

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)

FINAL

ORDER

FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

10007.3 Supportive Services Reimbursements

Nature of the Proceedings:

Delaware Health and Social Services ("Department") / Division of Social Services initiated proceedings to provide information of public interest with respect to the Food Stamp Employment and Training Program regarding participant reimbursements. The Department's proceedings were initiated pursuant to 29 **Delaware Code** Section 10114 and its authority as prescribed by 31 **Delaware Code** Section 512.

The Department published its notice of public comment pursuant to 29 **Delaware Code** Section 10115 in the March 2007 *Delaware Register of Regulations*, requiring written materials and suggestions from the public concerning the proposed regulations to be produced by March 31, 2007 at which time the Department would receive information, factual evidence and public comment to the said proposed changes to the regulations.

Summary of Proposal

Statutory Authority

- Farm Security and Rural Investment Act of 2002, *Food Stamp Program: Employment & Training Program Provisions*, §4121
- 7 CFR Part 272, *Requirements for Participating State Agencies*
- 7 CFR Part 273, *Certification of Eligible Households*

Summary of Proposed Change

DSSM 10007.3, *Supportive Services Reimbursements*: The purpose of these changes to existing policy is due to final regulations regarding participant reimbursements. See 71 FR 33381 (Federal Register, Volume 71, and Page 33381). The Food & Nutrition Services Employment & Training (FNS E&T) policy unit has specified that services to obtain and keep employment are not an allowable reimbursement.

Summary of Comments Received With Agency Response

The Governor's Advisory Council for Exceptional Citizens (GACEC) and the State Council for Persons with Disabilities (SCPD) offered the following observations and recommendations summarized below. DSS has considered each comment and responds as follows:

First, the federal commentary does not justify the breadth of the proposed State restrictions placed on allowable services and supports. The federal commentary disallows "post-employment" services, i.e., services after acceptance of a job offer. The commentary explicitly authorizes services to obtain employment.

Based on this language in the Food Stamp Act and on the legislative history of the E&T Program, Congress clearly intended to limit the scope of the Program to preparing for and obtaining employment. Post-employment services were never part of the Program's mandate.

Since the E&T Program is defined by its components and all the components are designed to enable participants to obtain jobs, reimbursing the costs of goods and services associated with employment retention are beyond the scope of what can be allowed. Thus, FNS must limit participation reimbursements to those costs involved in successful component participation and disallow costs associated with starting and keeping a job once one has been offered.

In contrast, DSS proposes a sweeping exclusion for all services linked to obtaining employment! Section 10007.3, in pertinent part, contains a categorical exclusion for such supports:

Services to obtain and keep employment are not an allowable reimbursement.

The words "obtain and" should be deleted.

Agency Response: DSS appreciates and understands the comments submitted by the Councils. However, according to 71 FR 33381 "...the use of Federal funds to provide services associated with starting and keeping a job is beyond the scope of the E&T Program and must be disallowed. ... FNS must limit participation reimbursements to those costs involved in successful component participation and disallow costs associated with starting and keeping a job once one has been offered." DSS continues to provide Supportive Services Reimbursements for components which lead to employment.

Second, for similar reasons, complete deletion of Par. B is not required. The text could simply be revised to read as follows:

These services can include clothes that are appropriate for in-person applications and interviews.

Compare new Par. B, authorizing coverage for uniforms for training. There could be a dress code or specific clothing required for training activities (e.g. scrubs for CAN or LPN training). Moreover, clothing should also be covered for other pre-employment activities such as in-person applications and interviews.

Agency Response: DSS will revise Par. B to allow Supportive Services Reimbursements for clothing appropriate for interviewing as long as a job offer has not been made. Under Par. C, DSS does allow Supportive Services Reimbursements for uniforms for training programs.

Third, for similar reasons, complete deletion of Par. D is not required. Consider the following alternatives:

This service is only necessary when a participant's dental condition poses a significant barrier to employability.

OR

This service is only necessary when a participant's dental condition poses a significant barrier to training, in-person applications, and interviews.

OR

This service is only necessary when a participant's dental condition poses a significant barrier to articulation or expressive communication in training, in-person applications, and interviews.

Agency Response: As stated in response to the first comment, FNS does not allow reimbursement for starting or obtaining employment. Dental services were not an allowable Supportive Services Reimbursement for training.

Findings of Fact:

The Department finds that the proposed changes as set forth in the March 2007 *Register of Regulations* should be adopted.

THEREFORE, IT IS ORDERED, that the proposed regulation to amend the Food Stamp Employment & Training Program regarding participant reimbursements is adopted and shall be final effective May 10, 2007.

