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001. email	To Diana Fortuna from WAVES re: Confirmation: Appt. Request for Fortuna, Diana (partial, DOB, SSN) (1 page)	08/08/1997	b(7)(C), b(7)(E), b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Diana Fortuna
OA/Box Number: 12021

FOLDER TITLE:

College [2]

2018-0525-S

ry2240

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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→ ungracious

not to mention
by name

also to states

Comments by Wed to Eliz of ACF

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Letter to college presidents:

Dear:

The welfare reform law that President Clinton signed in August 1996 emphasizes responsibility from those receiving welfare. The law requires recipients to work to ensure that welfare provides only temporary support while the family moves to self-sufficiency.

As you know, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provides States with broad flexibility to design and implement welfare reform programs that will move recipients into the workforce. The new law focuses strongly on work, but also provides States with the authority to utilize an array of services and activities, including education and training, to prepare recipients for work and self-sufficiency. Combining activities -- for example, combining education with employment -- is another strategy that States can consider as they design their programs.

The Administration is committed to promoting lifelong learning and to increasing access to higher education, which we know help individuals obtain and retain high quality stable jobs. We are pleased to see that many States are using their flexibility under the welfare law to support these goals. For example:

- ▶ Florida provides up to two years of supportive services, including child care, to individuals who have successfully left welfare for work and who wish to return to school in order to move to a better job.
- ▶ California is increasing work-study positions for welfare recipients, and has received an AmeriCorps grant to support service-learning positions for recipients studying early childhood education.

We encourage you to work with local welfare offices and with any students enrolled in your institution who are on welfare and required to work, to explore whether there are work opportunities on campus that would allow these students to continue their studies, whether full- or part-time. We also encourage you to consider whether some of your courses might be redesigned to meet the new needs of welfare recipients for intensive, short-term job-oriented training.

A list of State welfare agency administrators is enclosed. Please feel free to call on either of us if you have questions or seek technical assistance.

Sincerely,

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

POST-SECONDARY EDUCATION UNDER TANF

TANF emphasizes work and short-term training leading directly to work rather than longer term education and training. Non-vocational post-secondary education does not count towards the work requirements. Vocational educational training, including vocational post-secondary education, can be counted for no more than 12 months per recipient and for no more than 30 percent of individuals who are engaged in work. Vocational educational training is not explicitly defined under the welfare law.

Although some post-secondary activities may not fulfill work participation rates, states are not otherwise precluded from spending their TANF dollars on these activities, so long as they promote job preparation, work, and self-sufficiency for needy families or promote one of the other primary goals of the TANF program. Because states receive credit towards the participation rate for caseload reductions not caused by eligibility changes, an effective welfare-to-work program can help a state achieve the participation rate requirement even if the specific activities are not countable.

In addition, there is nothing in the federal law that prevents states from encouraging recipients to combine their required work activity with additional education. Although it is not easy to raise children, work in a job, and go to school at the same time, many Americans do so each year. Most undergraduate students, whether or not they are raising a child, work while attending college. Almost all part-time students work, but even most full-time students work, although usually not full-time.

Under PRWORA, States have the flexibility to design their TANF programs. The scheduling of work activities, time-limit policies, including extensions and exemptions, and the availability of child care for both work and classes all have a great impact on whether taking college classes is a real possibility for recipients. States that wish to promote college as an option can also leverage resources from outside the welfare system, such as federal work-study funds, to support this goal.

14% Pell recaps
AFDC

Comm coll Assoc survey
- 100 comm colls - 11% on w
- Calif 1.2m - 30% on w

Draft Ted Sky, 8/7/97

Coll pres, CC pres, hnd, w/s coord

DISCUSSION POINTS REGARDING FEDERAL WORK-STUDY-WELFARE ISSUES

1. What is the problem? Is it that many TANF recipients who attend college are dropping out because of TANF work requirements? What data does ED have regarding its magnitude? Is the proposed letter to college presidents the best response? Are there other ways to address it? If the letter is sent, who should be considered the primary audience, e.g., community college presidents?
2. Are the mandatory work requirements under TANF (section 407) the sole work-requirement related barriers to college attendance by TANF recipients or do the individual work requirements in section 402(a)(1) also play a role? If so, does that affect the strategies proposed in the letter?
3. To what extent does attendance at college (apart from Federal Work-Study support), for example, through pursuit of vocational educational training at a community college, satisfy work requirements under section 407? Does this aspect need to be factored into the letter? Does section 407(c)(2)(D) (the 20 percent rule) come into play here?
4. Will State welfare offices recognize work under Federal Work-Study as qualifying under section 407 or State work requirements? Do we need to do some foundation work with State welfare offices to establish this before a letter is sent? Will work-study income be offset against TANF benefits?
5. It is understood that where a student puts in more than 20 hours of Federal Work-Study, IRS may require the college to provide FICA documentation and make FICA deductions, thus imposing a burden on the school. Should IRS be brought into the discussion?
6. The letter seems to imply that colleges should give preference to TANF recipients in providing Federal Work-Study opportunities. Is this intended?
7. On campus and off-campus work should be recognized.
8. What set of contacts at the federal level should be identified if a letter goes out?
9. Data on percentage of students who work 20 hours or more.
10. Drafting suggestions.
11. Preparations within ED to respond to calls.
12. Other.

Student gps + unions campus work - why pref to well recaps

THE WHITE HOUSE

WASHINGTON

TO: Olivia Golden, HHS
Anne Rosewater, HHS

Leslie Thornton, Dept. of Education

FROM: Diana Fortuna, Domestic Policy Council 

CC: Cynthia Rice, Domestic Policy Council
Bill Kincaid, Domestic Policy Council

Attached is a draft letter that we think should be sent to college presidents on the new welfare law's implications for college students on welfare. We were envisioning it as a joint letter from Secretaries Riley and Shalala.

This clearly seems to be a problem in New York, but we're not sure how widespread it is. The White House has gotten some letters on the issue. We are concerned that the law not be misunderstood as requiring students to drop out of college, even though combining work and school can be challenging.

We are interested in your Departments' suggestions on this letter, as well as any other means you can suggest to address this situation. You can reach me at 456-5570. I am hesitant to say we need a meeting on this, but perhaps we do.

DRAFT

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DRAFT

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DRAFT

Letter to college presidents

Dear :

The welfare reform law that President Clinton signed in August 1996 requires new responsibility from those on our nation's welfare rolls. The law emphasizes work so that we can make welfare not a way of life, but an opportunity for self-sufficiency.

One important question that has arisen in some states as they implement the law is whether welfare recipients who have been attending college must drop out to meet the law's work requirements. The law's requirements, although strict, should not preclude college attendance, especially if colleges work with students on welfare to provide work opportunities nearby.

For the coming academic year, the welfare law's work requirement is 20 hours per week for single parents on welfare. This requirement grows to 25 hours for the 1998-99 academic year, and to 30 hours in 1999-2000. States are able to exclude a significant portion of the welfare caseload from the work requirement -- 30% of the caseload is required to work in 1998, rising to 50% by 2002.

As you know, the college work-study program provides opportunities for many students to work on campus. Many colleges have a practice of limiting work study to 10 or 15 hours a week, but there is no limit in federal law. Colleges can provide as many hours as necessary to meet the student's financial need. Clearly in making a decision to increase an individual student's work study hours, you will want to ensure that he or she is able to manage both the academic burden and the work schedule. Many college students do manage to combine work with school, and part-time academic study may also be an option. Over half of the nation's college students currently work 20 hours a week or more. [Clarify if this statistic is a mix of full-time and part-time, and what proportions are.]

We encourage you to work with local welfare offices and with any students enrolled in your institution who are on welfare and required to work, in order to explore whether there are work opportunities on campus that would allow these students to continue their studies if they wish, whether full-time or part-time, including through the work-study program. Please feel free to call on either of us if you have further questions or require technical assistance.

Sincerely,

(Possible to work with APWA to provide one welfare agency contact person per state as an attachment, who would agree to work with university officials and direct them to right person?)

City Balks at Measure for Campus Workfare Jobs

By KAREN W. ARENSEN

Fearing that workfare rules were forcing college students on welfare to drop out of school, the State Legislature adopted legislation this week that sponsors said would require officials to place students in workfare jobs on college campuses so they can continue their studies.

Whether students on welfare should be bound by the same workfare rules as other recipients has been one of the biggest battles between Mayor Rudolph W. Giuliani and the City University of New York. CUNY has long pressed for workfare sites on its campuses, but the Mayor's office has allowed only two small pilot programs until now, one at La Guardia Community College in Queens and another at Lehman College in the Bronx.

CUNY officials welcomed the new legislation yesterday, saying it should help many students stay in college.

"This should enhance students' ability to get through college quickly by facilitating their workfare, and will literally speed these students into well-paying jobs and good futures," W. Ann Reynolds, the university's departing Chancellor, said.

Eileen Long, a spokeswoman for Gov. George E. Pataki, said yesterday that the Governor planned to sign the legislation.

But the Giuliani administration continued its attacks on CUNY yesterday and denied that the legislation would require the city to offer workfare jobs on campuses. City Hall officials maintained that it was still up to them to decide what workfare sites to approve.

"There is nothing in the legislation to require us to open programs on every campus," said Anthony Coles, a senior adviser to the Mayor, who called the legislation a vindication of the administration's existing program because it requires students on welfare to work.

He said that the city has hesitated

to give CUNY responsibility for overseeing workfare sites because it has done a poor job of educating its students.

"We would have to look at the terms of any program proposed to us," Mr. Coles said. He added, "If CUNY has troubles with its educational quality, it will have even more trouble administering an effective workfare program."

Mr. Coles said that the city has already accommodated students by trying to find them jobs near their campuses and by giving them work schedules outside of their class hours.

Assemblyman Roberto Ramirez, a Bronx Democrat who sponsored the workfare legislation with John J. Marchi, a Republican from Staten Island, said yesterday that the clear intent of their measure is to allow students to fulfill their workfare assignments on campus, at CUNY and at other colleges in the state.

"If this is exactly what the city is already doing, why did they fight until 4 A.M. Sunday morning against this?" he asked yesterday. "The larger policy issue is why the Mayor of New York would prevent students from getting their degrees and getting jobs."

