

108TH CONGRESS
1ST SESSION

S. 603

To amend part A of title IV of the Social Security Act to give States the option to create a program that allows individuals receiving temporary assistance to needy families to obtain post-secondary or longer duration vocational education.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2003

Ms. SNOWE (for herself, Mr. BAUCUS, Mr. BINGAMAN, Mr. ROCKEFELLER, and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend part A of title IV of the Social Security Act to give States the option to create a program that allows individuals receiving temporary assistance to needy families to obtain post-secondary or longer duration vocational education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pathways to Self-Suffi-
5 ciency Act of 2003”.

1 **SEC. 2. AUTHORITY TO ESTABLISH UNDERGRADUATE**
 2 **POST-SECONDARY OR VOCATIONAL EDU-**
 3 **CATIONAL PROGRAM UNDER TANF.**

4 (a) STATE OPTION.—Section 404 of the Social Secu-
 5 rity Act (42 U.S.C. 604) is amended by adding at the end
 6 the following new subsection:

7 “(1) AUTHORITY TO ESTABLISH UNDERGRADUATE
 8 POST-SECONDARY OR VOCATIONAL EDUCATIONAL PRO-
 9 GRAM.—

10 “(1) IN GENERAL.—Subject to the succeeding
 11 paragraphs of this subsection, a State to which a
 12 grant is made under section 403 may use the grant
 13 to establish a program under which an eligible par-
 14 ticipant (as defined in paragraph (4)) may be pro-
 15 vided support services described in paragraph (6).

16 “(2) STATE PLAN REQUIREMENT.—A State
 17 may not establish a program under this subsection
 18 unless the State describes (in an addendum to the
 19 State plan submitted under section 402) the applica-
 20 ble eligibility criteria that is designed to limit par-
 21 ticipation in the program to only those individuals—

22 “(A) whose past earnings indicate that the
 23 individuals cannot qualify for employment that
 24 pays enough to allow them to obtain self-suffi-
 25 ciency (as determined by the State); and

1 “(B) for whom enrollment in the program
2 will prepare the individuals for higher-paying
3 occupations in demand in the State.

4 “(3) NO FEDERAL FUNDS FOR TUITION.—A
5 State may not use Federal funds provided under a
6 grant made under section 403 to pay tuition for an
7 eligible participant.

8 “(4) DEFINITION OF ELIGIBLE PARTICIPANT.—

9 “(A) IN GENERAL.—In this subsection, the
10 term ‘eligible participant’ means an individual
11 who receives assistance under the State pro-
12 gram funded under this part and satisfies the
13 following requirements:

14 “(i) The individual is enrolled in a
15 postsecondary 2- or 4-year degree program
16 or in a vocational educational training pro-
17 gram.

18 “(ii) During the first 24 months that
19 the individual participates in the program,
20 the individual engages in a combination of
21 educational activities in connection with a
22 course of study, training, study time, em-
23 ployment, or work experience for an aver-
24 age of not less than 24 hours per week.

1 “(iii) After the first 24 months of the
2 individual’s participation in the program,
3 the individual—

4 “(I) works not less than an aver-
5 age of 15 hours per week (in addition
6 to school and study time); or

7 “(II) engages in a combination of
8 educational activities in connection
9 with a course of study, training, study
10 time, employment, or work experience
11 for an average of not less than 30
12 hours per week.

13 “(iv) During the period the individual
14 participates in the program, the individual
15 maintains satisfactory academic progress,
16 as defined by the institution operating the
17 undergraduate post-secondary or vocational
18 educational program in which the indi-
19 vidual is enrolled.

20 “(B) DETERMINATION OF HOURS.—For
21 purposes of determining hours per week under
22 clause (ii) or (iii) of subparagraph (A), a State
23 may not count study time of less than 1 hour
24 for every hour of class time or more than 2
25 hours for every hour of class time.