Vincent P. Meconi, Secretary, DHSS, 4/16/07

DSS FINAL ORDER REGULATION #07-25 REVISIONS:

10000 Food Stamp Employment and Training (FSE&T)

10001 Purpose and Definitions

The Delaware Division of Social Services (DSS) administers a statewide employment and training program for Food Stamp only recipients under the umbrella of the Food Stamp Employment and Training Program. The purpose of the FSE&T Program is to assist capable mandatory and voluntary Food Stamp only recipients gain skills and receive training or experience that will lead to regular, paid employment. By so assisting Food Stamp households, we hope to help increase the purchasing power of low-income families and thereby, contribute to raising the overall levels of nutrition among the population of Delaware.

The Food Stamp Employment and Training Program for Delaware began on April 1, 1987. From the beginning, this program combined the activities of both the Division and local service providers in giving Food Stamp recipients needed encouragement, counseling and academic/life skills training to enhance employability. In addition, the Program has been run in concert with our Temporary Assistance to Needy Families (TANF) Program. Together, these two programs have increased the opportunities for the economically disadvantaged population of Delaware and enabled portions of this population to become self-sufficient.

10001.1 Programmatic Terms and Definitions

The Food Stamp Employment and Training Program has a list of commonly used terms and definitions. Below is a list of these commonly used terms. Please note that the definition of some terms provides important policy information.

- A. ABE - Adult Basic Education.
- B. Component - An allowable activity under Food Stamp Employment and Training.
- C. Custodial Parent - A parent who lives with a child.
- D. DCIS - Delaware Client Information System.
- E. Dependent Care - Same as child care.
- F. DHHS - Department of Health and Human Services (federal).
- G. DHSS - Delaware Health and Social Services.
- H. DOE - Department of Education.
- I. DOL - Department of Labor.
- J. DPIC - Delaware Private Industry Council: Representatives of the public and private (PIC) sector appointed to plan job training and employment service programs at the Service Delivery Area (SDA).
- K. DSS - Division of Social Services.
- L. E & T - Employment and Training.
- M. E & T MIS - Employment and Training Management Information System.
- N. ESL - English as a Second Language.
- O. Exempt - Not required to participate in Food Stamp Employment and Training as a condition of continuing eligibility.
- P. FNS - Food and Nutrition Services - The federal agency responsible for administration of the Food Stamp Program.
- Q. FY - Fiscal Year: The Delaware State Fiscal Year is July 1 through June 30; the Federal Fiscal Year (FFY) is October 1 through September 30.
- R. GED - General Equivalency Diploma.
- S. Mandatory/Nonexempt - A Food Stamp recipient who, as a condition of continuing eligibility for assistance, is required to participate in Food Stamp Employment and Training.
- T. MCI - Master Client Index.
- U. NOAA - Notice of Adverse Action, the notice used to inform registrants who will be sanctioned.
- V. Sanction - Excluding a non-exempt or mandatory participation from the Food Stamps Program for failure to participate in Food Stamp Employment and Training without good cause.
- W. TANF - Temporary Assistance To Needy Families - A state/federal funded financial assistance program for families and their dependent children.
- X. VR - Vocational Rehabilitation.
- Y. WIA - Workforce Investment Act.
- Z. Work Registrant - a Food Stamp applicant or recipient who is registered for the Food Stamp Employment and Training Program.

10002 Program Components

Food Stamp Employment and Training components include the following:

- A. Independent Job Search: A job seeking activity initially engaged in by all registrants.
- B. Self-Directed Job Search Training: Job seeking and job holding instruction designed to equip registrants with successful techniques for finding employment.
- C. Basic Life Skills Enrichment: Individualized and small group academic and life skills instruction to registrants with deficiencies which pose as barriers to employment.
- D. Post-Secondary Education: Case managed referrals of registrants who possess the requisite skills to post-secondary educational programs. Such educational programs are intended to enhance a registrant's employability and will, as much as is reasonably possible, lead to employment. Managing of referrals includes monitoring of each participant's attendance and progress.
- E. Adult Education Through WIA and Other Education Programs: Case managed referrals of registrants to WIA or other educational programs for basic education or high school equivalency achievement. Managing of referrals includes monitoring of each participant's attendance and progress.
- F. Vocational Training Through Workforce Investment Act (WIA) and Other Training Programs: Case managed referrals of registrants to WIA and other training programs which includes monitoring of each registrant's participation.