If the city continues to resist, he said, "My answer is I'll see you in court."

Workfare recipients are typically required to work 20 or more hours per week to qualify for welfare benefits.

CUNY officials say that students asked to juggle both off-campus jobs and college classes have had trouble staying in school. Two years ago, before the workfare program was introduced in New York City, more than 10 percent of CUNY's student body — some 27,000 students — received public assistance. The number of welfare recipients at CUNY has shrunk by a third, to about 18,000.

While there are no figures on how many students have left college because of workfare requirements,



Nelifa Bocas, a single mother on welfare and a student at LaGuardia Community College, said she fulfills workfare requirements on campus.

CUNY officials believe the workfare program is a key reason for many people dropping out.

Many New York colleges — especially community colleges — have some welfare recipients among their students, but CUNY has by far the largest number.

The university expects that about 16,000 of its students will be on public assistance this fall, and that about 5,000 of them will be eligible for a campus workfare program. Students with disabilities and parents of very young children are among those exempt from workfare.

CUNY officials said yesterday that they have begun talking to officials at New York City's Human Resources Administration about implementing the program this fall. And they point to the success of the pilot programs, particularly the one at La Guardia Community College, which the city allowed to expand to 100 students from the original 50.

La Guardia's program currently has about 80 students, including Nelifa Bocas, a single mother on welfare, who was told early this summer that she would have to start working for her benefits. At first, she was afraid the workfare assignment would interfere with her classes and her plan to become a teacher of hearing-impaired students.

But under the pilot program, Ms. Bocas, a 40-year-old Trinidadian immigrant who recently became an American citizen, was allowed to work at the college. She is answering phones, sending out mailings and doing other office work at the college's career and transfer office.

State legislation addresses a fear that welfare rules prompt students to drop out.

She said she hopes to get her associate's degree in September and then transfer to Brooklyn College for a bachelor's degree.

"Once you have the drive, you have to keep it," she said. "People on public assistance and going to school deserve a chance."

Officials at La Guardia said that working on campus has many advantages for students. Not only does it save them time, since they don't have to commute to jobs elsewhere, but jobs are arranged to fit the students' class schedules. Students work in jobs ranging from tutoring and day care to office work.

Some students, however, said that juggling a job and school with their responsibilities as single parents complicates their lives.

Dianna Diaz, a 23-year-old single mother who is studying bilingual education at La Guardia, said that she has had less time to study and see her two children with workfare, even though she is working on campus tutoring students in math and likes her job.

"I'm doing this to get out of public assistance," she said. "Three more years and I'll be off. Why are they bothering us?"

Bill Voted in Albany to Allow Early Retirement by Teachers

By JACQUES STEINBERG

The New York State Legislature has approved a last-minute state budget item permitting thousands of New York City's most experienced teachers to retire early, a measure that runs counter to a legislative initiative announced with fanfare last week — one that would reduce class size by hiring more teachers.

The retirement measure, which is opposed by Mayor Rudolph W. Giuliani and Schools Chancellor Rudy Crew, still needs approval by Gov. George E. Pataki, and both City Hall and the city's Board of Education said they would lobby hard against it. A spokesman for the Governor said Mr. Pataki had not yet decided how he would act.

Included in a flurry of bills passed by the Assembly and the Senate on Monday in the waning hours of this year's legislative session, the provision would allow teachers to retire with a full pension at age 55 after as little as 10 years on the job. Currently, they cannot get full benefits until age 62 or after 30 years of service.

The Board of Education estimates that the school system would need to hire nearly 6,000 new teachers over

the next program. Ms. Weingarten disagreed, saying no more than 100 would retire in the early months of school, with most preferring to wait until the end of the school year.

Filling any of the positions left by retiring teachers would be especially difficult, the officials said, because the school system is already scrambling to find qualified candidates for the 3,000 new teaching jobs created by the class-size initiative. The new positions, part of a \$2.3 billion state-wide hiring plan for teachers, are intended to reduce class sizes in kindergarten through third grade to 20 from the current 25 to 28 and to help older students prepare for tougher State Board of Regents standards.

Lewis H. Spence, Deputy Chancellor for Operations in the city schools, said he feared that the bill would cast the early weeks of the school year into chaos if it allowed teachers to begin retiring after they had already been assigned their classes.

Bountiful New York Budget Offers Cornucopia of



208688

THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
OF THE
BOROUGH OF MANHATTAN

MUNICIPAL BUILDING
NEW YORK, N.Y. 10007
(212) 669-8300

RUTH W. MESSINGER
BOROUGH PRESIDENT

February 21, 1997

William J. Clinton
President, United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Clinton:

Thank you for inviting me to be on the dais and participate with you at the Goddard-Riverside Church welfare forum. I commend you for listening to the community views on the devastating impact the welfare reform bill could have on New Yorkers. As I have in the past, I urge you to propose changes to the bill to mitigate the mean-spirited provisions of the bill especially those that impact legal immigrants. In addition, I hope you will authorize the Department of Health and Human Services to promulgate regulations about workfare as soon as possible before we lose more college students.

I know you know how important a college degree is in moving people from poverty to prosperity--your State of the Union message makes that clear. Here in New York, our City University system serves more than 200,000 students. More than 10 percent of the students come from homes receiving public assistance. Close to half the students have incomes less than \$20,000. More than 60 percent of the enrollees are women; and more than 60 percent are African American, Latino or Asian. More than 45 percent of the student's native language is not English. Almost half the freshmen attended a New York City public school. City College graduates are good for our economy too--they contribute \$72 million more in State and City taxes each year than they would if they had not gone to college. As such, the City University system provides one of the most important means of moving people from welfare to work--a skilled labor force.

I believe that able-bodied welfare recipients should work for their grants. However, the story that the young college student on the dais--Nilda Roman--told you on Tuesday is not an isolated incident. According to CUNY Chancellor Ann Reynolds, some 4,000 students have dropped out of CUNY colleges because they needed to

MAR 3 1997

fulfill their workfare requirement. In addition, Adult Literacy Program enrollment is declining as students are pulled from those crucial programs to complete their workfare requirement. There were once long waiting lists to get into these programs.

As I understand it Mayor Giuliani suggested in his telephone conversation with you that I had overstated the impact of his mean-spirited workfare requirement. I have not. The Mayor, after significant pressure from the business community, elected officials and CUNY officials and after some 4,000 students had already dropped out of CUNY colleges, did reluctantly agree to allow two colleges--Lehman in the Bronx and LaGuardia in Queens--to serve as workfare sites for 100 students who maintain over a 2.0 grade point average. Only 25 students are currently participating in the pilot program. Some students formerly were allowed to complete their workfare assignments at their Adult Education program as well. More than a year ago, the Mayor decided to stop that too. What kind of job opportunity will some one have if their ability to speak English is limited?

I think the answer is simple--~~every college campus should be designated an eligible workfare site so that students can fulfill their workfare requirement on campus.~~ Each campus should be given the flexibility to decide what work students will do--from library assistant to groundskeeper--to fulfill their workfare requirement. Welfare recipients also need adequate funding for child care to fulfill their work obligations. Finally, welfare recipients should be allowed to become literate in English.

I hope you and Secretary Shalala will promulgate regulations that clearly define for states and cities how important acquiring a college degree is to the ultimate goal of welfare reform--moving people into self-sufficiency and independence.

Sincerely,



Ruth W. Messinger

c: Donna Shalala, Secretary
United States Department of Health & Human Services
Alison E. Greene, Regional Director,
United States Department of Health & Human Services.

Devastating impact wr NYers

legal immms - mitigate mean-spirited, include LI

Urge HHS to do workfare regs ^{asap} as not to lose coll studs

Coll ed imp't

10% CUNY welfare; 1/2 low y; 60% ♀, minority,
45% ESL, NYC public schs

- students contribute \$72m vs no college

Able bod well skll work

But 4,000 dropouts due to welfare; also adult lit ↓ prog

Givk an exaggerated effect of welfare prog.



2008-47

Grambling State University

OFFICE OF THE PRESIDENT

Grambling, Louisiana 71245

P.O. DRAWER 607

(318) 274-2211

FAX: (318) 274-2398

March 7, 1997

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

Like many Americans, I was truly inspired by your State of the Union Message wherein you emphasized the role of education in building the bridges to the 21st century. As far back as I can remember, this is the first time that the President of the United States has firmly placed education in its proper perspective relative to its role in economic development and quality of life.

While traveling to attend a meeting with corporate officials regarding the role higher education should play in creating a promising future for those less fortunate, I was surprised to read in an article in *USA Today* (February 17, 1997) that college training will not be a part of the new welfare reform plan. I realize this is not in keeping with your position on this issue; therefore, I implore you to do everything you can to change this situation for, in many cases, a college education is the only vehicle that will lead to a life of independence.

If there is anything that I can do to help affect this change, please let me know.

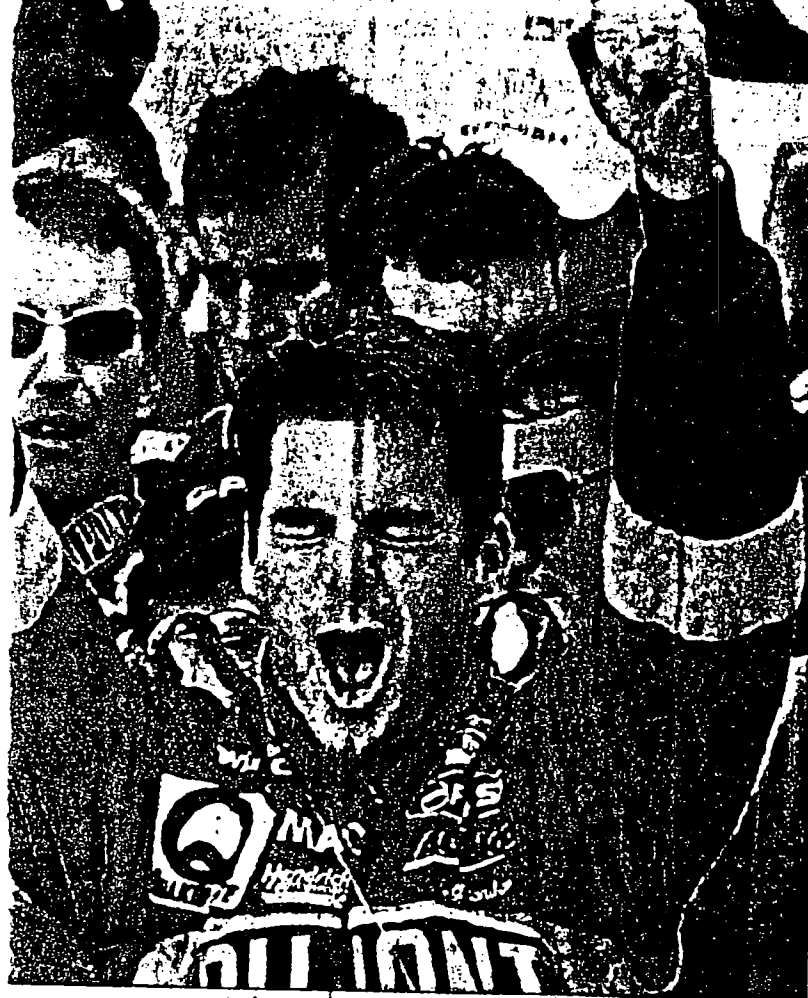
Thank you, in advance, for taking the time to review and respond to this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Raymond A. Hicks".

