

1 Department of Human Services

2

3 Adopted Permanent Rules Relating to General Assistance Literacy

4 Training Requirements

5

6 Rules as Adopted

7 9500.1206 PROGRAM DEFINITIONS.

8 Subpart 1. to 24. [Unchanged.]

9 Subp. 24a. Occupational or vocational literacy program.

10 "Occupational or vocational literacy program" means a program  
11 providing literacy training which emphasizes specific language  
12 and reading skills needed to perform in employment, complete  
13 employment training programs, or complete work readiness  
14 programs.

15 Subp. 25. [Unchanged.]

16 Subp. 25a. Participation in a literacy program.

17 "Participation in a literacy program" means to receive  
18 instruction and complete assignments as part of a literacy  
19 program in accordance with the schedule or plan established by  
20 the literacy training program provider.

21 Subp. 26. [Unchanged.]

22 Subp. 27. Qualified provider. A "qualified provider"  
23 means the local agency, or:

24 A. a nonprofit legal assistance organization;

25 B. an agency that employs licensed practitioners  
26 or accredited counseling staff or staff with a master's degree  
27 from an accredited program in social work, psychology,  
28 counseling, occupational therapy, or physical therapy;

29 C. a private attorney at law; or

30 D. another organization or person determined by  
31 the local agency to have sufficient training or experience to be  
32 effective in assisting persons to apply for and establish  
33 eligibility for SSI benefits.

34 Subp. 29. to 32. [Unchanged.]

35 Subp. 32a. Suitable recipient. "Suitable recipient" means

1 a recipient eligible for general assistance under part  
2 9500.1258, subpart 1, item P, unless it is unlikely that  
3 participation in a literacy program would improve the  
4 recipient's literacy level due to mental retardation, mental  
5 illness, or a learning disability.

6 Subp. 33. [Unchanged.]

7 9500.1232 STATE PARTICIPATION.

8 Subpart 1. [Unchanged.]

9 Subp. 2. State participation for monthly general  
10 assistance payments made based on a reduced state assistance  
11 standard. When an assistance unit is subject to a reduced state  
12 assistance standard as provided in parts 9500.1218 to 9500.1222,  
13 the amount of state participation in the monthly payment to the  
14 assistance unit under Minnesota Statutes, section 256D.03,  
15 subdivision 2, must be determined by subtracting the assistance  
16 unit's countable income from the applicable reduced state  
17 assistance standard and multiplying the difference by 75 percent.

18 Subp. 3. and 4. [Unchanged.]

19 Subp. 5. State participation for costs of providing  
20 transportation to recipients assigned to literacy training.  
21 State participation for the actual costs of providing  
22 transportation under part 9500.1257, subpart 5, is 100 percent.

23 9500.1257 LITERACY TRAINING FOR RECIPIENTS.

24 Subpart 1. Occupational and vocational literacy programs.  
25 The local agency shall determine the extent to which  
26 occupational or vocational literacy programs as defined in part  
27 9500.1206, subpart 24a, are available for use by recipients  
28 under this part. If the local agency determines that existing  
29 occupational or vocational literacy programs are not sufficient  
30 to meet the needs of recipients, the local agency shall:

31 A. inform local educational institutions and job  
32 training programs of the number of recipients who need  
33 occupational and vocational literacy training; and

34 B. recommend to local educational institutions and  
35 job training programs that the necessary programs be developed.

1 Subp. 2. **Assessment.** The local agency shall assess each  
2 recipient eligible under part 9500.1258, subpart 1, item P, to  
3 identify any learning disabilities the recipient may have and to  
4 determine the recipient's existing reading level, reading  
5 potential, and vocational or occupational interests. The  
6 results of literacy testing and any other assessments conducted  
7 by the local agency under this subpart must be made available to  
8 the literacy training provider in accordance with Minnesota  
9 Statutes, sections 13.01 to 13.90, the Minnesota Government Data  
10 Practices Act.

11 Subp. 3. **Assignment.** The local agency shall assign each  
12 suitable recipient eligible under part 9500.1258, subpart 1,  
13 item P, to an accessible occupational or vocational literacy  
14 program if an opening in such a program is available. If there  
15 is no opening for a recipient in an accessible occupational or  
16 vocational literacy program, the local agency shall assign the  
17 recipient to an opening in any other accessible literacy  
18 program. A program is accessible to a recipient if the program  
19 is within the local labor market as defined in part 9500.1206,  
20 subpart 19a. A recipient is suitable unless it is unlikely that  
21 participation in a literacy program would improve the  
22 recipient's literacy level due to mental retardation, mental  
23 illness, or a learning disability.