Other employment programs are also utilized. The Division is committed to maximizing its use of existing resources. The Division will not duplicate services funded by other programs. For this reason, the Division uses employment and training programs funded through the Delaware Private Industry Council (DPIC), Delaware Department of Labor, and Department of Education (DOE). Under a joint agreement between the Council and the Department of Labor, these two entities administer the funds available to the State through the WIA. Programs operated with WIA funds provide occupational training skills, academic training as necessary, and other supportive services to unskilled adults entering Delaware's labor force.

The Division works as a close partner with existing private and public agencies charged with providing employment and training help to TANF, Food Stamps, and General Assistance recipients. For instance, the Division continues to participate as a member agency to the Private Industry Council; staff members from the Division continue to assist the Delaware Private Industry Council in selecting WIA contractors. The Division also utilizes the services of both the Delaware Labor Department and the Private Industry Council when helping registrants identify jobs which are available or likely to become available in the labor market. Inter-agency agreements exist between the Division and the Private Industry Council to provide appropriate employment and training services to TANF, Food Stamps, and General Assistance recipients to share information and to avoid duplication of services wherever possible.

The Division also operates both its FSE&T - TANF and Food Stamp Employment and Training Plans in accordance with the Governor's Coordination and Special Services Plan. This Plan, put together by the State Job Training Coordinating Council under the auspices of the WIA, is the State's response to addressing the training and retraining needs of youth and adults who are unable to find productive employment because of the lack of skills, obsolescence of skills, or other barriers to employment.

The Division operates its Food Stamp Employment and Training Program in concert with its FSE&T - TANF Program. Both programs share the Employment and Training name as well as maintain a common administrative structure. Administrative supervision of the Division's employment and training programs operate under the umbrella of the Division's Program Implementation Unit. This unit shares assessment and employability planning instruments, case management techniques, a common referral mechanism, a common information system, and common support structure for activities such as child care.

10002.1 Sequencing of Components

The assignment of registrants to components does not necessarily follow a particular sequence. However, in the case of a registrant with low performance levels, there is an intent to follow a set sequence of activities. In this case, after an assessment the registrant would enter basic life skills enrichment, self-directed job search training, and vocational skills training. Because we know that the literacy and employability levels of many Food Stamp registrants are severely deficient, we anticipate that such registrants will remain in components much longer than usual.

All registrants initially enter an Independent Job Search component. This enables the Division to continue

its expeditious processing of registrants and to maintain its participation rate.

10002.2 Components and Support Activities Summary

Each component and corresponding support activities are discussed in the following subsections.

10002.2.1 Job Search

The job search component is completed by the participant through Independent Job Search. This is a non-work component in which all newly work registered, mandatory participants are required to engage in job seeking activities. Prior to an initial interview with a Case Manager, registrants make at least 24 job contacts over a two week period. An interview with the Case Manager ultimately determines if the job search activity should continue or another activity is more appropriate.

Initially, 24 job contacts are required over a two week period. If the 24 contacts are not completed prior to the registrant's initial interview with a Case Manager, the registrant is given an additional two weeks to complete this activity. The interview with the Case Manager determines if the job search activity should be continued or another activity is more appropriate. Maximum duration of the component is 2 months, with the registrant completing 48 contacts.

Registrants are asked to complete a job search log, denoting the date, name, and address of employers contacted and the outcome of the contact. Registrants bring the log to their initial interview. Case Managers make random calls to employers to verify the contact.

10002.2.2 Job Search Training

The job search training component is completed by the participant through Self-Directed Job Search Training. This component is a non-work component designed to teach registrants to market their skills into meaningful, unsubsidized jobs. It consists of classroom instruction, direct use of job search tools, employer contacts, and feedback to participants.

The following areas are part of the classroom instruction: personal inventory of work skills, how to use community resources, how to use want ads, use of proper telephone techniques, letter writing, interview techniques, and application of job searching skills. By the end of the course, every registrant has a completed resume for their own use, took part in a videotaped mock interview, and met the employer contact requirements of the job search component.

During the approximate two month period for this activity, registrants obtain sufficient job seeking and job holding skills to enable them to successfully navigate the job market. Registrants commence job search activities only after they have made sufficient progress in their classroom instruction. Registrants have four hours of contact with a program vendor staff member in which they are provided with job lists, want ads, telephone books and other job search-related tools. The remaining time consists of contacts with employers and discussion with vendor staff.

Participation maximum is 120 hours over a two month period of time, averaging 60 hours per month. The duration is three weeks of actual classroom instruction, followed by five weeks of actual job searching activity.