Raymond A. Hicks
President

RAH:jj



Gordon celebrates his Daytona 500 win as he climbs out of his car Sunday. By Chris O'Meara, AP

Victorious for cancer-stricken Hendrick

RACE ACTION, 1,3C

Cup driver the best friend: 0. elite Rick team to k car racous event the win to n boss.

"We love you," Gordon, 25, shouted to Hendrick via a cell phone in Daytona International Speedway's Victory Lane, celebrating his status as the event's youngest winner.

Annual favorite Dale Earnhardt continued his Daytona jinx by crashing.

Hendrick, 47, was diag-

nosed Nov. 18, 1996, with chronic myelogenous leukemia, a rare bone-marrow cancer. Two weeks later, he was indicted by a federal grand jury in a Honda dealer bribery investigation.

Said Hendrick, who from his Charlotte home watched Gordon and teammates Terry Labonte and Ricky Craven streak across the line: "This is the best medicine I could get."

COVER STORY

Holocaust files write the last chapter of WWII



By Jack Kelley and Katy Kelly
USA TODAY

For survivors and scholars

by Keith L. Alexander
USA TODAY

American Airlines fare sale, aimed at winning back disgruntled travelers with prices cut up to 50%, has sparked an industry-wide fare war.

American started the sale minutes after President Clinton halted a strike by its pilots Saturday and implemented a 60-day review.

As part of the sale, American also removed advance purchase conditions, doubled frequent flier miles on flights through March 14 and offered free upgrades to its frequent fliers through Feb. 23.

Continental, United, Northwest and TWA are matching American's fares on competing routes. United and TWA said Sunday they were also offering double miles. Delta and USAir were still reviewing the sale.

The tickets must be purchased by March 3. Travel dates and destinations vary.

► Up to 50% off fares for trips within the USA must be used by March 14 and by May 31 on European trips.

► Up to 45% off fares on domestic trips must be completed by May 31.

► Up to 30% off fares to the Caribbean and the Bahamas on trips must be used by May 31.

American's John Hotard says calls to reservations lines are running nine times more than normal — 500,000 since the sale started. "This is our way to express our concern that we had upset their travel plans. This is our way of making up for the frustration."

Examples of round-trip sale fares vs. 21-day advance fares:

► Dallas to Seattle \$358, compared to \$798.

► New York to London \$238, compared to \$464.

► Los Angeles to New York \$388, compared to \$889.

But not all the fares are the lowest in the market. For example, American's new fare of \$358 roundtrip between L.A. and Columbus, Ohio, good through March 14, is still higher than a \$224 fare launched in early February and effective through July 22, says *Best Fares*' Tom Parsons.

A Saturday night stay is still required, but business travelers may find attractive fares. With no advance purchase required, last-minute, walk-up fares are up to 90% cheaper.

College is off-limits in welfare plan

By John Ritter
USA TODAY

States rushing to get welfare recipients off the rolls and into jobs are telling some college students on public assistance to drop out and find work.

Under the old welfare system, recipients of cash grants could go to school full time. The new law, with its emphasis on moving welfare recipients quickly into jobs, restricts educational options.

Short-term job training and a year of vocational education are approved "work activities" under the new federal law, passed last year, but regular college and community college study are not.

So even as President Clinton preaches education as the route to prosperity, welfare reform is forcing recipients — predominantly single mothers — to forsake school for low-paying jobs.

States must put bigger proportions of their welfare caseloads to work — 25% this year, 50% by 2002 — or lose funds.

"The emphasis has shifted from how can we retrain people or pick up where their education left off to how can we move them into work," says Elaine Ryan of the American Public Welfare Association.

By one estimate, as many as 700,000 single parents on welfare are enrolled in higher education and training.

In California, 125,000 welfare recipients attend community colleges. The City University of New York system has 20,500 welfare students.

Schools already are lobbying state legislatures to find ways to keep these students and their tuition reimbursements.

But prospects are not bright.

Work-first proponents argue that welfare isn't a scholarship program. Many low-wage earners juggle work, school and child care, and students who drop welfare can get loans, they say.

► Students in the middle, 3A

LBJ had a bone to pick

By Richard Benedetto
USA TODAY





March 13, 1997

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

The National Association of State Universities and Land-Grant Colleges (NASULGC) represents 194 of the largest and most prestigious public universities in the nation. These institutions are located in all 50 states, the District of Columbia and the U.S. territories, enroll more than 2.9 million students and claim over 20 million alumni. NASULGC's primary mission is to advance policies and programs affecting higher education and the public interest.

The primary purpose of this letter is to urge your administration to amend "The Personal Responsibility and Work Opportunity Reconciliation Act of 1996," to include provisions for welfare recipients to remain and enroll in four-year colleges and universities. The state of Massachusetts currently allows students receiving welfare to use federally supported College/Work Study to satisfy the work requirements, which is just one of many options that need to be explored. As noted in a recent letter from the Chancellor of The City University of New York, "...College Work/Study... could readily serve as the model for worksites on or near campuses nationwide where students could earn their benefits in a supportive atmosphere that affirms the importance of their academic pursuits, facilitates class attendance and resolves transportation problems."

As economic instruments of the state and the nation, our member institutions are seriously concerned that the "The Personal Responsibility and Work Opportunity Reconciliation Act of 1996," restricts the ability of welfare recipients to pursue degrees at four-year colleges and universities and limits access to educational programs that offer an opportunity for millions of Americans to move into the economic mainstream. While the clock is ticking to move large numbers of recipients into workfare programs, higher education becomes less of an option when faced with the consequence of termination of welfare benefits. For example, 27,000 students enrolled at The City University of New York are on welfare, the University of California System estimates that 125,000 students receive public assistance and 80 percent of the 372 low-income full-time students at the University of Massachusetts may be impacted by the Act.

MSP 26 1997

The Honorable William J. Clinton
March 13, 1997
Page 2

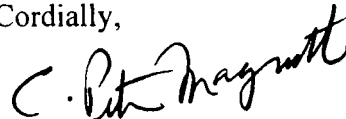
Emphasis on 12 months of vocational education, workfare and short-term training exacerbates access to higher education for an estimated 4.8 million low-income families at a time when:

- * families of the upper income quartile are three times more likely to send their children to college than those from the lower income quartile;
- * the gap between the rich and working poor is widening;
- * the number of low-wage and entry-level jobs are in short supply, particularly in distressed urban and rural communities where industrialization and manufacturing are nearly nonexistent;
- * unemployment is five times greater for those lacking marketable skills in an economy where information professionals are in high demand and those with post-secondary education have the comparative advantage in the global marketplace; and,
- * the cost of food, shelter, education, transportation, child care and other essentials far exceed wages for low-skilled jobs.

We can predict with confidence that the probability of welfare recipients becoming self-sufficient without the advantage of higher education is most unlikely. More than self-sufficiency, higher education offers a permanent escape beyond the cycle of social and economic dependency and all the related pathologies associated with poverty.

What is sorely needed is recognition of and attention to the unique role of public higher education in providing post-secondary education for low-income students. Our member institutions have the expertise, knowledge and commitment to be in the forefront of welfare reform, while becoming full partners in altering the quality and quantity of social welfare programs. America's capacity to transform the welfare system is inextricably tied to higher education's investment in creating an educated and competitive citizenry.

Cordially,



C. Peter Magrath
President

CPM/mat

cc: Dr. N. Joyce Payne, Director, Minority and Human Resources
Ms. Jennifer M. Wingard, Director, Urban and Academic Programs

Center for
Women
Policy
Studies

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201237

February 21, 1997

President Bill Clinton
The White House
Washington, DC 20500

Dear President Clinton:

I was extremely pleased to read your comment, "I don't think people [on welfare] should be pulled out of college," in the February 19, 1997 Washington Post. The Center for Women Policy Studies has published research and testified before your Administration and the Congress to urge policy makers to include access to postsecondary education in any welfare reform proposals.

Sadly, though significant research shows that postsecondary education is a successful route off welfare and into economic self-sufficiency for many women, this option has been ignored by Congress.

Now, I urge you to instruct Secretary Shalala to write implementing regulations for the new TANF program that give states the flexibility to include postsecondary education as a "job readiness" activity or "job skills training directly related to employment" under the TANF law's work requirements. Another approach to ensure that low income women continue to have access to the college education they need to be economically self-sufficient would be to exempt women recipients of TANF from the work requirements while they remain in school and continue to make satisfactory progress toward either a two or four year degree.

By your statement, you recognized that education is the real route out of poverty for women. According to the U.S. Department of Health and Human Services, more than 50 percent of women receiving AFDC in 1995 already had either a high school diploma or GED. Research shows that women who go on to earn a college degree will spend less time on welfare and are far less likely to need support again. That spells savings for federal and state budgets, and a dramatic positive impact on the quality of life for women and their families.

Fifty-one percent of African American women household heads with 12 years of schooling live below the poverty line. But with only one year of postsecondary education, the percentage of those families living in poverty is cut by more than one half -- to 21 percent. For Latinas, the percentage in poverty drops from 41 percent to 18.5 percent and for white women, the figure drops from 22 percent to 13 percent.

