recipient  
13 in writing of the opportunity to volunteer to participate in  
14 the program.

15 (c) (Blank).

16 (d) As part of the personal plan for achieving  
17 employment and self-sufficiency, the Department shall conduct  
18 an individualized assessment of the participant's  
19 employability. ~~Except-as-to-participation-in--the--Get-A-Job~~  
20 ~~Program,~~ No participant may be assigned to any component of  
21 the education, training and employment activity prior to such  
22 assessment ~~,--provided-that-a-participant-may-be-assigned-up~~  
23 ~~to-4-weeks-of-Job-Search-prior-to-such-assessment.~~ The plan  
24 shall include collection of information on the individual's  
25 background, proficiencies, skills deficiencies, education  
26 level, work history, employment goals, interests, aptitudes,  
27 and employment preferences, as well as factors affecting  
28 employability or ability to meet participation requirements  
29 (e.g., health, physical or mental limitations, child care,  
30 family circumstances, domestic violence, substance abuse, and  
31 special needs of any child of the individual). As part of  
32 the plan, individuals and Department staff shall work  
33 together to identify any supportive service needs required to  
34 enable the client to participate and meet the objectives of

1 his or her employability plan. The assessment may be  
 2 conducted through various methods such as interviews,  
 3 testing, counseling, and self-assessment instruments. In the  
 4 assessment process, the Department shall offer to include  
 5 standard literacy testing and a determination of English  
 6 language proficiency and shall provide it for those who  
 7 accept the offer. ~~for-those-who-display-a-potential-need--for~~  
 8 ~~literacy-or-language-services.--For-these-individuals-subject~~  
 9 ~~to--a--job--search-demonstration,--there-may-be-an-abbreviated~~  
 10 ~~assessment,--as-defined-by-rule.~~ Based on the assessment, the  
 11 individual will be assigned to the appropriate activity. The  
 12 decision will be based on a determination of the individual's  
 13 level of preparation for employment as defined by rule.

14 (e) Recipients determined to be exempt may volunteer to  
 15 participate pursuant to Section 9A-4 and must be assessed.

16 (f) As part of the personal plan for achieving  
 17 employment and self-sufficiency under Section 4-1, an  
 18 employability plan for recipients shall be developed in  
 19 consultation with the participant. The Department shall have  
 20 final responsibility for approving the employability plan.  
 21 The employability plan shall:

- 22 (1) contain an employment goal of the participant;
- 23 (2) describe the services to be provided by the  
 24 Department, including child care and other support  
 25 services;
- 26 (3) describe the activities, such as component  
 27 assignment, that will be undertaken by the participant to  
 28 achieve the employment goal; and
- 29 (4) describe any other needs of the family that  
 30 might be met by the Department.

- 31 (g) The employability plan shall take into account:
  - 32 (1) available program resources;
  - 33 (2) the participant's support service needs;
  - 34 (3) the participant's skills level and aptitudes;

1 (4) local employment opportunities; and

2 (5) the preferences of the participant.

3 (h) A reassessment shall be conducted to assess a  
4 participant's progress and to review the employability plan  
5 on the following occasions:

6 (1) upon completion of an activity and before  
7 assignment to an activity;

8 (2) upon the request of the participant;

9 (3) if the individual is not cooperating with the  
10 requirements of the program; and

11 (4) if the individual has failed to make  
12 satisfactory progress in an education or training  
13 program.

14 Based on the reassessment, the Department may revise the  
15 employability plan of the participant.

16 (Source: P.A. 90-17, eff. 7-1-97; 91-331, eff. 7-29-99.)

17 (305 ILCS 5/9A-9) (from Ch. 23, par. 9A-9)

18 Sec. 9A-9. Program Activities. The Department shall  
19 establish education, training and placement activities by  
20 rule. Not all of the same activities need be provided in  
21 each county in the State. Such activities may include the  
22 following:

23 (a) Education (Below post secondary). In the Education  
24 (below post secondary) activity, the individual receives  
25 information, referral, counseling services and support  
26 services to increase the individual's employment potential.  
27 Participants may be referred to testing, counseling and  
28 education resources. Educational activities will include  
29 basic and remedial education; English proficiency classes;  
30 high school or its equivalency (e.g., GED) or alternative  
31 education at the secondary level; and with any educational  
32 program, structured study time to enhance successful  
33 participation. An individual's participation in an education

1 program such as literacy, basic adult education, high school  
2 equivalency (GED), or a remedial program shall be limited to  
3 2 years unless the individual also is working or  
4 participating in a work activity approved by the Illinois  
5 Department as defined by rule; this requirement does not  
6 apply, however, to students enrolled in high school.

