

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1430

Short Title: Learnfare/Workfare.

(Public)

Sponsors: Representatives Balmer; Creech, Decker, Howard, Russell, and Wilson.

Referred to: Rules, Appointments & Calendar.

June 1, 1992

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH LEARNFARE AND WORKFARE IN NORTH
2 CAROLINA AND TO APPROPRIATE FUNDS TO IMPLEMENT THE
3 PROGRAMS.
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5 Whereas, there is a need for the State of North Carolina to seek creative
6 solutions to the difficult social problem of welfare dependency; and

7 Whereas, there must be a recognition by welfare recipients that education and
8 gainful employment is critical to breaking the cycle of poverty, welfare dependence and
9 their accompanying social ills; and

10 Whereas, alternative programs are necessary to prevent teenage children from
11 dropping out of school and perpetuating poverty through their lack of adequate
12 education and job training; and

13 Whereas, there is a need for pioneering efforts to hold those who receive
14 public assistance accountable, and to encourage them to work and keep their children in
15 school; and

16 Whereas, welfare recipients must accept personal responsibility for their
17 status by proving they are making concerted efforts to break the cycle of welfare
18 dependency through gainful employment and the appropriate education of their
19 children; Now, therefore,

20 The General Assembly of North Carolina enacts:

21 Section 1. (a) Chapter 108A is amended by adding a new section to read:

22 **§ 108A-30.1. Learnfare Program adopted; sanctions; reinstatement.**

23 (a) If an individual is the recipient of aid pursuant to this Part, is the parent with
24 whom a dependent child lives, and is required to attend school by the Compulsory

1 Attendance Law set out in Chapter 115C of the General Statutes, and if this recipient
2 has more than a total of five unexcused absences in a two-month period, the recipient's
3 aid for the next month following this two-month period shall be reduced by an amount
4 equal to the recipient's portion of the total family aid pursuant to this Part. The
5 recipient's aid shall be reduced for each following month until the recipient attends
6 school for one month with no more than three unexcused absences. The full amount of
7 aid shall be restored the next month.

8 (b) This section is in addition to the provisions of G.S. 108A-30, establishing the
9 Work Incentive Program. In the event that this section does conflict with G.S. 108A-30,
10 the federally mandated portion of G.S. 108A-30 controls."

11 (b) The Social Services Commission and the Department of Human Resources
12 shall adopt rules to ensure that G.S. 108A-30.1 is implemented and enforced effectively
13 and fairly, specifically rules that set out how notification of the local department of
14 social services by the local education agency of failure to attend school should be made,
15 of what the calculation of the sanction reduction amount should be, of what the sanction
16 procedure would be, and what the procedure for reinstating State full assistance should
17 be.

18 Sec. 2. Chapter 108A is further amended by adding a new section to read:

19 "**§ 108A-30.2. Workfare Program adopted; sanctions; reinstatement.**

20 (a) If a recipient of aid pursuant to this Part is eligible for gainful employment,
21 has the opportunity for gainful employment, but does not work for a two-month period,
22 the recipient's aid for the next month following this two-month period shall be reduced
23 by an amount equal to the recipient's portion of the total family aid pursuant to this Part.
24 The recipient's aid shall be reduced for each following month until the recipient has
25 worked for a month. The full amount of aid shall be restored the next month.

26 (b) This section is in addition to the provisions of G.S. 108A-30, establishing the
27 Work Incentive Program. In the event that this section does conflict with G.S. 108A-30,
28 the federally mandated portion of G.S. 108A-30 controls."

29 Sec. 3. The Social Services Commission and the Department of Human
30 Resources shall adopt rules to implement and enforce G.S. 108A-30.2 effectively and
31 fairly, specifically rules defining "work", "gainful employment", and eligibility, which
32 definition shall exclude those recipients otherwise eligible to work who have pre-school
33 dependent children living with them for whom they must provide care, unless this care
34 can be provided without additional cost to the recipient. These rules shall also include
35 what the calculation of sanction reduction amount should be, what sanction procedure
36 should be followed, and what the procedure for reinstating full State assistance should
37 be.

38 Sec. 4. There is appropriated from the General Fund to the Division of Social
39 Services, Department of Human Resources, the sum of twenty-five thousand dollars
40 (\$25,000) for the 1992-93 fiscal year to implement this act.

41 Sec. 5. This act becomes effective July 1, 1992. Section 1 applies beginning
42 with the 1992-93 school year. Sections 2 and 3 apply to aid payments issued on or after
43 July 1, 1992.