



S.B. 123

123rd General Assembly
(As Introduced)

Sens. Fingerhut, Brady, Mallory, Furney, Prentiss, DiDonato, Espy, McLin, Shoemaker

BILL SUMMARY

- Provides an exception to the limit on the number of hours a week certain Ohio Works First (OWF) participants may participate in the post-secondary education work activity.
- Prohibits a county department from assigning the participant to another work or developmental activity if the participant meets certain criteria.
- Prohibits a county department of human services from ending participation in the post-secondary education work activity in certain circumstances.
- Requires a county department, under certain circumstances, to count paid or unpaid participation in a clinical or work study as participation in the post-secondary education work activity.
- Requires the Ohio Department of Human Services, on its own and in collaboration with the Department of Education, to establish publicity campaigns to promote awareness among OWF participants of the post-secondary education work activity.

CONTENT AND OPERATION

Post-secondary education work activity

(secs. 5107.42 and 5107.43)

The Ohio Works First (OWF) Program is an income maintenance program for families with or expecting a child. In return for monthly cash assistance, adults and minor heads of household participating in the program are required to satisfy

requirements, including work and training requirements, designed to lead to self-sufficiency and personal responsibility. County departments of human services are permitted to establish as work activities for OWF participants programs under which participants are enrolled full-time in post-secondary education leading to vocation.

Limit on participation

An OWF participant may not participate in the post-secondary education work activity more than five hours a week once the participant has participated in it 1,040 hours.¹ The bill provides that the limit does not apply if the county department is satisfied that the participant is making sufficient progress toward earning the degree sought under the activity. Once the participant has participated in the activity 2,080 hours, the five-hours-a-week limit does apply unless the county department is again satisfied that sufficient progress is being made toward earning the degree.

Assignment to other activity or termination of participation prohibited

Under current law, the county department is generally required to assign each OWF participant to one or more work activities and developmental activities. If the county department assigns a participant to the post-secondary education work activity, it must assign the participant to at least one other work activity at the same time. The county department can reassign a participant to a work or developmental activity other than post-secondary education if it determines that reassignment will aid the assistance group in achieving self-sufficiency and personal responsibility.

The bill prohibits the county department from assigning a participant to another work or developmental activity if the participant has participated in the post-secondary education work activity at least 1,040 hours and is participating in it more than five hours a week. It also prohibits the county department from ending the participant's participation in the post-secondary education work activity if the county department is satisfied that the participant is making satisfactory progress toward earning the degree, unless reassignment to another activity is the only way that county departments, on a statewide average basis, can exceed by at

¹ *In addition to the five hours, an OWF participant is permitted to participate in a developmental activity that is identical to the post-secondary education work activity for up to ten hours a week. Further, an OWF participant and the county department can agree that the participant volunteer to participate in work activities or developmental activities, which could include post-secondary education, for more than the number of hours generally required by the county department.*

least five percentage points the minimum work activity participation rates established by federal law.

Expansion of post-secondary education work activity

(sec. 5107.582)

The bill expands the post-secondary education work activity to include paid or unpaid participation in a clinical or work study if the participant (1) must complete the study to earn the degree, (2) has participated in the work activity for at least 1,040 hours, and (3) is participating in the activity more than five hours a week.

Publicity campaigns

(sec. 5107.581)

The bill requires the Ohio Department of Human Services, on its own, and in collaboration with the Department of Education, to establish publicity campaigns to promote awareness among OWF participants of the post-secondary education work activity.

COMMENT

Federal law governing Ohio Works First, known federally as Temporary Assistance for Needy Families (TANF), requires states to ensure that a certain percentage of participants satisfy work requirements. A state that fails to meet the work participation rates without reasonable cause is subject to a federal penalty. Working toward earning a post-secondary degree is not an activity federal law recognizes as fulfilling the work requirement. Sub. H.B. 408 of the 122nd General Assembly included the post-secondary education program as an acceptable work activity on the basis that it was part of a previously granted federal waiver. Federal TANF law allows states to continue operating under such waivers until they expire. According to the Department of Human Services, Ohio's waiver expires September 30, 2002. It is possible that, once the waiver has expired, the United States Department of Health and Human Services will not consider an OWF participant who participates in the post-secondary education program as fulfilling the work requirement.

HISTORY

ACTION	DATE	JOURNAL ENTRY
--------	------	---------------



Introduced

04-14-99

p. 305

S0123-I.123/rss