Our report, Getting Smart About Welfare, reports on the results of several studies. For example, a five state study of welfare recipients, which found that earning a college degree moved an average of 81 percent of recipients off welfare and into stable employment. A New York study found that 100 percent of welfare recipients in college who earned a 4-year degree stopped receiving welfare and began to earn incomes well above the poverty line.

Postsecondary education has far reaching benefits; not all of them are strictly financial. Studies in several states have found that a postsecondary education not only increases women's income, it improves their self-esteem, increases their children's educational ambitions, and enriches their relationships with their children.

You can be "The Education President" for women on welfare who are willing and ready to take on the challenge of college. We sincerely hope you will give them the opportunity to succeed.

Please be sure to let me know if we can offer any assistance to you and your staff to ensure that women really have the chance to move from welfare to work.

Sincerely,



Leslie R. Wolfe
President

cc: The Honorable Donna Shalala

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	To Diana Fortuna from WAVES re: Confirmation: Appt. Request for Fortuna, Diana (partial, DOB, SSN) (1 page)	08/08/1997	b(7)(C), b(7)(E), b(6)

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



WAVES_CONF @ OPUS.EOP.GOV
08/08/97 12:23:17 PM

Record Type: Record

To: DIANA FORTUNA

cc:

Subject: WAVES Confirmation

ADDRESSEES: DIANA_FORTUNA
SUBJECT: CONFIRMATION: APPT. REQUEST FOR FORTUNA, DIANA
FROM: WAVES OPERATIONS CENTER - ACO: (b)(7)c, (b)(6), (b)(7)e
Date: 08-08-1997
Time: 12:20:13

[001]

This message serves as confirmation of an appointment for the visitors listed below.

Appointment With: FORTUNA, DIANA
Appointment Date: 8/8/97
Appointment Time: 2:00:00 PM
Appointment Room: 211
Appointment Building: OEOB
Appointment Requested by: FORTUNA DIANA
Phone Number of Requestor: 65570

WAVES APPOINTMENT NUMBER: U62385

If you have any questions regarding this appointment, please call the WAVES Center at 456-6742 and have the appointment number listed above available to the Access Control Officer answering your call.

TOTAL NUMBER OF NAMES SUBMITTED FOR ENTRY : 12
TOTAL NUMBER OF NAMES OF CLEARED FOR ENTRY: 12

APPLETON, JENNIFER

CARTER, STEVE

LICHTMAN, SARAH

11/11/71 110-60-9758 MCCOLLOUGH, CARNEY

MCCOLLOUGH, HAROLD

ROSEWATER, ANNE

RUGGLES, PATRICIA

SKY, TED

TAYLOR, SARAH

WEINSTEIN, SAMARA

WEINTRAUB, JON

(b)(6)

(b)(6)

LOWERBASCH, ELIZABETH

08/23/56 412-02-0395

(b)(6)

Ed-Polay

Ted

Ed

Carly-Ed

Sarah-Ed

Ted Sky:

1. IRS says forms if over certain #hours
2. Qualify as work
3. Also time limits

Samara:

Leslie Thornton
COS

Mike Smith

Longenecker/McL

Judy Winston GC

Trish McNett (Vice Ad)

PK - too much on us schools to find jobs

WS - 202 = A? If not, move, if it's real
- no sense of progress to us
- Be clear re cutoff rules
(presumes too much knowledge)
Dan Matzellan (spelling)
- NECO 708-9105 -
- AmRds it may be him or his boss

Looks great!
CR

► Diana Fortuna
06/11/97 12:21:22 PM
.....

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: Draft Riley/Shalala letter on college/welfare

You'll recall that our assignment here was to draft a letter for Riley/Shalala to send to college presidents saying that they should work with students on welfare to see if work study or other options would allow them to stay in school.

Here's a draft at last. If this is OK, then our next question is who at Education we send this to (we might want to cc Cohen/Kincaid before sending it to them). I assume it's Rosewater/Golden at HHS.

Letter to college presidents from Secretaries Riley and Shalala

Dear Colleague:

The welfare reform law that President Clinton signed in August 1996 requires new responsibility from those on our nation's welfare rolls. The law emphasizes work so that we can make welfare not a way of life, but an opportunity for self-sufficiency.

One important question that has arisen in some states as they implement the law is whether welfare recipients who have been attending college must drop out to meet the law's work requirements. ~~However~~, the law's requirements, although strict, should not preclude college attendance if colleges work with students on welfare to provide work opportunities nearby. Over half of the nation's college students currently work 20 hours a week or more. The vast majority of these students are not on welfare (although few(?) face the added responsibility of caring for children at home).

For the coming academic year, the welfare law's work requirement is 20 hours per week for single parents on welfare. This requirement grows to 25 hours for the 1998-99 academic year, and to 30 hours in 1999-2000. States ~~are able to~~ ^{can} exclude up to ~~20 percent~~ ^{some} of the welfare caseload from this requirement.

[It's 20% exemption for time limit]

As you know,

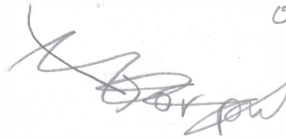
The college work-study program provides opportunities for many students to work on campus. Many colleges have a practice of limiting work study to 10 or 15 hours a week, but there is no limit in federal law. Colleges can provide as many hours as necessary to meet the student's financial need. Clearly in making a decision to increase an individual student's work study hours, you will want to ensure that he or she is able to manage both the academic burden and the work schedule. Part-time academic study may also be an option. ~~[This next sentence is probably too obnoxious to states and unrealistic. You may also wish to work with welfare~~

Many college students do manage to combine work with school: over half of the nation's college students currently work 20 hours a week or more.

~~offices to explore whether a student whose studies are progressing well and likely to lead to work opportunities should be eligible for an exemption from the work requirements.]~~

We encourage you to work with any students enrolled in your institution who are on welfare and with local welfare offices to explore whether there are work opportunities on campus, including through the work-study program, that will allow these students to continue their studies if they wish, whether full-time or part-time, as they also meet the law's work requirements. Please feel free to call on either of us if you have further questions ^{or} and require technical assistance.

Sincerely,



~~Is it possible to provide~~

[It would be ideal if, by working w/ APWA,
we could provide one ^{welfare agency} contact person
per state that would agree to
work w/ university officials and
direct them to the right person
in the local office. Is this
possible?]

**FACSIMILE TRANSMISSION**

**OFFICE OF THE ASSISTANT SECRETARY
FOR PLANNING AND EVALUATION
200 INDEPENDENCE AVENUE, SW, ROOM 404-E
WASHINGTON, D.C. 20201**

DATE:

Name: *Diana Fortuna*

Telephone: *456-5570*

Fax: *456-7431*

Number of Pages (excluding cover):

FROM:

**Ann Rosewater
Deputy Assistant Secretary for
Human Services Policy**

Telephone: (202) 690-7409

Fax: (202) 690-6562

MESSAGE:

*Diana - see if the attached will help you
with the Messenger letter we discussed at the
end of last week -*

Ann

Draft Education/TANF Letter

Thank you for your letter following up on our conversation about post-secondary education under the Temporary Assistance for Needy Families (TANF) program.

I share your belief in the importance of education in allowing people to develop skills and obtain secure and rewarding employment. I know you will agree that it is important to recognize that education does not have to happen to the exclusion of all other activities. People of all ages and in all walks of life continue their studies while working and caring for their families, too. I hope states will acknowledge the importance of lifelong learning for their TANF clients, especially in conjunction with other work activities, and will use their TANF and child care resources to support it. Continued training or education gives all of us a chance to get and keep better jobs, to set an example for our children, and to enrich the overall quality of our lives.

As you know, the legislation that created the TANF program gives states significant flexibility in assigning recipients to work-related activities. One of my Administration's principal goals in developing a regulatory package to implement this law is to ensure that the states can design and operate the programs they think will best achieve the goals of the law, given their local labor market conditions and the skills and needs of their clients. Please be assured that the Department of Health and Human Services is considering carefully the issue of whether and how to define any of the work activities.

Again, thank you for your letter. We need the concern and involvement of local officials like yourself if welfare reform is to succeed in its commitment to offer a better life to those in need of assistance.

not dad

**FACSIMILE TRANSMISSION**

**OFFICE OF THE ASSISTANT SECRETARY
FOR PLANNING AND EVALUATION
200 INDEPENDENCE AVENUE, SW, ROOM 404-E
WASHINGTON, D.C. 20201**

DATE: 3/27/97**Name: CYNTHIA RICE****Telephone: 456-2846****Fax: 456-7028****Number of Pages (excluding cover): //**

FROM:

**Ann Rosewater
Deputy Assistant Secretary for
Human Services Policy**

Telephone: (202) 690-7409**Fax: (202) 690-6562**

MESSAGE:

Cynthia, attached is a paper we developed on higher education and the TANF work requirements. It was written as background information, following a visit by the President and Secretary Shalala to Riverside Church in New York City on February 18. At that time, the President expressed concern that students who received assistance were being forced out of college.

Also attached is an article that appeared in yesterday's New York Times concerning New York's workfare program.

I'll give you a call later today to discuss both the specific New York situation, and the larger policy issue.

*helped put left
w/ a few Q's*

POST-SECONDARY EDUCATION UNDER TANF

A number of questions have recently been raised about whether the federal requirements under the Temporary Assistance for Needy Families (TANF) block grant program preclude the possibility of states allowing individuals receiving assistance under TANF to attend college. This question has arisen most prominently in New York City, where a large number of welfare recipients have traditionally attended the City University of New York (CUNY). However, the issue is also of interest to state administrators, community colleges, and recipients in other parts of the country. This background paper describes the federal work participation requirements and outlines the options that states have within that context. Finally, it includes a brief summary of what evidence is available on the role of post-secondary education in the welfare-to-work transition.

In establishing the work requirements under TANF, Congress limited the degree to which education and training can count as "engaged in work." Vocational education can count as a work activity for no more than 12 months per person and no more than 20 percent of individuals may count towards the participation rate based on participation in vocational education or secondary school for teen parents. However, there is nothing in the federal law that prevents states from encouraging recipients to combine their required work activity with additional education.

