

County of Orange Social Services Agency  
Family Self-Sufficiency Division

Program/Area: CalWORKs/Welfare-To-Work

Title: Minor Parent Requirements, Assistance Unit and Treatment of Income

Number: 100-B10

Status:

Signature on File

Effective Date: 09/04

Revision Date:

12/31/2015

Approved:

---

**PURPOSE**

The purpose of this policy is to provide guidelines on Minor Parent Requirements, Minor Parent Assistance Unit (AU) rules, and treatment of Senior Parent income (Senior Parent Deeming) rules to determine income for calculating benefits.

---

**DEFINITIONS**

Minor Parent – A never married individual, under the age of 18, who is pregnant or has a dependent child residing with that minor parent.

Senior Parent – The biological (or adoptive) parents of a minor parent. The minor parent's stepparent is not considered a senior parent.

State Licensed Adult-Supervised Living Situation – Any living situation which meets the minor parent residency requirement, such as a group home or maternity home.

---

**MINOR PARENT REQUIREMENT**

A **never-married** minor, under the age of 18, who is pregnant or who has a dependent child in his/her care shall, as an **additional condition of eligibility**, reside with:

- Senior parent **or**,
- Legal Guardian **or**,
- Adult Relative, who is over the age of 18 and meets the criteria of relatedness (refer to [Worker Tool 19 Chart for Determining Relatedness of Caretaker Relatives](#) for more information) **or**,
- State licensed adult-supervised living arrangement, such as a group home or maternity home

**Note:** This minor parent rule does not apply to pregnant or parenting minors who have been married, even if currently unmarried (i.e. divorced or annulment). Verification of the marriage is required.

---

**EXEMPTIONS TO MINOR PARENT REQUIREMENT**

The minor parent and his/her child may be exempt from the minor parent requirements if any of the following conditions apply:

- The minor parent has no living parents or legal guardians

- The whereabouts of each of the minor parent's parents or legal guardians are unknown
- Each parent or legal guardian of the minor parent will not allow the minor parent and his/her child to live in their home
- The minor parent has lived apart from each senior parent or legal guardian for a period of at least twelve consecutive months prior to the birth of the minor parent's child or CalWORKs application date
- The minor parent is legally emancipated
- Children and Family Services (CFS) determines that the physical or emotional health or safety of the minor parent and his/her child would be jeopardized if the minor parent and child lived with either senior parent or legal guardian. Refer to the [Risk Assessment Referral section](#) for more information.

**Note:** An exemption must exist for each senior parent. For example, if a minor parent did not know the whereabouts of his/her mother and was unable to live with his/her father, then both senior parents meet the exemption criteria.

To request an exemption, the CW 25 must be completed. Refer to the [Minor Parent Exemptions – CW 25 section](#) for more information.

When a minor parent does not meet requirements or does not meet one of the exemptions, the minor parent and/or the minor parent's AU is ineligible for CalWORKs.

**MINOR PARENT EXEMPTIONS – CW 25**

A minor parent may request an exemption from the minor parent requirement by completing the [CW 25 Supplemental Statement of Facts - Minor Parent form](#).

The CW 25 must be completed to provide the minor parent's statement concerning his/her living arrangement.

The minor parent's signature on the CW 25 authorizes the worker to check and verify the facts provided on the CW 25, including contacting the senior parents or legal guardian when necessary.

The CW 25 is also used to refer the minor parent to CFS when the physical or emotional health or safety of the minor parent or child is an issue. Refer to the [Risk Assessment Referral section](#) for more information.

The CW 25 is used to refer the minor parent for Minor Parent Services (MPS) at CFS if the minor parent meets an exemption and lives apart from his/her parent/legal guardian. Refer to the [Minor Parent Services section](#) for more information.

The worker must complete the County Use section of the CW 25 and image it into OnBase with the Statement of Facts.

**DOCUMENTATION**

When evaluating whether to exempt a minor parent from living with his/her parents,

## OF EXEMPTIONS

evaluate each parent separately.

Exemption verifications include, but are not limited to, the following:

### **Senior Parent(s)/Legal Guardian Deceased**

Death certificate, obituary, funeral notice, newspaper, police records, school records, or written statement from another adult relative who can confirm that the parent is deceased

### **Senior Parent(s)/Legal Guardian Whereabouts Unknown**

Collateral contacts with friends or a relative with knowledge of the situation, or minor parent's statement

### **Not Allowed to Live in the Home**

Statement from senior parent or legal guardian

### **Live apart for 12 consecutive months**

Rental agreement or receipt, dated mail from an address separate from senior parent, or statement from senior parent

### **Emancipation**

Court documents

### **Health and Safety**

CFS investigation results documented on completed CW 25

---

## EXAMPLES OF MINOR PARENT EXEMPTIONS

**Example 1:** Unmarried 16-year old and her baby applied for aid on May 1. The 16-year old and her baby have lived alone for 12 months prior to the CalWORKs application date and the minor is requesting an exemption to the minor parent requirement to live at home.

- Obtain a completed CW 25 and verification from the minor parent
- Approve CalWORKs if the minor parent meets the exemption
- Send the CW 25 and minor parent fax coversheet to CFS to request MPS for the minor parent. Refer to the [MPS Referral section](#) for more information.

**Example 2:** A minor parent applies for aid for herself and her child. She states that her father is deceased and her mother forced her and her child out of the home and will not allow them to return.

- Obtain a completed CW 25 from the minor parent
- Contact the senior parent
- If the senior parent confirms that the minor's father is deceased but says the minor

parent ran away from home and can return at any time, deny CalWORKs unless the minor parent returns to his/her mother's home

**Note:** The worker shall explore the minor parent's reason for running away from home. A Child Abuse Registry (CAR) report and/or MPS referral may be appropriate. Refer to the [Risk Assessment Referral section](#) and [MPS Referral section](#) for more information.

