

**ARKANSAS SENATE**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of Senate Bill No. 942**

"AN ACT TO AMEND THE TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM."

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**Amendment No. 2 to Senate Bill No. 942.**

Amend Senate Bill No. 942 as originally introduced:

Delete everything after the Enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 20-76-105(c) is amended to add an additional subdivision to read as follows:

(9)(A) The Governor may remove an appointed member for cause.

(B) An absence from three (3) consecutive meetings shall result in automatic removal, unless the member is excused by the chairperson.

(10)(A) Vacancies on the Arkansas Transitional Employment Board shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(B) If a vacancy occurs in a position filled by nominees from either the President Pro Tempore of the Senate or the Speaker of the House of Representatives, the member shall be appointed by the Governor from a list of at least four (4) nominees, of whom at least two (2) shall be submitted by the President Pro Tempore of the Senate and at least two (2) shall be submitted by the Speaker of the House of Representatives.

SECTION 2. Arkansas Code § 20-76-105(d)(2), concerning outcomes for the Transitional Employment Assistance program, is amended to read as follows:

(2)(A) Oversee the operation of the program and progress toward the program outcomes, including the activities of the local coalitions and all state agencies involved in the program;.

(B) Develop a performance management plan for achievement of the transitional employment assistance outcomes that includes:

(i) Performance measures for each of the transitional employment assistance outcomes;

(ii) Setting targets for each of the transitional employment assistance outcomes;

(iii) Reporting requirements for department and each county on their progress toward transitional employment assistance outcome targets;

(iv) Measures for accountability for county and



state offices for progress in meeting the targets that include increased flexibility and funding for offices meeting the targets and corrective action for offices not meeting the targets; and

(v) Reporting on the operation of the performance management plan to the Governor and the cochairs of the House and Senate Interim Committees on Public Health, Welfare, and Labor;

SECTION 3. Arkansas Code § 20-76-105(1), concerning the outcomes of the Transitional Employment Assistance Program, is amended to read as follows:

(1) The administration of the program shall focus on promoting the following outcomes for program recipients and poor families in Arkansas:

~~(1) Increase the percentage of needy families that receive transitional employment assistance;~~

~~(2) Decrease the number of families who need transitional employment assistance cash assistance;~~

~~(3) Decrease spending on transitional employment assistance cash assistance;~~

~~(4) Increase the percentage of families receiving transitional employment assistance cash assistance who participate in work activities for the required number of hours;~~

~~(5) Increase the percentage of program recipients who receive services necessary for them to participate in work activities, including education and training, child care, and transportation, and to move toward self-sufficiency;~~

~~(6) Increase the percentage of program recipients facing barriers of substance abuse, domestic violence, physical or mental disabilities, or limited education and work experience who receive services necessary for them to participate in work activities and to move toward self-sufficiency;~~

~~(7) Increase the number of families who leave transitional employment assistance for work;~~

~~(8) Increase the hourly wages and monthly earnings of families who leave transitional employment assistance for work;~~

~~(9) Decrease the number of families who leave transitional employment assistance and face hardship or deprivation;~~

~~(10) Increase the percentage of families who leave transitional employment assistance for work who stay employed;~~

~~(11) Increase the percentage of families who leave transitional employment assistance for work who achieve progressively higher wages and earnings;~~

~~(12) Increase the percentage of families who leave transitional employment assistance cash assistance who move out of poverty; and~~

~~(13) Increase the percentage of transitional employment assistance families who leave for work and obtain job-related benefits provided by the employer.~~

(1)(A) Increase the percentage of families who receive appropriate services to move off of transitional employment assistance cash assistance, into employment, and towards self-sufficiency.

(B) The Arkansas Transitional Employment Board shall use the following or similar indicators to determine whether this outcome is being met:

(i) Percentage of recipients who receive specified assessment within thirty (30) days of the application approval;

(ii) Percentage of recipients who receive services specified in the assessment;

(iii) Percentage of recipients engaged in work activities for the required number of hours per week;

(iv) Percentage of former recipients who are eligible to receive needed services;

(v) Percentage of eligible families who receive low-income child care, to be determined by dividing the number of low-income recipients by the sum of the number of low-income recipients plus the number of recipients on the waiting list; and

(vi) Percentage of recipients engaged in education and training for the required number of hours per week;

(2)(A) Increase the percentage of families who leave transitional employment assistance cash assistance due to earnings from work.