Ultimately, the degree to which recipients are able to attend college depends primarily on state choices in designing their TANF programs. The scheduling of work activities, time-limit policies, including extensions and exemptions, and the availability of child care for both work and classes all have a great impact on whether taking college classes is a real possibility for recipients. States that wish to promote college as an option can also leverage resources from outside the welfare system, such as federal work-study funds, to support this goal.

I. Federal Requirements Promote Work

Individual Work Requirements

The following work requirements are established under TANF:

- Adults are required to participate in work activities as defined by the state after receiving assistance for 24 months (or sooner, if determined ready for work by the state).
- States may exempt parents with children under 1 from work participation requirements, and may exclude them in calculating participation rates.

Minimum Work Participation Rates

In addition, each state must meet the following minimum work participation rates:

Fiscal Year	All Families		Two-Parent Families	
	Participation Rate	Weekly Hours of Work	Participation Rate	Weekly Hours of Work for Primary Participant ¹
1997	25%	20	75%	35
1998	30%	20	75%	35
1999	35%	25	90%	35
2000	40%	30	90%	35
2001	45%	30	90%	35
2002	50%	30	90%	35

1. In two-parent families receiving federally-funded child care assistance in which an adult is not disabled or caring for a severely disabled child, the second parent must also participate for 20 hours per week.

Caseload Reduction Credit

The statute specifies that a state's required participation rate will be reduced based on the state's caseload reduction. The participation rate will be reduced by the same percentage points as the number of families receiving assistance during the immediate fiscal year is reduced compared to the number of families that received aid in FY 1995. However, the rate will not be reduced to the extent that the Secretary of HHS determines: (1) the reduction in the number of families receiving assistance had been required by federal law; or (2) families were diverted from receiving assistance as a direct result of differences in state eligibility criteria from the criteria in effect on September 30, 1995. Regulations specifying how the caseload reduction credit will be calculated are forthcoming. This provision is designed to give states an incentive to develop successful programs to move and keep people off of welfare.

Allowable Work Activities

In order to emphasize the importance of work, Congress required that individuals spend a minimum amount of time participating in a core work activity. To count toward the all-families rate, at least 20 hours per week (and to count toward the two-parent rate, at least 30 hours per week) must be attributable to:

1. Unsubsidized employment
2. Subsidized private sector employment

3. Subsidized public sector employment
4. Work experience, only if sufficient private sector employment is not available
5. On-the-job-training
6. Job search and job readiness assistance for 6 weeks (up to 12 weeks if the state has 50% greater unemployment than nationally)
7. ☒ Community service programs
8. Vocational educational training (not to exceed 12 months)
9. Provision of child care services to individuals participating in community service programs.

After this basic level of participation has been met, certain additional activities may count towards the work requirement. For the all-families rate, hours in excess of 20 (and for the two-parent rate, hours in excess of 30) may be counted when an individual participates in:

10. Job skills training directly related to employment.
11. Education directly related to employment if individual has not graduated from high school or received a GED.
12. Satisfactory attendance at secondary school or GED program if individual has not completed secondary school.

Other Conditions

A single head of household under age 20 can count toward the rate if the recipient maintains satisfactory attendance in secondary school or a GED program or participates in education directly related to employment for the hours specified in the table above.

Single heads of household with a child under the age of six are counted as engaged in work if they participate in an allowable activity for at least 20 hours per week, even after FY 1998 when hourly requirements increase for everyone else.

Overall, no more than 20 percent of individuals can count toward the work participation rate because they are participating in vocational education or are teen parents attending school.

Penalties for Not Meeting the Work Requirements

If a state does not meet the work participation rates for a fiscal year, the state's grant for the immediately succeeding fiscal year will be reduced. If the state had not been penalized in the prior year, the penalty can be up to 5 percent of the state's family assistance grant. If the state had been penalized in the prior year, the penalty can be up to the amount of the previous year's penalty, increased by 2 percentage points, subject to a maximum penalty of 21 percent.

The amount of the penalty will be based on the degree of noncompliance, and may be reduced if the noncompliance is due to certain economic circumstances. The Secretary can also choose not

to impose a penalty if she determines that the state had "reasonable cause" for failure to comply with the requirement.

Implications for Post-Secondary Education

In drafting the TANF legislation, Congress made a deliberate choice to emphasize work and short-term training leading directly to work rather than longer term education and training. Non-vocational post-secondary education does not count towards the work requirements. Vocational educational training, including vocational post-secondary education, may count for up to 12 months, subject to the 20 percent limit discussed above. Vocational educational training is not explicitly defined under the welfare law.

Although some post-secondary activities may not fulfill work participation rates, states are not otherwise precluded from spending their TANF dollars on these activities, so long as they promote job preparation, work, and self-sufficiency for needy families or promote one of the other primary goals of the TANF program.

By contrast, under JOBS, states could make post-secondary education an approved JOBS activity that counted towards the participation requirements. Twenty-seven states allowed both two- and four-year college as JOBS activities, while an additional ten allowed only two-year programs. In practice, the overwhelming majority of JOBS participants in post-secondary education were enrolled in two-year or shorter programs. States have rarely needed to spend JOBS money on post-secondary education because funding has usually been available through Pell Grants or Job Training Partnership Act programs, at no cost to the welfare department.

II. States Have Broad Flexibility within Framework of Federal Requirements

Although the federal requirements will necessarily help shape the state programs under TANF, states have a great deal of flexibility in designing their programs. The choices they make will determine whether post-secondary education is possible for people receiving assistance under these programs.

Flexibility within Work Requirements

In the first years of the TANF program, before the participation requirements reach more stringent levels, a number of states will not experience significant difficulties in meeting these requirements, particularly if they have had their targets reduced as a result of the caseload reduction credit. States therefore have some flexibility to exempt students making satisfactory progress in post-secondary programs from the work requirements. Because the participation rate increases over time, this is unlikely to be a long-term solution, but it addresses the immediate concerns of students who enrolled before TANF was enacted and who are close to completion of their programs. At a minimum, it is unlikely that many states will be in danger of not meeting federal requirements by allowing students to finish out their courses for the current term.

States have some flexibility to serve recipients enrolled in post-secondary education with state-only funds. Under the recent guidance issued by the Department, if states provide assistance to individuals using state-only funds outside of the TANF program, these individuals are not included in the participation rate calculation. However, the Department indicated that we would consider whether states were using state-only programs to evade the work requirements in awarding bonuses, calculating caseload reduction factors, and determining good cause for noncompliance with work participation rate requirements and that we would recommend legislation to apply work requirements to state-only programs if necessary.

Ultimately, the federal participation rate requirements mean that many recipients will have to participate in a work activity other than education for at least 20 hours a week beginning in 1997 and 30 hours a week beginning in 2000. However, states can facilitate the option of recipients combining school and work, based on how they administer their programs. For example, a state that was supportive of post-secondary education could allow students to fulfill their work requirements through on-campus work experience positions. In general, the more a state tailors its program to respond to individual recipient's needs and interests, the more likely it is that recipients will be able to combine work and education.

Time Limits and Post-Secondary Education

Assistance with federal funds under TANF is limited to five years, and states may elect to impose shorter time limits. Based on the state TANF plans received to date, about half the states have adopted shorter time limits. Many of these are consistent with waivers granted by HHS prior to enactment of federal welfare legislation.

- In some states, the shorter time limits do not allow a recipient to complete even a two-year course of study before reaching the time limit. Recipients who combine part-time study with work will not progress very far in their studies before reaching the time limit. States with their own time limits may establish criteria for providing exemptions and extensions. These policy choices will often determine whether or not post-secondary education is a feasible option for recipients.
- In conjunction with time limits, many states are adopting "work-first" models which require recipients to seek employment immediately, rather than allowing them to enter an education or training program first. A number of states are requiring all applicants to engage in up-front job search; anyone who can get a job must accept it.

Child Care Issues

The new consolidated child care and development fund gives states great flexibility in allocating their child care resources. Under the old categorical IV-A child care program, recipients in JOBS activities and in other state-approved education or training activities were entitled to child care. TANF recipients are no longer entitled to receive child care, although states may not penalize the parent of a child under age six for failing to participate in a work activity if child care was not

available. Providing child care for recipients both for their work assignments and for their classes is an important way to support the choice to combine school and work. However, with the emphasis on work, early reports indicate that some states will limit child care assistance for those in education and training.

Work-Study Programs

States that are interested in allowing recipients to combine post-secondary education and work may wish to look for resources outside the welfare system to support this approach. The question has therefore been raised as to whether participation in the work part of work-study programs would count as work for the purposes of the welfare law. There is no apparent reason why work conducted under the work-study programs should not count as subsidized employment or work experience, both of which count as engaged in work under TANF, as long as it fulfills the weekly hours requirement.

- Work-study provides jobs at the minimum wage or higher for undergraduate and graduate students with financial need, allowing them to earn money for educational expenses.
- Hours worked under the work-study program are set by the school, based on the student's need and workload, and the amount of funds the school has available.
- Work-study jobs may be on- or off-campus. Off-campus jobs are usually for a nonprofit organization or a public agency, and the work must be in the public interest.
- Work-study is funded 75 percent by the federal government and 25 percent by the schools. The program is administered by the schools.
- The budget for the Federal Work-Study Program increased by \$213 million between FY 1996 and FY 1997, resulting in an additional 260,000 slots. The President's FY 1998 budget request for the program is \$857 million, an increase of \$27 million over the FY 1997 appropriation. The increase, if granted, will result in an additional 26,000 work-study jobs.
- At least 5 percent of Federal Work-Study Program funds must be used to support students working in community service activities. The President has encouraged institutions to use half of their increase over the 1996 level of \$617 million for community service activities, with an emphasis on reading tutors.

