

AN ACT concerning public aid.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Public Aid Code is amended by changing Section 9A-8 as follows:

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

Sec. 9A-8. Operation of Program.

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

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

(1.1) a complete list of all activities that are approvable activities, and the circumstances under which they are approvable, including work activities, substance abuse or mental health treatment, activities to escape and

prevent domestic violence, caring for a medically impaired family member, and any other approvable activities, together with the right to and procedures for amending the responsibility and services plan to include these activities;

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

(2) supportive services including child care and the rules regarding eligibility for and access to the child care assistance program, transportation, initial expenses of employment, job retention, books and fees, and any other supportive services;

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

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

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

(b) The Illinois Department shall notify the recipient in

writing of the opportunity to volunteer to participate in the program.

(c) (Blank).

(d) As part of the personal plan for achieving employment and self-sufficiency, the Department shall conduct an individualized assessment of the participant's employability. No participant may be assigned to any component of the education, training and employment activity prior to such assessment. The plan shall include collection of information on the individual's background, proficiencies, skills deficiencies, education level, work history, employment goals, interests, aptitudes, and employment preferences, as well as factors affecting employability or ability to meet participation requirements (e.g., health, physical or mental limitations, child care, family circumstances, domestic violence, sexual violence, substance abuse, and special needs of any child of the individual). As part of the plan, individuals and Department staff shall work together to identify any supportive service needs required to enable the client to participate and meet the objectives of his or her employability plan. The assessment may be conducted through various methods such as interviews, testing, counseling, and self-assessment instruments. In the assessment process, the Department shall offer to include standard literacy testing and a determination of English language proficiency and shall provide it for those who accept the offer. Based on the

assessment, the individual will be assigned to the appropriate activity. The decision will be based on a determination of the individual's level of preparation for employment as defined by rule.

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

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

- (1) contain an employment goal of the participant;
- (2) describe the services to be provided by the Department, including child care and other support services;
- (3) describe the activities, such as component assignment, that will be undertaken by the participant to achieve the employment goal. The Department shall treat participation in high school and high school equivalency programs as a core activity and count participation in high school and high school equivalency programs toward the first 20 hours per week of participation. The Department shall approve participation in high school or high school equivalency programs upon written or oral request of the participant if he or she has not already earned a high

school diploma or a high school equivalency certificate. However, participation in high school or high school equivalency programs may be delayed as part of an applicant's or recipient's personal plan for achieving employment and self-sufficiency if it is determined that the benefit from participating in another activity, such as, but not limited to, treatment for substance abuse or an English proficiency program, would be greater to the applicant or recipient than participation in high school or a high school equivalency program. The availability of high school and high school equivalency programs may also delay enrollment in those programs. The Department shall treat such activities as a core activity as long as satisfactory progress is made, as determined by the high school or high school equivalency program. Proof of satisfactory progress shall be provided by the participant or the school at the end of each academic term; and

(4) describe any other needs of the family that might be met by the Department.

(g) The employability plan shall take into account:

- (1) available program resources;
- (2) the participant's support service needs;
- (3) the participant's skills level and aptitudes;
- (4) local employment opportunities; and
- (5) the preferences of the participant.

(h) A reassessment shall be conducted to assess a

participant's progress and to review the employability plan on the following occasions:

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

(2) upon the request of the participant;

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

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

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

(Source: P.A. 96-866, eff. 7-1-10.)