(B) The Arkansas Transitional Employment Board shall use the following or similar indicators to determine whether this outcome is being met:

(i) Percentage of recipients who leave welfare each month, each quarter, and each year; and

(ii) Percentage of families leaving if a parent has earnings from work;

(3)(A) Increase earnings of families who leave transitional employment assistance cash assistance.

(B) The Arkansas Transitional Employment Board shall use the following or similar indicators to determine whether this outcome is being met:

(i) Median level of earnings in the first full quarter after leaving the program;

(ii) Median level of earnings in the second full quarter after leaving the program;

(iii) Median level of earnings in the fourth full quarter after leaving the program; and

(iv) Median level of earnings in the sixth full quarter after leaving the program;

(4)(A) Increase the percentage of parents leaving transitional employment assistance cash assistance who stay employed.

(B) The Arkansas Transitional Employment Board shall use the following or similar indicators to determine whether this outcome is being met:

(i) Percentage of former recipients who are working in the second quarter after leaving the program;

(ii) Percentage of former recipients who have maintained steady employment for two (2) quarters after leaving the program;

(iii) Percentage of former recipients who are working in the fourth quarter after leaving the program; and

(iv) Percentage of former recipients who have maintained steady employment for four (4) quarters after leaving the program; and

(5)(A) Increase the percentage of former transitional employment assistance cash assistance recipients who move out of poverty, including the

value of food stamps and the federal Earned Income Tax Credit and child support.

(B) The Arkansas Transitional Employment Board shall use the following or similar indicators to determine whether this outcome is being met:

(i) Percentage of families with earning levels above one hundred percent (100%) and the percentage above two hundred percent (200%) of the federal poverty limit, including the imputed value of food stamps and the federal Earned Income Tax Credit;

(ii) Percentage of eligible former recipient families enrolled in the food stamp program; and

(iii) Percentage of eligible former recipient families who file for the federal Earned Income Tax Credit.

SECTION 4. Arkansas Code § 20-76-107(a)(5), concerning biannual independent evaluations of the Transitional Employment Assistance Program, is amended to read as follows:

(5) The effects of the program on recipients and their children  
The outcomes for current and former transitional employment assistance cash assistance recipients and their children, to include at least the following:

- (A) Changes in family income and child poverty;
- (B) Impact on child welfare;
- (C) Impact on child hunger;
- (D) Impact on housing conditions, family living arrangements, and homelessness;
- (E) Impact on the health care coverage and the health status of children;
- (F) Changes in family expenditure patterns;
- (G) Births to unwed parents, teen pregnancies, and changes in family structure;
- (H) Impact on child care patterns and youth supervision;
- (I) The work history and employment patterns of adults, including whether they are working, the types of employment held, job retention, and their wages or earnings;
- (J) Impact on substance abuse and substance abuse treatment; and
- (K) Educational and skill attainment;

SECTION 5. Arkansas Code § 20-76-402(f), concerning work activities under the transitional employment, is amended to read as follows:

(f) The department, subject to review, recommendation, and approval by the board, shall establish criteria to exempt or temporarily defer the following persons from any work activity requirement:

(1) An individual required to care for a recipient child until the child reaches twelve (12) months of age, if the caregiver is an active participant in a home-based or part-time center-based quality approved early learning program, where available, that requires parental involvement and is approved by the Arkansas Department of Education under Arkansas Code Title 6, Chapter 45;

~~(1)~~(2) An individual required to care for a recipient child until the child reaches the maximum age specified by regulation, not to exceed twelve (12) months of age;

~~(2)~~(3) A disabled parent or caregiver, based upon criteria set forth in regulations;

~~(3)~~(4) A woman in the third trimester of pregnancy;

~~(4)~~(5) A parent or caregiver who is caring for a disabled child relative or disabled adult relative, based upon criteria set forth in regulations;

~~(5)~~(6) A minor parent less than eighteen (18) years old who resides in the home of a parent or in an approved adult-supervised setting and who participates in full-time education or training;

~~(6)~~(7) A teen parent head of household under the age of twenty (20) who maintains satisfactory attendance as a full-time student at a secondary school;

~~(7)~~(8) An individual for whom support services necessary to engage in a work activity are not available;

~~(8)~~(9) An individual who, as determined by a department case manager, is unable to participate in work activities due directly to the effects of domestic violence. All case manager determinations made under this subsection (f) shall be reviewed by a supervisor within five (5) days of such determination;

~~(9)~~(10) An individual unable to participate in a work activity due to extraordinary circumstances;

~~(10)~~(11) A parent or caregiver over sixty (60) years of age; and

~~(11)~~(12) Child-only cases.