III. Post-Secondary Education and Work: The Evidence

It is well-known that people who go to college, on average, earn more than those who do not. In the 1990 Census, high school graduates earned an average of \$1,405 per month, while those with some college but no degree earned an average of \$1,595 per month. People with bachelor's degrees earned an average of \$2,552 per month. If two years of college means a 20 percent increase in average annual earnings, then people who finish two years of college can earn a quarter of a million dollars more than their high school graduate counterparts over a lifetime. While wages have fallen for workers with high school degrees or less, they have risen for those with more education.

comm?
While there have been no experimental evaluations of the impact of post-secondary education for welfare recipients, several studies suggest that welfare recipients benefit from college attendance similar to the general population. A 1993 survey of women in five states who had attended college as welfare recipients found that 81 percent had been employed since graduation and the majority were no longer receiving welfare. (As this was a non-experimental study, there is no control group for comparison.) Preliminary findings from the recent MDRC study of the New Chance Demonstration indicate that participating in college and skills training increased earnings for young mothers on AFDC, particularly when they obtained a credential as a result.

However, several recent studies have indicated that welfare-to-work programs with a labor-force attachment approach -- in other words, that encourage recipients to get a job as soon as possible, even if it is a low-paying job -- have a greater effect on recipients' earnings and welfare receipt, at least in the short-run, than programs that encourage recipients to obtain more education before searching for work. Probably the most famous program is the Greater Avenues to Independence (GAIN) program operated in Riverside County, California, which was evaluated by the Manpower Demonstration Research Corporation. Five years out, the Riverside GAIN program increased earnings for individuals with a high school diploma and basic skills by 19 percent, and for those who lacked either a diploma or basic skills by 55 percent, compared to members of the control group. Welfare receipt was also reduced by enough that the program more than paid for itself. It is important to note, however, that Riverside GAIN was not a pure job search program. About 60 percent of participants were in education or training, usually basic skills or GED programs. One of the main differences between Riverside and other GAIN programs is that staff monitored students' progress in school, urged them to look for work at the same time, and moved them into formal job search activities if they did not attend classes.

Other evidence also suggests that programs with close linkages between education and employment can be more effective than when they are provided separately. For example, the Center for Employment and Training (CET) in San Jose, California integrated education directly into job training programs. This produced large earning gains averaging over \$800 per experimental per year, a 22 percent increase, over a 30-month follow-up period, substantially more than the other JOBSTART program sites which did not combine education and job training so closely. It appears that the job training made the education relevant, while the education gave the recipients the concrete skills they needed to perform the jobs. It is important to recognize that implementing this concept will require substantial changes in the cultures of traditional providers of both education and job training.

Combining work and post-secondary education is a reasonable alternative to promote to welfare recipients. Although it is not easy to raise children, work in a job, and go to school at the same time, many Americans do so each year. Most undergraduate students, whether or not they are raising a child, work while attending college: Department of Education statistics show that in the 1992-3 school year, 37.5 percent of undergraduate students worked 35 hours per week, while another 15.9 percent worked between 21 and 34 hours per week. Just 20.6 percent of

undergraduates did not work at all while enrolled. Single parents who are enrolled in college are actually more likely (44.1 percent) to work full-time than the general undergraduate population.

**New York-Specific Issues
Related to Post-Secondary Education under TANF**

The issue of whether TANF requirements prevent recipients from participating in post-secondary education was raised recently at the welfare reform forum held at Riverside Church in New York City. Follow-up discussions have raised a number of issues that are specific to New York City, in addition to the general policy questions discussed in the attached background paper.

Until recently, the JOBS program in New York City operated primarily as a self-initiated program with many participants in post-secondary education. There has been a longstanding concern throughout many city administrations (including Dinkins and Koch) that welfare recipients bounced among education programs which did not result in jobs. The city now places many recipients in a community work experience program (CWEP). The CWEP program has been designed to increase the quality of life for the public; typical assignments may include cleaning parks and painting public areas. This program began last April under the authority of the JOBS program. Ann Reynolds, the Chancellor of the City University of New York (CUNY) believes that there is a direct cause and effect between this CWEP requirement and the fact that the AFDC/TANF enrollment at CUNY has plummeted from 29,000 to 18,000 in one year.

A pilot project begun in December at LaGuardia College in Queens and Lehman College in the Bronx (both parts of CUNY) allows students on welfare maintaining a C average or better to get their job assignments on campus. So far, there have only been about 25 participants at the two campuses. Mayor Giuliani has not allowed welfare-recipients at the other 18 CUNY campuses to be placed in on-campus work assignments, and has indicated that he is not interested in making wholesale changes to the CWEP program in order to accommodate welfare recipients who are attending school.

New York City's program is not the inevitable result of the new federal law. In fact, much of the workfare program was put in place prior to enactment of the federal law. As discussed in the general background paper on postsecondary education under TANF, states have some flexibility to allow recipients to combine postsecondary education with the work requirements under TANF, but are not required to do so. Under TANF, decisions regarding what activities recipients must participate in, and the hours of their participation, are made at the state level, or the local level if the state delegates that decision.

Some concerned parties are recommending that the Department take a more proactive stance, including suggestions that we issue regulations on the definition of vocational education. While the Department has some limited authority to regulate on work activities in order to enforce the penalties for failure to meet work participation requirements, the regulatory process must take into account the legislative intent to minimize federal regulations and to afford states the maximum flexibility. The Department is in the process of consulting with states and other interested parties on this issue, and expects to issue a notice of proposed rulemaking in June. ?

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March 26, 1997

N.Y. Judge Orders Individual Assessments for Workfare

Forum

• [Join a discussion on Workfare and Welfare](#)

By STEVEN GREENHOUSE

NEW YORK -- A state Supreme Court justice has told the city to stop assigning welfare recipients to workfare programs unless it first does a full assessment of recipients' needs and skills to determine whether they should be put into educational programs instead.

In a setback to the Giuliani administration, Acting Justice Jane S. Solomon of state Supreme Court in Manhattan issued an injunction Monday after making a preliminary finding that the administration was violating state law by assigning many welfare recipients to its Work Experience Program without doing proper individual assessments.

The injunction was in response to a lawsuit brought by six welfare recipients who say that the city -- which calls in more than 3,000 welfare recipients for possible workfare assignments each month -- is undermining their prospects for employment and economic advancement by not assessing their needs and by steering them away from education. Workfare does not, they say, provide them with valuable training or experience.

"The judge wants to see a genuine process in which an honest attempt is made to determine what an individual needs and to improve his or her chances of becoming employed," said Christopher Lamb, a senior attorney with the Center on Social Welfare Policy and Law and a lawyer for the plaintiffs. "The injunction rejects the city's current one-size-fits-all approach, that every single person should be placed into workfare."

City officials say that placing welfare recipients into workfare jobs, which often involve cleaning parks or streets, is the best route to permanent employment.

The city had steered the six plaintiffs into its 35,000-person workfare program, by far the largest such program in the country. City officials say they plan to expand the program to between 50,000 and 60,000 recipients by the end of the year.

One of the plaintiffs, a mother of three, had a 3.72 grade point average as she pursued an associate's degree at the College of Staten Island, with the goal of becoming a schoolteacher. She said she was told she had to drop out of school

immediately to take a workfare assignment. She refused and had her public assistance cut.

Another plaintiff had her welfare grant cut by 20 percent because she continued with her high school diploma equivalency, or GED, program rather than reporting to her workfare assignment.

Acting Justice Solomon has asked the plaintiffs' lawyers to draft an order that would tell the city exactly what it must do to satisfy the requirements on individual assessments called for by state law. The city would then respond to that proposed order, and the justice would issue the formal order, probably sometime next month.

Corporation Counsel Paul Crotty said it was highly unlikely that the city would appeal the order. At the same time, his office says that the city is already in compliance with the law.

"We have to insure that for each client who comes in, the information is properly recorded and all the questions that should be asked are asked," said Muriel Goode-Trufant, the corporation counsel lawyer handling the case. "We have the process in place. We have to insure that it happens."

The plaintiffs disagreed, saying that the city largely stopped doing individual assessments a year ago, and Acting Justice Solomon agreed that the city was falling short of what the New York State social services law requires.

Ms. Goode-Trufant, however, said that the judge, in a series of oral decisions from the bench, rejected one of the plaintiffs' arguments: that welfare recipients should be free to choose whether they want to go into an education program or workfare.

Acting Justice Solomon did grant the plaintiffs' motion to expand the lawsuit into a class action that includes not just the six plaintiffs, but all current and future welfare recipients considered for workfare.

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YES! YES!
give it to me

What is the question: Why do all these kids have to drop out of college?

Subquestions: Why can't they be America Reads tutors?

Why should USDA turn down waivers for them?

College and Welfare Work Requirements

You asked about reports that welfare recipients enrolled in college are dropping out or being asked to drop out in order to go to work and help states meet the welfare law's work requirements.

As you know, the welfare law marks a change in thinking on how to move people from welfare to work. Rather than depending on education and training programs to give people skills that will then translate into jobs, the welfare law relies on research showing that, in most cases, the surest route to work is to start with a job of some sort. Entry level jobs may then translate into higher level jobs as skills are acquired in the workplace.

Of course, there are bound to be individuals for whom education is the surest route to a job with a future. And the welfare law in no way precludes this, nor requires states to tell clients to drop out of school -- although some jurisdictions, such as New York City, have done so. (New York City has moved aggressively to require welfare recipients to participate in community work experience jobs such as cleaning parks. This was done not as a result of the Federal welfare law, but at the initiative of Mayor Giuliani, who has not been receptive to allowing welfare recipients to continue to attend school. As a result, the number of students on welfare enrolled at the City University of New York recently fell from 29,000 to 18,000.)

The challenge for states is to distinguish promising education and training situations from those that are a dead end. The following are some of the ways in which states can accommodate welfare clients who wish to stay in school:

- States may choose to exclude some college students from the work requirements. To avoid penalties, states must ensure that 25% of the welfare population works at least 20 hours a week in 1997. This increases over time so that, by 2002, 50% of the welfare population must work at least 30 hours per week. The dramatic drops in the welfare caseloads are making the work participation rates far easier to meet than expected. Therefore, in the early years of TANF, most states should be in a position to allow currently enrolled students to finish their programs. Later, even if students hit their 5-year time limit before finishing school, states may make college students part of the 20% of caseload they are permitted to exempt from the time limits.
- About half of the states that have submitted TANF plans to HHS to date have time limits that are shorter than the Federal requirement of five years. These states could modify that to assist college students.
- College students can work 20 or 30 hours a week and still attend school. Many Americans do this: in 1993, 38% of undergraduates worked at least 35 hours a week,

while 16% worked between 21 and 34 hours a week. Of course, this may be more difficult for a parent who is already having difficulty finding child care.