24 Subp. 4. **Reassignment.** If a suitable recipient fails,  
25 with good cause as defined in part 9500.1206, subpart 15, to  
26 complete a literacy program to which the recipient is assigned  
27 under subpart 3, the local agency shall assign the recipient to  
28 an opening in another accessible literacy program if the  
29 recipient wants to participate in another program. If the  
30 recipient does not have good cause for refusing reassignment to  
31 another program, the recipient must be disqualified under part  
32 9500.1266.

33 Subp. 5. **Child care and transportation.** The local agency  
34 shall provide child care and transportation to a recipient if  
35 necessary to enable the recipient to participate in an assigned  
36 literacy program.

1 Subp. 6. Payments to nonparticipating recipients. The  
2 local agency shall provide general assistance benefits under  
3 part 9500.1258, subpart 1, item P, to a recipient who does not  
4 participate in a literacy training program only if the recipient:

5 A. has good cause for failing to participate;

6 B. fails to make progress in a literacy program  
7 assigned under subpart 3 or 4 despite participation in the  
8 program for at least six months; or

9 C. is not assigned to a literacy training program  
10 because the recipient is not suitable for literacy training or  
11 because there is no opening in an accessible literacy program.

12 Subp. 7. Voluntary participation in work readiness. The  
13 local agency may allow a general assistance recipient eligible  
14 under part 9500.1258, subpart 1, item P, to participate  
15 voluntarily in work readiness services if the local agency  
16 determines that:

17 A. the recipient has reached a level of literacy that  
18 may allow successful participation in job training; and

19 B. participation in work readiness services by the  
20 recipient would not interfere with the recipient's participation  
21 in literacy training.

22 Subp. 8. Reassessment. If a recipient has been determined  
23 to be eligible for general assistance under part 9500.1258,  
24 subpart 1, item P, the local agency shall assess the recipient's  
25 eligibility under part 9500.1258, subpart 1, items A to O, when:

26 A. the local agency determines under part 9500.1258,  
27 subpart 1, item P, that the recipient is no longer functionally  
28 illiterate; or

29 B. the recipient is disqualified under part  
30 9500.1262, subpart 1, item C, for failure to comply with  
31 literacy training requirements.

32 Subp. 9. Referral to work readiness program. If the local  
33 agency determines, after reassessment under subpart 8, that a  
34 recipient is ineligible for general assistance, the local agency  
35 shall determine the recipient's eligibility for the work  
36 readiness program under part 9500.1306.

1 Subp. 10. Explanation of rights and duties. At the time a  
2 person is determined eligible for general assistance under part  
3 9500.1258, subpart 1, item P, and at the time a person is  
4 assigned to a literacy program, the local agency shall provide  
5 an oral explanation of:

6 A. the requirements of part 9500.1262, subpart 1,  
7 item C, and the penalties for failure to comply with these  
8 requirements;

9 B. the local agency's responsibilities under subparts  
10 2 to 9; and

11 C. the person's right to appeal any adverse decision.

12 9500.1262 REQUIREMENTS FOR CONTINUED ELIGIBILITY.

13 Subpart 1. Requirements for continued eligibility for  
14 specific categories of ongoing eligibility. A recipient of  
15 general assistance whose eligibility is based on part 9500.1258,  
16 subpart 1, item G, L, or P, and who is not eligible under  
17 another category of eligibility under part 9500.1258, must  
18 comply with the following requirements as conditions for  
19 continued eligibility.

20 A. and B. [Unchanged.]

21 C. A recipient who is eligible for general assistance  
22 under part 9500.1258, subpart 1, item P, shall participate in a  
23 literacy program assigned under part 9500.1257. If a recipient  
24 fails to participate in an assigned literacy program, the  
25 recipient must be disqualified from receiving general assistance  
26 under part 9500.1258, subpart 1, item G, L, or P, unless the  
27 recipient is not participating for one of the reasons identified  
28 in part 9500.1257, subpart 6.

29 Subp. 2. [Unchanged.]

30 9500.1266 DISQUALIFICATION.

31 A recipient who fails, without good cause, to comply with  
32 the requirements of part 9500.1262, is disqualified from  
33 receiving general assistance as provided in items A to D.

34 A. and B. [Unchanged.]

35 C. If an individual who is disqualified applies for

1 general assistance during the period of disqualification, the  
2 individual is considered a recipient and the application shall  
3 be denied unless the individual is eligible for general  
4 assistance on the basis of a category of eligibility other than  
5 the categories in part 9500.1258, subpart 1, item G, L, or P.

6 D. [Unchanged.]