7 (b) Job Skills Training (Vocational). Job Skills  
8 Training is designed to increase the individual's ability to  
9 obtain and maintain employment. Job Skills Training  
10 activities will include vocational skill classes designed to  
11 increase a participant's ability to obtain and maintain  
12 employment. Job Skills Training may include certificate  
13 programs.

14 (c) Job Readiness. The job readiness activity is  
15 designed to enhance the quality of the individual's level of  
16 participation in the world of work while learning the  
17 necessary essentials to obtain and maintain employment. This  
18 activity helps individuals gain the necessary job finding  
19 skills to help them find and retain employment that will lead  
20 to economic independence.

21 (d) Job Search. Job Search may be conducted  
22 individually or in groups. Job Search includes the provision  
23 of counseling, job seeking skills training and information  
24 dissemination. Group job search may include training in a  
25 group session. Assignment exclusively to job search cannot  
26 be in excess of 8 consecutive weeks (or its equivalent) in  
27 any period of 12 consecutive months.

28 (e) Work Experience. Work Experience assignments may be  
29 with private employers or not-for-profit or public agencies  
30 in the State. The Illinois Department shall provide workers'  
31 compensation coverage. Participants who are not members of a  
32 2-parent assistance unit may not be assigned more hours than  
33 their cash grant amount plus food stamps divided by the  
34 minimum wage. Private employers and not-for-profit and

1 public agencies shall not use Work Experience participants to  
2 displace regular employees. Participants in Work Experience  
3 may perform work in the public interest (which otherwise  
4 meets the requirements of this Section) for a federal office  
5 or agency with its consent, and notwithstanding the  
6 provisions of 31 U.S.C. 1342, or any other provision of law,  
7 such agency may accept such services, but participants shall  
8 not be considered federal employees for any purpose. A  
9 participant shall be reassessed at the end of assignment to  
10 Work Experience. The participant may be reassigned to Work  
11 Experience or assigned to another activity, based on the  
12 reassessment.

13 (f) On the Job Training. In On the Job Training, a  
14 participant is hired by a private or public employer and  
15 while engaged in productive work receives training that  
16 provides knowledge or skills essential to full and adequate  
17 performance of the job.

18 (g) Work Supplementation. In work supplementation, the  
19 Department pays a wage subsidy to an employer who hires a  
20 participant. The cash grant which a participant would  
21 receive if not employed is diverted and the diverted cash  
22 grant is used to pay the wage subsidy.

23 (h) Post Secondary Education. Post secondary education  
24 must be administered by an educational institution accredited  
25 under requirements of State law. ~~The Illinois Department may~~  
26 ~~not approve an individual's participation in any~~  
27 ~~post-secondary education program, other than full-time,~~  
28 ~~short-term vocational training for a specific job, unless the~~  
29 ~~individual also is employed part-time, as defined by the~~  
30 ~~Illinois Department by rule.~~

31 (i) Self Initiated Education. Participants who are  
32 attending an institution of higher education or a vocational  
33 or technical program of their own choosing and who are in  
34 good standing, may continue to attend and receive supportive



1 services only if the educational program is approved by the  
2 Department, and is in conformity with the participant's  
3 personal plan for achieving employment and self-sufficiency  
4 and the participant is employed part-time, as defined by the  
5 Illinois Department by rule.

6 (j) Job Development and Placement. Department staff  
7 shall develop through contacts with public and private  
8 employers unsubsidized job openings for participants. Job  
9 interviews will be secured for clients by the marketing of  
10 participants for specific job openings. Job ready  
11 individuals may be assigned to Job Development and Placement.

