

Superseded 5/12/2015

35A-3-304 Assessment -- Participation requirements and limitations -- Mentors.

- (1)
 - (a) Within 20 business days of the date of enrollment, a parent client shall:
 - (i) be assigned an employment counselor; and
 - (ii) complete an assessment provided by the division regarding the parent client's:
 - (A) family circumstances;
 - (B) education;
 - (C) work history;
 - (D) skills;
 - (E) ability to become self-sufficient; and
 - (F) likelihood of a substance use disorder involving the misuse of a controlled substance.
 - (b) The assessment provided under Subsection (1)(a)(ii) shall include:
 - (i) a survey to be completed by the parent client with the assistance of the division; and
 - (ii) a written questionnaire to be completed by the parent client designed to accurately determine the likelihood of the parent client having a substance use disorder involving the misuse of a controlled substance.
 - (c) In addition to the other requirements of this part, if the results of the written questionnaire taken by a parent client indicate a reasonable likelihood that the parent client has a substance use disorder involving the misuse of a controlled substance, the parent client may only receive cash assistance provided under this part in accordance with the additional requirements of Section 35A-3-304.5.
- (2)
 - (a) Within 15 business days of a parent client completing an assessment, the division and the parent client shall enter into an employment plan.
 - (b) The employment plan shall have a target date for entry into employment.
 - (c) The division shall provide a copy of the employment plan to the parent client.
 - (d) As to the parent client, the plan may include:
 - (i) job searching requirements;
 - (ii) if the parent client does not have a high school diploma, participation in an educational program to obtain a high school diploma, or its equivalent;
 - (iii) education or training necessary to obtain employment;
 - (iv) a combination of work and education or training;
 - (v) assisting the Office of Recovery Services in good faith to:
 - (A) establish the paternity of a minor child; and
 - (B) establish or enforce a child support order.
 - (e) If the parent client tests positive for the unlawful use of a controlled substance after taking a drug test under Section 35A-3-304.5, the employment plan shall include an agreement by the parent client to participate in treatment for a substance use disorder and meet the other requirements of Section 35A-3-304.5.
 - (f) As to the division, the plan may include:
 - (i) providing cash and other types of public and employment assistance, including child care;
 - (ii) assisting the parent client to obtain education or training necessary for employment;
 - (iii) assisting the parent client to set up and follow a household budget; and
 - (iv) assisting the parent client to obtain employment.
 - (g) The division may amend the employment plan to reflect new information or changed circumstances.

- (h) If immediate employment is an activity contained in the employment plan the parent client shall:
 - (i) promptly commence a search for a specified number of hours each week for employment; and
 - (ii) regularly submit a report to the division on:
 - (A) how time was spent in search for a job;
 - (B) the number of job applications completed;
 - (C) the interviews attended;
 - (D) the offers of employment extended; and
 - (E) other related information required by the division.
- (i)
 - (i) If full-time education or training to secure employment is an activity contained in an employment plan, the parent client shall promptly undertake a full-time education or training program.
 - (ii) The employment plan may describe courses, education or training goals, and classroom hours.
- (j)
 - (i) As a condition of receiving cash assistance under this part, a parent client shall agree to make a good faith effort to comply with the employment plan.
 - (ii) If a parent client consistently fails to show good faith in complying with the employment plan, the division may seek under Subsection (2)(i)(iii) to terminate all or part of the cash assistance services provided under this part.
 - (iii) The division shall establish a process to reconcile disputes between a client and the division as to whether:
 - (A) the parent client has made a good faith effort to comply with the employment plan; or
 - (B) the division has complied with the employment plan.
- (3)
 - (a) Except as provided in Subsection (3)(b), a parent client's participation in education or training beyond that required to obtain a high school diploma or its equivalent is limited to the lesser of:
 - (i) 24 months; or
 - (ii) the completion of the education and training requirements of the employment plan.
 - (b) A parent client may participate in education or training for up to six months beyond the 24-month limit of Subsection (3)(a)(i) if:
 - (i) the parent client is employed for 80 or more hours a month; and
 - (ii) the extension is for good cause shown and approved by the director.
 - (c) A parent client who receives an extension under Subsection (3)(b) remains subject to Subsection (4).
- (4)
 - (a) A parent client with a high school diploma or equivalent who has received 24 months of education or training shall participate in full-time work activities.
 - (b) The 24 months need not be continuous and the department may define "full-time work activities" by rule.
- (5) As a condition for receiving cash assistance on behalf of a minor child under this part, the minor child shall be:
 - (a) enrolled in and attending school in compliance with Sections 53A-11-101.5 and 53A-11-101.7; or
 - (b) exempt from school attendance under Section 53A-11-102.

(6) This section does not apply to a person who has received diversion assistance under Section 35A-3-303.

(7)

(a) The division shall recruit and train volunteers to serve as mentors for parent clients.

(b) A mentor may advocate on behalf of a parent client and help a parent client:

(i) develop life skills;

(ii) implement an employment plan; or

(iii) obtain services and supports from:

(A) the volunteer mentor;

(B) the division; or

(C) civic organizations.