1 “(5) REQUIRED TIME PERIODS FOR COMPLE-
2 TION OF DEGREE OR VOCATIONAL EDUCATIONAL
3 TRAINING PROGRAM.—

4 “(A) IN GENERAL.—Subject to subpara-
5 graph (B), an individual participating in a pro-
6 gram established under this subsection shall be
7 required to complete the requirements of a de-
8 gree or vocational educational training program
9 within the normal time frame for full time stu-
10 dents seeking the particular degree or com-
11 pleting the vocational educational training pro-
12 gram.

13 “(B) EXCEPTION.—For good cause, the
14 State may allow an individual to complete their
15 degree requirements or vocational educational
16 training program within a period not to exceed
17 1½ times the normal time frame established
18 under subparagraph (A) (unless further modi-
19 fication is required by the Americans with Dis-
20 abilities Act of 1990 (42 U.S.C. 12101 et seq.),
21 or section 504 of the Rehabilitation Act of 1973
22 (29 U.S.C. 794)) and may modify the require-
23 ments applicable to an individual participating
24 in the program. For purposes of the preceding
25 sentence, good cause includes the case of an in-

dividual with 1 or more significant barriers to normal participation, as determined by the State, such as the need to care for a family member with special needs.

“(6) SUPPORT SERVICES DESCRIBED.—For purposes of paragraph (1), the support services described in this paragraph include any or all of the following during the period the eligible participant is in the program established under this subsection:

“(A) Child care.

“(B) Transportation services.

“(C) Payment for books and supplies.

“(D) Other services provided under policies determined by the State to ensure coordination and lack of duplication with other programs available to provide support services.”.

(b) STATE OPTION TO INCLUDE PARTICIPANTS AS ENGAGED IN WORK.—

(1) IN GENERAL.—Section 407(c)(2) of the Social Security Act (42 U.S.C. 607(c)(2)) is amended by adding at the end the following:

“(E) STATE OPTION TO INCLUDE PARTICIPANTS AS ENGAGED IN WORK.—

“(i) IN GENERAL.—Subject to clause (ii), in the case of a State that elects to es-

1 tablish an undergraduate post-secondary or
 2 vocational education program under sec-
 3 tion 404(l), the State may include, for pur-
 4 poses of determining monthly participation
 5 rates under paragraphs (1)(B)(i) and
 6 (2)(B) of subsection (b), all families that
 7 include an individual participating in the
 8 program during the month as being en-
 9 gaged in work for the month, so long as
 10 each such individual is in compliance with
 11 the requirements of that program.

12 “(ii) LIMITATION.—With respect to a
 13 month, the number of families counted as
 14 being engaged in work under clause (i)
 15 may not exceed the amount equal to 10
 16 percent of the number of families receiving
 17 assistance under the State program funded
 18 under this part for the month.”.

19 (2) CONFORMING AMENDMENTS.—

20 (A) Section 407(c)(2)(D) of the Social Se-
 21 curity Act (42 U.S.C. 607(c)(2)(D)) is amend-
 22 ed—

23 (i) in the heading, by inserting “CER-
 24 TAIN” after “PARTICIPATION IN”; and

1 (ii) by inserting “(determined without
 2 regard to individuals participating in a
 3 program referred to in subparagraph
 4 (E)(i))” after “training”.

5 (B) Section 407(d)(8) of the Social Secu-
 6 rity Act (42 U.S.C. 607(d)(8)) is amended by
 7 inserting “other than an individual partici-
 8 pating in a program that meets the require-
 9 ments of section 404(l)” after “individual”.

10 (c) STATE OPTION TO CREDIT MONTHS OF PARTICI-
 11 PATION FOR PURPOSES OF 5-YEAR ASSISTANCE LIMIT.—
 12 Section 408(a)(7) of the Social Security Act (42 U.S.C.
 13 608(a)(7)) is amended by adding at the end the following:

14 “(H) CREDIT FOR MONTHS PARTICIPATING
 15 IN A PATHWAYS TO SELF-SUFFICIENCY PRO-
 16 GRAM.—In determining the number of months
 17 for which an adult has received assistance
 18 under a State program funded under this part,
 19 the State may disregard any month during
 20 which the adult is a participant in a program
 21 that meets the requirements of section 404(l).”.

22 (d) EFFECTIVE DATE.—The amendments made by
 23 this section take effect on October 1, 2003.

○