SECTION 6. Arkansas Code § 20-76-443(a), concerning education and training in the Transitional Employment Assistance Program, is amended to read as follows:

(a)(1) The Department of Human Services shall permit Transitional Employment Assistance Program recipients to obtain the education and training they need to obtain jobs that pay wages allowing them to be economically self-sufficient.

(2) Program recipients who are assessed as having basic education deficiencies shall be allowed to combine educational activities leading to a high school diploma or general educational development certificate and employment and work experience. Participants may be required to engage in internships, work experience, or employment. Work requirements shall not exceed fifteen (15) hours per week unless the department certifies that allowing education to count toward program recipients' required work activities would affect the state's ability to meet federal work participation rates. To the extent possible, educational activities shall take place in a work context.

(3)(A) Qualified program recipients shall be allowed to enroll in vocational education courses designed to prepare them for jobs in high growth, high wage occupations. ~~Participants may be required to engage in internships or work experience related to their course of study. Work requirements shall not exceed fifteen (15) hours per week unless the department certifies that allowing education to count toward program recipients' required work activities would affect the state's ability to meet federal work participation rates.~~

(B) As long as the recipient's coursework, including study time, exceeds the minimum number of work activity hours required to count toward federal work participation rates, this activity alone shall satisfy

the recipient's required work activity.

(C)(i) If a recipient's coursework, including study time, does not exceed the minimum number of work activity hours required to count toward federal work participation rates, the recipient may be required to engage in internships or work experience related to the course of study.

(ii) However, the combination of work activities and the recipient's coursework shall not exceed the minimum number of work activity hours required to count toward federal work participation rates.

(D)(i) The department may suspend the allowance to enroll only if the board certifies that allowing education to count toward a program recipient's required work activities would affect the state's ability to meet federal work participation rates.

(ii) Upon certification, the department may require all recipients to engage in work activities for the number of hours required to count toward the federal work participation rates.

(E) The department shall seek to allow at least seven hundred (700) participants this option.

~~(4)(A) Qualified program recipients shall be allowed to enroll in postsecondary courses leading to a two-year or four-year degree or a five-year teaching degree. Participants may be required to engage in internships or work experience related to their course of study. Work requirements shall not exceed fifteen (15) hours per week unless the department certifies that allowing education to count toward program recipients' required work activities would affect the state's ability to meet federal work participation rates.~~

(B) As long as the recipient's coursework, including study time, exceeds the minimum number of work activity hours required to count toward federal work participation rates, this activity alone shall satisfy the recipient's required work activity.

(C)(i) If a recipient's coursework does not exceed the minimum number of work activity hours required to count toward federal work participation rates, the recipient may be required to engage in internships or work experience related to the course of study.

(ii) However, the combination of work activities and the recipient's coursework shall not exceed the minimum number of work activity hours required to count toward federal work participation rates.

(D)(i) The department may suspend the allowance to enroll only if the board certifies that allowing education to count toward a program recipient's required work activities would affect the state's ability to meet federal work participation rates.

(ii) Upon certification, the department may require all recipients to engage in work activities for the number of hours required to count toward the federal work participation rates.

(E) The department shall seek to allow at least four hundred (400) participants this option.

(5) Participants under each of these options shall be provided the supportive services they need to attend classes and other educational activities, including, at least, child care and transportation.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is crucial to the life and health of many needy citizens of the State of Arkansas that the outcomes of

the transitional employment program are more clearly defined and monitored in order that these public assistance programs can be better focused on meeting the real needs of needy Arkansans, that the United States Congress is in the process of reauthorizing the federal laws which guide and fund these programs, and that it is necessary, in order to avoid any disruption in federal funding, that the program outcomes be clearly defined so as to provide better information to the federal government about the progress of these programs in Arkansas. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Steele  
MGF/CDW - 031820031539  
CDW322

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Secretary