- States may accommodate college students through careful scheduling of work activities, finding jobs on campus, and making child care available to students. (Of course, states will be trying to stretch child care funds simply to provide services to those who are working, and may find it unrealistic to set aside scarce resources for those in school.)
- States may seek to link college students with Federal work-study opportunities. Work-study jobs count toward the welfare law's work requirements -- although many schools ~~choose to limit work-study jobs to only 10 hours per week~~, to ensure that students do not have trouble keeping up with classes (still checking this).
- We have argued that the state-funded part of TANF (i.e., funds required to meet the maintenance of effort requirement) should be held to the same standard as Federal funds on work participation rates, time limits, etc. We are proposing legislation that will clarify that this should be the case. However, in the meantime, states are operating under the assumption that programs funded by state money are not subject to these rules. If we do not prevail, states will have a considerable amount of flexibility (ranging from 20% (ck) to 50% of total funds) to offer latitude to those in college.

You also asked whether it would be possible for welfare recipients to fulfill their work requirements and remain in college by tutoring in the America Reads program. Edith Everett of the City University of New York, suggested this idea. This is certainly permissible, especially since work-study slots ~~are supposed to be targeted toward America Reads (ck)~~. However, it will not be possible for students to tutor for free as part of a workfare arrangement that permits them to keep their welfare grant in exchange for such tutoring. Under interpretations by the Labor Department we expect to issue soon, welfare recipients who participate in workfare must be paid the minimum wage and have jobs that otherwise comply with the Fair Labor Standards Act. These tutoring positions must be real jobs in order to count as work.

Probably the easiest way to do this is as part of the college work-study program. (Maybe not? Check if we could have a state-funded part of America Reads?)

Therefore, we are investigating actions that could more effectively link the college work-study program with TANF and make it easier for states to allow welfare clients to stay in college. Options we are pursuing include:

- Define through a regulation that work done under the work-study program does in fact count as work under TANF. (Is this needed? Maybe just a clarification.)
- Lift any hour per week restriction on work-study jobs (or: encourage college financial aid officers to consider deviating from their usual guidelines and allowing college students on welfare to work longer work-study hours; checking with Shireman).

- Notify college financial aid officials that they can use work-study to help keep welfare recipients in college.

Is the next a related/larger question? Or just for weekly report?

Finally, you asked about a recent Cabinet Affairs item reporting that the Department of Agriculture had denied the state of Washington's request for a waiver of the food stamp program's three-month time limit for those pursuing their graduate equivalency diplomas. The welfare law limits food stamp benefits to only three months in a three-year period for non-disabled childless adults between the ages of 18-50 who are not working. The law also allows USDA to waive that requirement at state request in areas where unemployment rates exceed 10% and areas with insufficient jobs.

USDA debated whether this language allowed them to go beyond strictly geographical criteria and to exempt individuals who had not completed high school (on the theory that a person without a high school diploma did not have access to an adequate job), or to use some other educational criteria. They concluded that the law did not give them such authority, and that Congress would likely react very negatively if they were to interpret the law in this way. USDA now awards waivers based on geographical criteria such as labor surplus areas as defined by the Bureau of Labor Statistics. Therefore, Washington's waiver request clearly fell outside of the bounds of the waiver program they have been running. (Thirty-six states now have such waivers operating in certain areas.)

Federal Actions

necessary?

Shureman

all true?

why?

*

- 1) Define through regs that work done as part of work study program counts as work for TANF (would Ameri-Corps count)? *
- 2) Lift any hour per week restriction on work study (^{rather one} i.e. 10 h/w) *
- 3) Notify college financial aid officials of how they can use work study to help keep welfare recipients in college and that 5% of Federal Work-Study funds must be used for community service (is there a yearly mailing of such officials in which this could be included?) * + where coun. i.e. future
- 4) Direct work study program to ensure 5% set aside for community service i.e. work study is community service
- 5) Push for increase in funding from Congress? (keep 5% set aside)



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

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Kincaid/Shireman
Shop around?

AUG 15 1997

DRAFT

Letter to college presidents:

some?

The welfare reform law that President Clinton signed in August 1996 emphasizes responsibility from those receiving welfare. The law requires recipients to work to ensure that welfare provides temporary support while the family moves to self-sufficiency. We are writing you to provide information on how the new welfare law may affect college students receiving welfare.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which authorizes the Temporary Assistance to Need Families (TANF) program, provides States with broad flexibility to design and implement welfare reform programs that will move recipients into the workforce. Major relevant provisions of the TANF statute are summarized in the attachment. The new law focuses strongly on work. It also provides States with the authority to use an array of services and activities, including education and training, to prepare recipients for work and self-sufficiency. Combining activities—for example, combining education with employment, is another strategy that States can consider as they design their programs.

One important question that has arisen in some States is whether welfare recipients attending college must drop out to meet the law's work requirements. The Administration is committed to promoting lifelong learning and to increasing access to higher education, which we know help individuals obtain and retain high quality stable jobs. The requirements of the welfare law are not inconsistent with college attendance, if colleges work with students on welfare and State and local officials to provide qualifying work opportunities aligned with the students' academic needs. *or if State...*

ask

We are pleased to see that many States are using their flexibility under the TANF statute to support these goals. Florida, for example, provides up to two years of supportive services, including child care, to individuals who have successfully left welfare for work and who wish to return to school in order to move to a better job. California is increasing student employment positions for welfare recipients and has received an AmeriCorps grant to support service-learning positions for recipients studying early childhood education.

int.

Other federal resources outside the TANF program may also help. The Federal Work-Study (FWS) Program, administered by the United States Department of Education, offers a way to meet the special needs of TANF recipients who wish to complete their higher education. The FWS Program provides an opportunity for many students to work on campus, as well as off campus, in keeping with their academic schedules. Federal law does not limit the number of hours that a student can work. Thus, students can use their FWS hours to meet work requirements under TANF, if consistent with State TANF determinations as to what is work. The student's academic and financial need and the college's FWS allocation must also be taken into account.

hr we told them?

FWS participation involves meaningful work whether on or off campus. We encourage States to recognize it in their TANF determinations. If a State in its discretion determines that participation in the FWS Program satisfies TANF mandatory work participation rate requirements, the Federal Government will recognize that State determination in carrying out federal functions under the TANF statute.

HHS

DRAFT

3

below?

We also encourage you to explore with appropriate officials at the State and local level other options to accomodate successfully college attendance with the requirements of welfare reform. Your participation in this process can enable more students on welfare to remain in school. Such a dialogue might include, for example, student employment opportunities on campus or other arrangements, such as internships and work cooperatives, that would allow these students to continue their studies. [Another area for consideration is whether or to what extent the State will include college course work in its implementation of the TANF requirement that all recipients must work after 24 months.] The possibility of redesigning courses and programs to meet the new needs of welfare recipients for intensive, short-term, job-oriented training also merits consideration. The attachment suggests other options.

A list of State welfare agency administrators is enclosed. If you have questions for us, please address them to:

We look forward to continuing to work with you and with State and local officials to ensure that the implementation of welfare reform serves our goals for higher education.

cc: State welfare agencies

Giutiani read / STL - Emily - shop to NGA/APWA?

Delicate / press

DRAFT

ATTACHMENT

POST-SECONDARY EDUCATION UNDER TANF

The Temporary Assistance for Needy Families (TANF) program emphasizes work and short-term training leading directly to work (rather than longer term education and training). Each year States must place an increasing fraction of their caseload in work activities. Non-vocational post-secondary education does not count towards this mandatory participation rate. (For the coming academic year, the requirement is 20 hours per week for single parents on welfare; 30 percent of the caseload is required to work for fiscal year 1998.) Vocational educational training, including vocational post-secondary education, can be counted for no more than 12 months per recipient and for no more than 30 percent of individuals who are engaged in work. Vocational educational training is not explicitly defined under the TANF statute. It is up to each State to develop its own interpretation.

over-emph?

Teek →
CR States must require all recipients to work after receiving benefits for 24 months, whether or not consecutive. Work, for the purpose of this requirement, is defined by the State. Many States are choosing to impose work requirements earlier. Federal funds may not be used to provide assistance to families containing an adult who has received assistance for more than 60 months, and States may impose shorter time limits.

Although some post-secondary activities may not fulfill work participation rates, States are not otherwise precluded from spending their TANF dollars on these activities, so long as they promote job preparation, work and self-sufficiency for needy families or promote one of the other primary goals of the TANF program. Because States receive credit towards the participation rate for caseload reductions not caused by eligibility changes, an effective welfare-to-work program that involves such activities can help a State achieve the participation rate requirement even if the specific activities are not countable.

UC strike { In addition, there is nothing in the federal law that prevents States from encouraging recipients to combine their required work activity with additional education. Although it is not easy to raise children, work in a job, and go to school at the same time, many Americans do so each year. Most undergraduate students, whether or not they are raising a child, work while attending college. Almost all part-time students work; most full-time students also work, although usually not full-time. Over half the full-time college students work over over 20 hours per week.

States have the flexibility to design their TANF programs. The scheduling of work activities, time-limit policies, including extensions and exemptions, and the availability of child care for both work and classes have a great impact on whether taking college classes is a real possibility for recipients. States that wish to promote college as an option can also leverage resources from outside the welfare system to support this goal. The FWS Program is an example.

DRAFT

DRAFT

DRAFT

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DRAFT

Letter to college presidents:

Dear:

The welfare reform law that President Clinton signed in August 1996 emphasizes responsibility from those receiving welfare. The law requires recipients to work to ensure that welfare provides only temporary support while the family moves to self-sufficiency.

As you know, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provides States with broad flexibility to design and implement welfare reform programs that will move recipients into the workforce. The new law focuses strongly on work, and also provides States with the authority to utilize an array of services and activities, including education and training, to prepare recipients for work and self-sufficiency. Combining activities -- for example, combining education with employment -- is another strategy that States can consider as they design their programs.

The Administration is committed to promoting lifelong learning and to increasing access to higher education, which we know help individuals obtain and retain high quality, stable jobs. We are pleased to see that many States are using their flexibility under the welfare law to support these goals. For example:

Florida provides up to two years of supportive services, including child care, to individuals who have successfully left welfare for work and who wish to return to school in order to move to a better job.