12 (k) Job Retention. The job retention component is  
13 designed to assist participants in retaining employment.  
14 Initial employment expenses and job retention services are  
15 provided. The individual's support service needs are  
16 assessed and the individual receives counseling regarding job  
17 retention skills.

18 (l) (Blank).

19 (l-5) Transitional Jobs. These programs provide  
20 temporary wage-paying work combined with case management and  
21 other social services designed to address employment  
22 barriers. The wage-paying work is treated as regular  
23 employment for all purposes under this Code, and the  
24 additional activities, as determined by the Transitional Jobs  
25 provider, shall be countable work activities. The program  
26 must comply with the anti-displacement provisions of this  
27 Code governing the Work Experience program.

28 (m) Pay-after-performance Program. A parent may be  
29 required to participate in a pay-after-performance program in  
30 which the parent must work a specified number of hours to  
31 earn the grant. The program shall comply with provisions of  
32 this Code governing work experience programs.

33 (n) Community Service. Community service includes  
34 unpaid work that the client performs in his or her community,

1 such as for a school, church, government agency, or nonprofit  
 2 organization. A-participant-whose-youngest-child-is-13-years  
 3 of-age-or-older-may-be-required-to-perform-at-least-20--hours  
 4 of--community--service-per-week-as-a-condition-of-eligibility  
 5 for-aid-under-Article-IV.--The-Illinois-Department-shall-give  
 6 priority-to-community-service-placements-in--public--schools,  
 7 where--participants-can-serve-as-hall-and-lunchroom-monitors,  
 8 assist-teachers,-and-perform-other-appropriate-services.  
 9 (Source: P.A. 89-289, eff. 1-1-96; 90-17, eff. 7-1-97;  
 10 90-457, eff. 1-1-98; 90-655, eff. 7-30-98.)

11 (305 ILCS 5/11-1) (from Ch. 23, par. 11-1)  
 12 Sec. 11-1. No discrimination). There shall be no  
 13 discrimination or denial of financial aid and social services  
 14 on account of the race, religion, color, national origin,  
 15 sex, marital status, or political affiliation of any  
 16 applicant or recipient. This paragraph shall not prevent the  
 17 Department from treating individuals differently as a result  
 18 of the rights and responsibilities that arise under law from  
 19 marital status.

20 Participation in any marriage promotion or family  
 21 formation activity is voluntary. Non-participation shall not  
 22 affect any person's eligibility for or receipt of financial  
 23 aid or social services in any program under this Code.

24 Where financial aid or social services are granted to  
 25 certain classes of persons under a program for which federal  
 26 funds are available, nothing in this Section shall require  
 27 granting of financial aid or social services to other persons  
 28 where federal funds would not be available as to those other  
 29 persons.

30 (Source: P.A. 80-354.)

31 (305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)  
 32 Sec. 11-20.1. Employment; Rights of recipient and

1 obligations of Illinois Department when recipients become  
2 employed; Assistance when a recipient has employment or  
3 earned income or both.

4 (a) When a recipient reports employment or earned  
5 income, or both, or the Illinois Department otherwise learns  
6 of a recipient's employment or earned income, or both, the  
7 Illinois Department shall provide the recipient with:

8 (1) An explanation of how the earned income will  
9 affect the recipient's eligibility for a grant, and  
10 whether the recipient must engage in additional work  
11 activities to meet the recipient's monthly work  
12 activities requirement and what types of activities may  
13 be approved for that purpose, and whether the employment  
14 is sufficient to cause months of continued receipt of a  
15 grant not to be counted against the recipient's lifetime  
16 eligibility limit.

17 (2) An explanation of the Work Pays budgeting  
18 process, and an explanation of how the first month's  
19 income on a new job will be projected, and how the  
20 recipient should report the new job to avoid the  
21 Department overestimating the first month's income.

22 (3) An explanation of how the earned income will  
23 affect the recipient's eligibility for food stamps,  
24 whether the recipient will continue to receive food  
25 stamps, and, if so, the amount of food stamps.

26 (4) The names and telephone numbers of all  
27 caseworkers to whom the recipient's case or cases are  
28 assigned or will be transferred, an explanation of which  
29 type of case each worker will be handling, and the  
30 effective date of the transfer.