10002.2.3 Education

A. Basic Life Skills Enrichment

The type of education activity for this component is Adult Basic Education. The purpose is to provide academic instruction to individuals with severe academic deficiencies which pose a significant barrier to employment. The basic academic instruction is applied to real life experiences which involve management of life skills. This instruction differs substantially from the typical adult basic education program. Classes are held year round, many classes take place during the day. The basic skills offered have measurable objectives which relate to an individual education plan, and the goal is placement in either a job or training which leads to a job. There are two parts to this education component. The first is basic remedial job related literacy and computational skills, and the second is life management skills.

Participation is for 15 hours per week for 36 weeks, or until the participant reaches the appropriate level of competency to be employed or enter vocational skills training. The duration is 15 hours per week for 36 weeks.

The goal of this component is employment or training which leads to employment. The skills taught link to critical job related needs and help to direct registrants to jobs which are within their level of functioning.

B. Post-Secondary Education

The type of education activity for this component is Post-Secondary Education with an emphasis on specific technical and occupational instruction, such as nursing, child care or computer science. Pursuance of a graduate degree is not an allowable activity. The educational institution must either be accredited or maintain a favorable reputation. Registrants must possess the necessary skills to be able to participate. Payment of tuition is not a reimbursable expense.

The targeted population includes those registrants who possess the necessary skills, as determined by their assessment.

Registrants attend as required by the institution, and must make satisfactory progress. If this level of effort exceeds 120 hours per month, the registrant completes a form indicating this and their reasons for doing so. The duration is determined by the program of instruction and the institution. There should be a reasonable expectation that the course of instruction will lead to the prospect of a job within a reasonable timeframes. (An appropriate example is a 2 year program leading to a nursing degree).

The course of study must be consistent with individual registrant's employment goals and should provide each registrant with a reasonable opportunity for employment.

C. Adult Education Through WIA and Other Educational Programs

Education activities include Adult Education activities that enable registrants to attain minimum recognized levels of competencies in subject areas such as reading, writing, communication, problem solving, critical thinking and math. Competency in these areas is considered critical if registrants are to compete for available jobs in the work force. The programs consist of a variety of adult basic education programs, high school equivalency programs, and adult high school, credit-oriented programs, such as Groves High School.

Participation is up to 15 hours per week for the length of the program as determined by program requirements. Duration is determined by program requirements.

The course of study provides registrants with basic skills required by most employers, such as a high school diploma and the ability to read and write.

10002.2.4 Vocational Training

Vocational Training activities include Vocational Skills Training through WIA and other training programs. Case managed referrals to WIA and other training programs consists of referral and monitoring of registrants referred by vendors to WIA or other training programs. Training is consistent with jobs that are available or are likely to become available in the local labor market. The Division ensures registrant compliance with enrollment and participation requirements by having signed agreements with contractors. These agreements allow contractors to provide the Division with reports of each registrant's progress and to notify the Division as soon as reasonably possible when a registrant is not complying.

Hours of participation are consistent with WIA program requirements. Registrants who choose to enroll in job training programs that exceed the required 120 hours per month will be asked to complete a form which indicates their desire to do so. Duration is a one to three month course, 12 hours per week.

The targeted population includes registrants who have completed basic life skills enrichment and require vocational skills training to enhance their employability, and those who have not been successful in locating employment while participating in group job search training.

10003 Program Exemptions

Food Stamp recipients are required to participate in the Food Stamp Employment and Training Program unless they meet certain categorical and personal characteristics, and specific exemption criteria as identified below.

10003.1 Categorical and Personal Exemptions

Federal regulations requires that certain categorical and individual requirements must be met before an individual can be considered exempt from the Food Stamp Employment and Training Program. These

requirements include the following:

A. Categorical Exemptions:

Federal requirements allows categories of persons to be exempt, including:

1. those for whom an employment and training requirement would be impractical, and
2. for factors such as the availability of work opportunities, and the cost effectiveness of the

requirements.

A state may designate a category of all households residing in a specific area of the state to be exempt. Delaware chooses not to exempt persons based on categories at this time.

B. Individual/Personal Exemptions:

The following kinds of personal characteristics or situations justify exempting an individual otherwise required to participate in the Food Stamp Employment and Training Program.

1. Individuals with such severe deficiencies in employability skills that participation in the Food Stamp Employment and Training Program, as designed and reported here, hold only a very remote probability of achieving the objective of employment or placement in a vocational skills training program;
2. Work registrants requiring child care where it is not available;
3. Reasons of health;
4. Absence of adequate transportation to the training program or to employment locations;
5. Lack of job opportunity;
6. Homeless;
7. Individuals who are in their second or third trimester of pregnancy;
8. Work registrants 55 years of age or older;
9. Employed or self-employed, and working a minimum of 30 hours weekly or receiving weekly earnings at least equal to the Federal minimum wage, multiplied by 30 hours;
10. Participant is in the FSE&T - TANF Program; and
11. Participant is in a substance abuse treatment program and is unable to focus on developing employability skills.