California is increasing work-study positions for welfare recipients, and has received an AmeriCorps grant to support service-learning positions for recipients studying early childhood education.

We encourage you to work with local welfare offices and with any students enrolled in your institution who are on welfare and required to work, to explore whether there are work opportunities on campus or other arrangements that would allow these students to continue their studies, whether full- or part-time. We also encourage you to consider whether some of your courses might be redesigned to meet the new needs of welfare recipients for intensive, short-term, job-oriented training.

A list of State welfare agency administrators is enclosed. Please feel free to call on either of us if you have questions or seek technical assistance.

Sincerely,

← Cynthia - FYI
these were Bill
Kincaid's
comments
on HHS's
college
draft.
Not sure
if they
still apply
to Educ's
redraft.

Kincaid

received

Ed?

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

POST-SECONDARY EDUCATION UNDER TANF

The Temporary Assistance for Needy Families (TANF) program emphasizes work and short-term training leading directly to work ~~rather than longer term education and training~~. Each year States must place an increasing fraction of their caseload in work activities. Non-vocational post-secondary education does not count towards ~~the~~ participation rate. Vocational educational training, including vocational post-secondary education, can be counted for no more than 12 months per recipient and for no more than 30 percent of individuals who are engaged in work. Vocational educational training is not explicitly defined under the welfare law.

States must require all recipients to work (as defined by the State) after receiving benefits for 24 months, whether or not consecutive. Many States are choosing to impose work requirements earlier. Federal funds may not be used to provide assistance to families containing an adult who has received assistance for more than 60 months, and States may impose shorter time limits.

why relevant to TANF letter?

Although some post-secondary activities may not fulfill work participation rates, States are not otherwise precluded from spending their TANF dollars on these activities, so long as they promote job preparation, work, and self-sufficiency for needy families or promote one of the other primary goals of the TANF program. Because States receive credit towards the participation rate for caseload reductions not caused by eligibility changes, an effective welfare-to-work program can help a State achieve the participation rate requirement even if the specific activities are not countable.

under the federal law states may encourage
In addition, ~~there is nothing in the federal law that prevents States from encouraging~~ recipients to combine their required work activity with additional education. Although it is not easy to raise children, work in a job, and go to school at the same time, many Americans do so each year. Most undergraduate students, whether or not they are raising a child, work while attending college. Almost all part-time students work; most full-time students also work, although usually not full-time.

we?
Under PRWORA, States have the flexibility to design their TANF programs. The scheduling of work activities, time-limit policies, including extensions and exemptions, and the availability of child care for both work and classes all have a great impact on whether taking college classes is a real possibility for recipients. States that wish to promote college as an option can also leverage resources from outside the welfare system, such as federal work-study funds, to support this goal.



OFFICE OF
CHIEF COUNSEL

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

F. College

APR 10 1995

Ms. Kathy Gause
United States Department
of Education
Student Financial Assistance
Programs
Room 3045, ROB #3
600 Independence Ave., S.W.
Washington, D.C. 20202

Dear Ms. Gause:

This is in response to your facsimile transmission dated February 17, 1995 concerning the FICA liability of schools, colleges and universities that employ students. We apologize for our delay in responding.

Section 3121(b)(10) of the Internal Revenue Code provides that service performed in the employ of a school, college or university is excepted from the definition of employment if such service is performed by a student who is enrolled and regularly attending classes at such school, college or university.

Section 31.3121(b)(10)-2(c) of the Federal Employment Tax Regulations provides that an employee who performs services in the employ of a school, college or university, as an incident to and for the purpose of pursuing a course of study at such school, college or university has the status of a student. Unfortunately, there is no bright-line test and each case must be analyzed to determine whether the Code and Regulations have been satisfied. However, as a general rule, a student who is taking 12 credit hours or more (where 18 credit hours is considered to be full-time), and who is employed 20 hours or less per week, has the status of "student" within the meaning of section 3121(b)(10) of the Code. However, a student who is taking less than 12 credit hours or working more than 20 hours may nevertheless have the status of "student" for purposes of 3121(b)(10) if the employment is incident to and for the purpose of pursuing a course of study.

The exception from employment does not apply to services performed when classes are not in session, such as during holidays and semester breaks. In addition, the exception does not apply to students who are employed during summer session unless

Ms. Kathy Gause

they are enrolled in classes at the same time. The fact that the student was enrolled in classes during the previous academic year and is expected to enroll in classes during the following academic year is immaterial.

If you have any additional questions or if we can be of any further assistance, please call Ms. Kathy Sibbald or myself at (202) 622-6050.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Philip M. Corn".

PHILIP M. CORN
Technical Assistant
Office of the Associate
Chief Counsel
(Employee Benefits and
Exempt Organizations)

CC Cynthia - Final college letter

TRANSMITTAL SLIP

Diana

TO: Diana Fortuna

SEP 22 1997

RE: Attached

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REMARKS: Diana,

Per your voice mail message. I enjoyed working with you on this and hope that the response will be positive. Many thanks.

Ted
Ted

FROM:

Ted Sky
Senior Counsel
FOB-10, Room 5364
(202) 401-6000



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

September 12, 1997

Dear Colleague:

The welfare reform law that President Clinton signed last year emphasizes work and personal responsibility. One important question that has arisen is whether welfare recipients attending college must drop out to meet the law's work requirements. We are writing to provide information about how students can meet the law's work requirements while continuing their education.

Under the Temporary Assistance for Needy Families (TANF) welfare program, summarized in the enclosure, recipients can combine their required work activity with additional education. Although it is not easy to raise children, work in a job, and go to school at the same time, many Americans do so each year. Most undergraduate students, whether or not they are raising a child, work while attending college. Almost all part-time students work; over half of full-time students work over 20 hours per week.

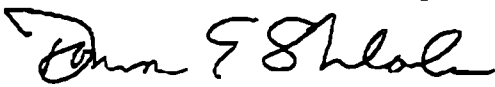
We encourage colleges to work with state and local officials to provide employment opportunities that are aligned with academic schedules and allow students to stay in school. In particular, colleges may be able to use the Federal Work Study (FWS) Program, administered by the Department of Education, to enable students to meet TANF's work requirements by providing jobs that are consistent with state TANF rules. Federal law does not limit the number of hours that a student can work under the Federal Work Study Program, so long as the student's academic and financial need and the college's FWS allocation are taken into account. States and Indian tribes may count, and the Federal Government will recognize, such work as counting towards the law's work participation requirements, provided the required number of hours of work are performed.

In addition, we encourage colleges to explore with state and local officials other ways to accommodate college attendance with the requirements of welfare reform. As described in the enclosure, states and tribes have the authority to use an array of services and activities, including education and training, to prepare recipients for work and self-sufficiency. A list of state welfare agency administrators is enclosed.

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Achieving the Administration's goals of making welfare reform a success and increasing access to college education depends upon continued cooperative effort from many parties. We look forward to working with you and state and local officials in this process. Please feel free to call upon us or one of the contacts on the enclosed list if you have any questions. A copy of this letter is being sent to your State Welfare Agency Administrator.

Sincerely,



Donna E. Shalala
Secretary of Health and Human Services



Richard W. Riley
Secretary of Education

- Enclosure A: Post-Secondary Education under TANF
- Enclosure B: State Welfare Agency Administrators
- Enclosure C: Federal Agency Contacts

Enclosure A
POSTSECONDARY EDUCATION UNDER TANF

The Temporary Assistance for Needy Families (TANF) program emphasizes work and short-term training leading directly to work, rather than longer term education and training. Each year, states must place an increasing percentage of their caseload in work activities that are prescribed in the statute. In Fiscal Year (FY) 1998, beginning October 1, 1997, states must engage 30 percent of all recipients in work activities, a requirement which rises to 50 percent by FY 2002. In order to be counted as "engaged in work" for the calculation of the state's participation rate, single parents must work 20 hours per week in FY 1998, and 30 hours per week by FY 2000.

Non-vocational postsecondary education does not count towards a state's participation rate. Vocational educational training, including vocational postsecondary education, is one of the specified activities, but can be counted for no more than 12 months per recipient and for no more than 30 percent of individuals who count towards the state's participation rate. States can count as work unsubsidized or subsidized employment, on-the-job-training, work experience, community service, providing child care services to individuals participating in community service, limited periods of job search, and secondary school for teen parents.

States must require all recipients to work after receiving benefits for 24 months, whether or not consecutive. For the purpose of this requirement, work is defined by the state. Many states are choosing to impose work requirements earlier. Federal funds may not be used to provide assistance to families containing an adult who has received assistance for more than 60 months under the TANF program, and states may impose shorter time limits.

Although some postsecondary activities may not be countable for the state's participation rate, states are not otherwise precluded from spending their TANF dollars on these activities, so long as they promote job preparation, work, and self-sufficiency for needy families or promote one of the other primary goals of the TANF program. At the same time, states receive credit towards the participation rate for caseload reductions not caused by eligibility changes. An effective welfare-to-work program that includes support of postsecondary education, therefore, could help a state achieve the participation rate requirement even if participation in those specific activities is not countable.

Many states are using their flexibility under the welfare law to help welfare recipients combine work and education. For example:

- ☐ Florida provides up to two years of supportive services, including child care, to individuals who successfully leave welfare for work and who wish to return to school in order to move to a better job.
- ☐ California is increasing work-study positions for welfare recipients and has received an AmeriCorps grant to support service-learning positions for recipients studying early childhood education.

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States and tribes have great flexibility in designing their TANF programs. The scheduling of work activities and the availability of child care for both work and classes, for example, affect whether taking college classes is a real possibility for recipients. University officials may wish to explore with appropriate officials at the state and local level these and other options to accommodate college attendance with the requirements of welfare. Such a dialogue might include, for example, student employment opportunities on campus or other arrangements, such as internships or work cooperatives, that would allow these students to continue their studies, whether full- or part-time. The possibility of redesigning courses and programs to meet the new needs of welfare recipients for intensive, short-term, job-oriented training also merits consideration. States that wish to promote college as an option can also leverage resources from outside the welfare system to support this goal.

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