31 (5) An explanation of the recipient's  
32 responsibilities to report income and household  
33 circumstances, the process by which quarterly reporting  
34 forms are sent to recipients, where and to whom the

1 reports should be returned, the deadline by which reports  
2 must be returned, instructions on how to fill out the  
3 reports, an explanation of what the recipient should do  
4 if he or she does not receive the form, advice on how to  
5 prove the report was returned by the recipient such as by  
6 keeping a copy, and an explanation of the effects of  
7 failure to file reports.

8 (6) If the recipient will continue to receive a  
9 grant, an explanation of the recipient's new fiscal month  
10 and a statement as to when the recipient will receive his  
11 or her grant.

12 (7) An explanation of Kidcare, Family Assist,  
13 Family Care, and the 12 month extension of medical  
14 assistance that is available when a grant is cancelled  
15 due to earned income.

16 (8) An explanation of the medical assistance the  
17 person may be eligible for when the 12 month extension  
18 expires and how to request or apply for it.

19 (9) An explanation of the availability of a child  
20 care subsidy to all families below the child care  
21 assistance program's income limit, how to apply for the  
22 benefit through the Child Care Resource and Referral or  
23 site-administered child care program or both, the nature  
24 of the child care program's sliding scale co-payments,  
25 the availability of the 10% earned income disregard in  
26 determining eligibility for child care assistance and the  
27 amount of the parent co-payment, the right to use the  
28 subsidy for either licensed or license exempt legal care,  
29 and the availability of benefits when the parent is  
30 engaged in an education and training program.

31 (10) (Blank).

32 (11) (Blank).

33 (11a) (Blank).

34 (12) (Blank).

1           (13) An explanation of the availability of payment  
2 for initial expenses of employment and how to request or  
3 apply for it.

4           (14) An explanation of the job retention component  
5 and how to participate in it, and an explanation of the  
6 recipient's eligibility to receive supportive services to  
7 participate in education and training programs while  
8 working.

9           (15) A statement of the types of assistance that  
10 will be provided to the person automatically or continued  
11 and a statement of the types of assistance for which the  
12 person must apply or reapply.

13           (16) If the recipient will not continue to receive  
14 a cash grant and the recipient has assigned his or her  
15 right to child support to the Illinois Department, an  
16 explanation of the recipient's right to continue to  
17 receive child support enforcement services, the  
18 recipient's right to have all current support paid after  
19 grant cancellation forwarded promptly to the recipient,  
20 the procedures by which child support will be forwarded,  
21 and the procedures by which the recipient will be  
22 informed of the collection and distribution of child  
23 support.

24           (17) An explanation of the availability of payments  
25 if the recipient experiences a decrease in or loss of  
26 earned income during a calendar quarter as to which the  
27 monthly grant was previously budgeted based upon the  
28 higher income.

29           (18) If the recipient will not continue to receive  
30 a cash grant, an explanation of the procedures for  
31 reapplying for cash assistance if the person experiences  
32 a decrease in or loss of earned income.

33           (19) An explanation of the earned income tax credit  
34 and the procedures by which it may be obtained and the

1 rules for disregarding it in determining eligibility for  
2 and the amount of assistance.

3 (20) An explanation of the education and training  
4 opportunities available to recipients.

5 (b) The information listed in subsection (a) shall  
6 be provided to the recipient on an individual basis during an  
7 in-person meeting with a representative of the Illinois  
8 Department. The individual in-person meeting shall be held  
9 at a time which does not conflict with the recipient's work  
10 schedule within 30 days of the date the recipient begins  
11 working. If the recipient informs the Illinois Department  
12 that an in-person meeting would be inconvenient, the Illinois  
13 Department may provide the information during a home visit,  
14 by telephone, or by mail within 30 days of the date the  
15 recipient begins working, whichever the client prefers.

16 (c) At the conclusion of the meeting described in  
17 subsection (b), the Illinois Department shall ensure that all  
18 case transfers and calculations of benefits necessitated by  
19 the recipient's employment or receipt of earned income have  
20 been performed, that applications have been made or provided  
21 for all benefits for which the person must apply or reapply,  
22 and that the person has received payment for initial expenses  
23 of employment.

24 (Source: P.A. 91-331, eff. 7-29-99.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law."