10003.2 Criteria for Authorizing Exemptions

Criteria used to determine whether an exemption should be authorized includes:

A. Individuals with such severe deficiencies in employability skills that participation in the Food Stamp Employment and Training program holds only a remote probability of employment or placement in a vocational skills training program.

B. Individuals determined during either intake screening or assessment to read or compute below the third grade level.

C. Individuals determined during either intake screening or assessment to have severe deficiencies in spoken English language (and live in an area remote from available ESL programs).

D. Work registrants requiring child care where it is not available or child care is not available via public transportation within a reasonable commuting distance. The cost of private transportation is prohibitive.

E. Reasons of Health: After work registering and prior to screening, the participant becomes incapacitated. Temporary personal exemptions from Food Stamp Employment and Training participation may be granted upon recommendation of a physician or a Division of Vocational Rehabilitation enrollment. A temporary medical exemption is approved if the reason for the exemption is expected to last 60 days or more.

F. Absence of adequate transportation to the training program or to employment locations: Work registrant resides in a location not accessible to the Program by public transportation within a reasonable commuting time.

G. Lack of Job opportunity: If State Employment Service information indicates that there are essentially no jobs available within reasonable distance of the participant's residence.

H. Homeless: Participants who do not have adequate shelter or a permanent domicile. DSS assures that this exemption will be granted on a case-by-case basis, where it is not practical to service a particular individual.

I. Individuals who are in their second or third trimester of pregnancy: Persons who have begun their fourth month of pregnancy. The probability of work registrants in their second or third trimester of pregnancy obtaining employment or entering and completing training leading to employment is remote.

J. Work registrants 55 years of age or older: Individuals 55 years of age or older with no formal skills training, have been employed in any capacity in the last 10 years, and have less than a 10th grade education. Chances of success with this participant population is slight. This exemption will ensure the best possible use of limited staff time and resources.

K. Individuals who are employed or self-employed, and working a minimum of 30 hours weekly or receiving weekly earnings at least equal to the Federal minimum wage multiplied by 30 hours: employment prevents individual from participating in employment and training activities.

L. Participant is in the FSE&T - TANF Program: Individual is participating in employment and training activities for TANF recipients.

M. Participant is in a substance abuse treatment program: Individuals receiving substance abuse treatment services who are unable to focus on developing employability skills. Consultation between Case Manager and Substance Abuse Treatment Worker will determine the appropriateness of utilizing this exemption.

Authority to grant individual exemptions rests with the Case Manager, with close monitoring of such exemptions by the Case Manager Supervisor. Final authority rests with the DSS FS E&T Administrator.

Re-evaluate an individual's exemption status at the time of each recertification as per Section 273.7 (f) (2) of the regulations.

10004 Program Operation

In the following sections the procedures and policies for operation of the Food Stamp Employment and Training program are discussed, including Referral for the Food Stamps Program to the Food Stamp Employment and Training Program, Good Cause, Sanction Period and Penalty, Information Coordination, Coordination Timeframes, and Inter-Agency Coordination.

10004.1 Referral From Food Stamp Program to Food Stamp Employment and Training Program

As part of their regular intake responsibilities, financial services staff also screen each Food Stamp applicant for work registration requirements. Those registrants determined appropriate for work are referred immediately upon their certification for Food Stamps.

This avoids unnecessary effort on applicants who are deemed ineligible. All Food Stamp Employment and Training referrals take place within 30 days of certification and are derived from the certification and recertification process.

A. Setting Food Stamp Employment and Training Appointment:

When applicants who are determined appropriate for work are certified for Food Stamps, they are referred to Food Stamp Employment and Training. When Food Stamp Employment and Training Case Managers receive the work registrant referral, they immediately send the registrant an appointment letter for an interview. A detailed instruction sheet is also included with this appointment letter that informs each registrant about the program, the registrant's requirements under the program, of their rights and responsibilities, and of the consequences for failing to comply with work requirements. The appointment letter also includes instructions for each registrant to begin an Independent Job Search component, a job search log, and instructions for completing the log.

B. Assessment Interview:

At the interview, work registrants are assessed for their employment and training needs. Case Managers review and audit the Independent Job Search logs and determine whether it is appropriate and necessary for the registrant to continue job search. Based upon the assessment of the Independent Job Search component, a determination is made as to whether the registrant needs further intensive assessment or placement in a basic skills component. For example, if a registrant has difficulty completing a job application, the registrant may be referred to a basic adult education component. Finally, registrants are informed of the requirements of the components, what is needed to comply with the component, and what happens if the registrant fails to comply.

C. Monitoring Compliance:

Case Managers are responsible for monitoring registrant compliance with component requirements. For Independent Job Search, the Case Manager uses the job search log to note the number of job contacts and to make random calls to employers to verify actual job attempts. For other Food Stamp Employment and Training service providers, Case Managers use Food Stamp Employment and Training Weekly Enrollment

Status Reports to check registrant compliance.

The weekly enrollment report provides information about registrants who either failed to appear for their initial provider appointment or who failed to meet and maintain service provider participation criteria. Food Stamp Employment and Training Service providers notify Case Managers of registrant non-compliance, using the weekly enrollment reports, within five working days of the date that such information becomes known to the provider. Service providers who do not adhere to the registrant non-compliance requirements have their contracts reduced by an amount equal to vendor cost per registrant times the number of participants not reporting, or not reporting within the required timeframes.

10004.2 Good Cause

Case Managers are responsible for determining good cause. If registrants fail to keep either their initial interview with their Case Manager or their service provider requirements, the Case Managers contact registrants to determine if they had good reason for doing so. Good cause includes circumstances beyond the registrant's control, such as, but not limited to:

- A. illness,
- B. illness of another household member requiring the presence of the member,
- C. a household emergency,
- D. the unavailability of transportation, or
- E. lack of adequate child care for children who have reached age six but are under age 12.

10004.3 Sanction Period and Penalty - See Section 9021 of Food Stamp Policy for appropriate sanctions and penalties

10004.4. Information Coordination

- A. Registration in DCIS:

Non-exempt Food Stamp recipients are registered for work at the time of application. The financial services eligibility worker completes the work registration indicator on the Delaware Client Information System (DCIS) input document for each registrant, utilizing a verification indicator.

- B. Case Manager Assignment:

The registration indicator on the input document to DCIS produces an automatic referral to the Food Stamp Employment and Training Program, which informs the Case Manager of a work registration referral. Work registrants are assigned to Case Managers, based on the registrant's address.

- C. Referral to Components and Service Providers:

Case Managers assign those registrants who keep their assessment interview to an employment and training component, or they determine that the registrant is individually exempt. Case Managers can assign registrants to a continuation of the Independent Job Search component or a component provided by WIA or a contracted service provider.

Case Managers use the E & T MIS to refer registrants to contracted service provider programs. Case Managers also make a hard copy of the referral and send it to the contracted service provider. Case Managers also make referrals to WIA programs.

Contracted service providers use the weekly enrollment status report to notify Case Managers of any registrant concerns. This report informs Case Managers of registrants who fail to keep their initial contractor appointment or who fail to meet and maintain contractor criteria.

- D. Change in Exemption Status:

It is the responsibility of the service providers to notify Case Managers of any circumstances which may cause registrants to fall into exempt categories. This is particularly important where the situation of the registrant has changed since assignment to the component. The Case Managers review this information and determine if the participant is exempt. In turn, Case Managers notify service providers of significant interim changes, such as address, participation status, and so forth.

10004.5 Coordination Time Frames

Time frames for the most part have been discussed previously. However to repeat in summary form: the time from the recipient application for Food Stamps, and the determination of eligibility by a financial services worker, to referral into the Food Stamp Employment and Training Program, should be immediate. In no event does the time frame take more than 30 days.

10004.6 Inter-Agency Coordination

The Division jointly administers its Food Stamp Employment and Training Program with its FS E&T - TANF program. Food Stamp Employment and Training activities are fully coordinated with parallel FSE&T - TANF activities. The Division may utilize the services of providers already serving FSE&T - TANF participants, FS E&T - TANF and Food Stamp Employment and Training participants, or not serving our population at all.

Other than its Independent Job Search component, the Division does not directly deliver services in a component. Primarily, either non-financial inter-agency agreements or contracted services through community based programs are used to provide component services to registrants. Inter-agency agreements exist with the Delaware Private Industry Council, the Department of Labor and the Department of Education.

Referral mechanisms exist with WIA funded and other training programs. For the most part, registrants who are appropriate for these programs are referred through contractor arrangement. Wherever this occurs, the contractor is asked to monitor registrant participation and report information to Case Managers.

The Division, however, has increased its use of WIA funded programs and has therefore, increased the number of such referrals directly from Case Managers. The process used by Food Stamp Employment and Training Case Managers to make WIA referrals is the same process currently in use by our FSE&T - TANF Case Managers.

10004.6.1 Methods of Coordination

As noted above, non-financial inter-agency agreements are maintained with other State agencies to provide component services. In addition, the Division has financial contracts with a number of community based organizations to also provide component services. The Division is also committed to working closely with agencies that provide employment and training help to registrants. In this regard, Division representatives meet regularly with Private Industry Council staff members, the Division coordinates its employment and training plans with existing State resources, and makes use of informal referral mechanisms wherever appropriate.

10005 Justification of Educational Costs

Delaware's Food Stamp Employment and Training Program does not supplant education costs from the State to the Federal government.

Education offered under the Food Stamp Employment and Training program is not traditional basic or remedial education, but is uniquely tailored to job entry by low vocational skilled, low literacy, or low computational skilled individuals. Similar services are provided to FS E&T - TANF participants.

The Division's experience of contracts with community-based agencies has demonstrated that individuals with severe academic deficiencies can improve practical educational skills if the approach to basic skill remediation is applied to real life experiences. Teaching in the Food Stamp Employment and Training Program differs substantially from the Adult Basic Education (ABE) and GED classes funded by the Delaware Department of Education in that:

- A. instruction is year round, rather than only during the school year, and
- B. the majority of classes take place during the day when most work registrants prefer to attend because their children are in school during this time.

Programs offered have measurable objectives related to participant achievement, and individual education plans are developed for each student. Delaware Department of Education classes leave this area to the discretion of the individual teacher.

The goal of this education is placement in employment or training leading to employment. Public instruction classes do not have this as their primary goal.

This program is linked to other critical job related components such as life skills, counseling, orientation to the world of work, and other support services. The Department of Education classes do not have this employment

direct coordination.

10006 Contractual Arrangements

Delaware contracts out the operation of the Basic Life Skills Component and the Self-Directed Job Search Component of the Food Stamp Employment and Training Program to community based agencies who are selected through a competitive procurement process. Under the direct supervision of the DSS Food Stamp Chief Administrator, the same procedures established for the monitoring and management of TANF participants and programs is implemented for Food Stamp Employment and Training participants, except that separate budgets and program records are maintained for the two participant populations. Contractors, in accordance with their contract, are reimbursed for actual costs associated with providing services.

The following information is maintained:

- A. the name and location of the contractor;
- B. the amount of the contract;
- C. the contract management approach that will be followed; such as performance based contract;
- D. the basis for charging for contractual services; for example, will the actual costs be claimed or a certain amount per activity;
- E. the number of persons expected to be placed through the contract;
- F. whether the contract was competitively awarded or sole source; for example, not bid, but negotiated; and
- G. the method for monitoring the performance of the contractor, and the results of such monitoring.

10007 E & T Non ABAWD Participant Reimbursement

Participants are reimbursed for necessary expenses incurred while fulfilling Food Stamp Employment and Training requirements or obtaining/maintaining employment. Reimbursements are available in the following areas:

- A. Transportation as defined in 10007.1.
- B. Dependent care expenses as defined in 10007.2.
- C. Support Services as defined in 10007.3.

Transportation, Dependent Care and Supportive Services payments are for all E & T mandatory or voluntary Non ABAWD participants.

8 DE Reg. 1618 (5/01/05)

10007.1 Method of Reimbursement for Transportation

The State agency elects to reimburse participants for transportation based on an initial allowance plus actual verified expenses incurred beyond the initial allowance.

The total cost per participant per month is a reimbursement amount equal to the initial allowance plus actual costs documented by the participant that are above the initial allowance, but not exceeding the standard amount of \$30.00.

Upon successful completion of the IJS log the participant will automatically receive a system generated transportation allowance. The allowance is \$5.00 for New Castle County (NCC) and \$10.00 for Kent and Sussex (K/S).

Upon computer verified participation at a DOL One Stop Service Center the participant will automatically receive a system generated transportation allowance. The allowance is \$5.00 for NCC and \$10.00 for K/S.

Participants can receive only one transportation allowance check per month to attend the One Stop Service Center regardless of the number of times they go to the One Stop Service Center. Participants can only receive one transportation allowance check per month. If the participant completes an IJS log and goes to the One Stop Service Center in the same month they will only receive one allowance check.

A participant may be reimbursed additional monies if the participant brings in verification of the actual expenses that were above the initial \$5.00 or \$10.00 allowance. The total monthly reimbursement should not exceed \$30.00.

Any monthly total exceeding \$30.00 must be verified and approved by a supervisor.

8 DE Reg. 1618 (5/01/05)

10007.2 Dependent Care Reimbursement

Dependent Care reimbursement can be authorized when a Food Stamp Employment and Training participant needs dependent care to participate in an E&T component or employment.

Dependent Care expenses are determined by the approved Purchase of Care program fee scale. DSS provides dependent care services through licensed and exempt facilities. The types of care provided include: full-time care, before/after school care, and extended child care in either a family/group home or child care center.

Offer the participant an option of using a child care facility with a contract with DSS or any other licensed or exempt facility a registrant might choose. Monthly Child care providers submit monthly attendance reports to the Division of Management Services, Payment Section. The Payment Section enters the attendance data in the Child Care Management Information System which makes payment to providers based on attendance and the prescribed Food Stamp Employment and Training dependent care formula.

Dependent Care can be authorized to a voluntary participant.

Example:

An 18 year old High School graduate with a 3 year old child can volunteer for the E&T program and receive child care for either work hours or school hours.

8 DE Reg. 1618 (5/01/05)

10007.3 Supportive Services Reimbursements

All Supportive Services reimbursements/payments must be actual costs that are necessary for Employment and Training participation ~~or obtaining employment~~. They must be verified and documented. Services to obtain and keep employment are not an allowable reimbursement.

Supportive Services reimbursements /payments can be provided under the following categories;

A. Fees

These services can include ~~licenses such as Commercial Drivers License and Nurses licenses~~, testing for employment or education (this includes GED test fees), or other fees directly related to training ~~or employment~~.

Monetary Limit of Service / Expense: Verified actual cost up to \$200.00 per individual, per month as determined by need.

~~[B. Clothing B. Clothing~~

~~These services can include clothes that are appropriate for interviewing or the first few days of employment.~~

~~Monetary Limit of Service / Expense: Verified actual cost up to \$150.00 per individual. This is a one time only service.~~

~~These services can include only clothes that are appropriate for interviewing prior to a job offer.~~

~~Monetary Limit of Service / Expense: Verified actual cost up to \$150.00 per individual. This is a one time only service.]~~

~~[C. B. C]~~ Accessories for ~~Work or Training~~

These services can include purchase of safety equipment, uniforms, shoes, or tools required to participate in training ~~or work~~. The need in some cases can be verified by Office of Safety and Health Administration (OSHA) regulations.

Monetary Limit of Service / Expense: Verified actual cost up to \$150.00 per individual, per month as determined by need.

~~[D. G. D.]~~ Physical Exam

This service can be authorized when a participant is required to undergo a physical exam to participate in training ~~or accept employment~~ and such exam is not available through a public health facility or covered by Medicaid.

Monetary Limit of Service / Expense: Verified actual cost up to \$100.00 per individual, per month as determined by need.

E. Dental Services

~~This service is only necessary when a participant's dental condition poses a significant barrier to employment.~~

~~Monetary Limit of Service / Expense: Verified actual cost up to \$400.00 per individual, per month as~~

determined by need.

[F, D, E] Eye exams and eyeglasses

When the assessment indicates the participant's vision is impaired, or when the individual needs glasses to continue in a component or job. This does not include contact lenses unless they are medically necessary.

Monetary Limit of Service / Expense: Verified actual cost up to \$200.00 per individual, per month as determined by need.

8 DE Reg. 1618 (5/01/05)

10 DE Reg. 1708 (05/01/07) (Final)

10008 Program Reporting and Management Information

Program reporting and management information includes ensuring there is an unduplicated work registrant count and meeting federal reporting requirements.

A. Method of Ensuring an Unduplicated Work Registrant Count

On the last day of each month, the E & T MIS reviews all work registrant transaction summaries to determine referrals from eligibility staff. The E & T MIS produces a count of newly referred work registrants (work registrants not counted in previous months of the federal fiscal year). Additionally, the E & T MIS places a federal fiscal year indicator on each of these work registrants to prevent that individual from being counted again during the current federal fiscal year.

B. Methods for Meeting On-Going Federal Reporting Requirements

1. Management Information System (MIS):

Delaware produces its reports from the aggregate hard copy reports produced by DCIS, E & T MIS, manual reports from Food Stamp Employment and Training staff, and manual reports from community based providers.

2. Local Reporting Requirement:

Contractors, Food Stamp Employment and Training staff, and our automated systems produce regular reports. Food Stamp Employment and Training staff report the number of work registrants entering a component and the number and reasons for individual exemptions. Community based providers report on the names of work registrants entering a component, and the names of work registrants failing to comply with program requirements (for example, not coming to a scheduled interview, not attending class). Local agencies and contractors report weekly.