---

**MINOR PARENT  
REQUIREMENT  
OR EXEMPTION  
NOT MET**

If the minor parent does not meet an exemption and does not live in an adult-supervised setting, CalWORKs must be denied or discontinued unless the minor parent returns to an acceptable adult-supervised living arrangement.

If the minor parent returns to an acceptable adult-supervised living arrangement prior to approving the CalWORKs application, the beginning date of aid is the initial date of application if all other eligibility criteria is met.

If the minor parent's CalWORKs application is denied prior to his/her return to the senior parent's home, the minor parent can provide verification that he/she moved into an acceptable adult-supervised living arrangement within thirty days of the denial notice, and the denial will be rescinded. The beginning date of aid would be the initial date of application if all other eligibility criteria are met.

**Example:** Minor parent applies for CalWORKs on May 2. She claims her mother is abusive and she does not want to live with her.

- On May 2 the CalWORKs worker faxes the CW 25 and minor parent fax coversheet to CFS
- On May 14 the CFS worker returns the CW 25 indicating that the senior parent's home is safe
- On May 29 the minor parent returns to her mother's home
- On May 30 CalWORKs is approved effective May 2 if all other eligibility requirements are met

---

**RISK  
ASSESSMENT  
REFERRAL  
TO CFS**

When a minor parent applies for CalWORKs and states that he/she is unable to live with his/her parents, legal guardian or caretaker relative due to an unsafe home environment, the worker must fax the completed [CW 25](#) and [Minor Parent Case FAX Coversheet](#) to CFS to request a risk assessment referral.

The CFS worker will determine whether the minor parent will be granted a Health and Safety exemption based on the CFS worker's assessment of the home environment.

The CFS worker must make a determination within 20 calendar days from the date the referral is received. Contact the CAR Clearance Line at (714) 704-8700 if CFS

does not return a referral by the 20<sup>th</sup> day.

The CFS determination must be completed and returned to the CalWORKs worker before CalWORKs is granted.

A CAR report by the CalWORKs worker may be necessary, depending on the minor parent's allegations.

A statement from the minor on the CW 25 about the reasons it is unsafe to live at home must include details of actual behaviors, individuals involved, time periods, etc.

---

**MPS REFERRAL TO CFS** When a minor parent exemption is approved, a MPS referral is required. The MPS referral is made to help the minor parent keep his/her family intact in a safe environment.

The MPS referral is made by completing the [Minor Parent Case FAX Coversheet](#) and faxing the coversheet and a copy of the CW 25 to CFS at **714-704-8602**.

The worker must complete the bottom portion of the Minor Parent Case FAX Coversheet to notify CFS when a case is denied or discontinued.

**Note:** An MPS referral is not required when CalWORKs is approved for a minor parent who lives in an acceptable living arrangement or for a minor parent who is married or emancipated.

---

**IMMEDIATE NEED AND TEMPORARY HOMELESS** If the minor parent requests an exemption based on Health and Safety and also requests Immediate Need (IN) and/or Temporary Homeless Assistance (HA), an IN or Temporary HA payment may be approved within specified timeframes before the CFS determination is completed, when the applicant is otherwise eligible for an IN or Temporary HA Payment.

Refer to [Policy 100-A2 Immediate Need](#) and [Policy 100-H2 Homeless Assistance](#) for more information.

---

**PAYEE AGREEMENT FOR MINOR PARENT** The CalWORKs grant must be paid to the senior parent, legal guardian, or caretaker relative on behalf of the minor parent.

However, if the senior parent, legal guardian, or caretaker relative refuses to be the payee, the minor parent may be the payee.

If the minor parent refuses or fails to cooperate in obtaining verification of the adult's consent or refusal to act as payee on his/her behalf, the minor parent's CalWORKs case is denied.

The [CW 25A Payee Agreement For Minor Parent](#) must be used to obtain the senior parent, legal guardian, or caretaker relative's consent to act as the payee for the minor parent.

---

**SENIOR PARENT STATEMENT OF FACTS**

When a pregnant or parenting minor lives with an unaided senior parent and applies for CalWORKs, the [SAR 23 Senior Parent Statement of Facts](#) is required.

- Verification of the Senior Parent's income is required with the SAR 23.
  - The SAR 23 is required at application, redetermination, or anytime a minor parent moves into the home of a senior parent.
  - When the SAR 23 or verification of the senior parent's income is not provided, the CalWORKs application must be denied.
  - The SAR 23 is not required when the minor parent lives with a legal guardian or needy/non-needy caretaker relative or when the minor parent is aided with the senior parent.
- 

**DETERMINING THE SENIOR/MINOR PARENT AU**

When a pregnant or parenting minor lives with his/her parent, the worker must determine who:

- The caretaker of the minor parent's child is,
- The applicant child is, and
- Is mandatorily included in the AU.

Refer to [Policy 100-C4 Assistance Unit](#) for more information.

**Note:** The minor parent cannot be both caretaker of his/her child and an eligible child when establishing eligibility for the Senior parent.

---

**UNMARRIED MINOR PARENTS LIVING TOGETHER**

If both unmarried minor parents of the child live together and apply for CalWORKs, then each minor parent must be living in an appropriate adult-supervised living arrangement or meet one of the exemptions, in order to be eligible for CalWORKs. If only one of the minor parents meets the exemption, only that minor parent and the child are aided. The minor parent who does not meet the minor parent criteria is excluded from the AU. Any income from that minor parent is counted in the financial eligibility determination and grant computation.

If both unmarried parents of the child live together, away from their parents or caretakers, and one of the parents is a minor parent and the other parent is an adult (18-years old or older), this is not considered an acceptable adult-supervised living arrangement. The adult is not considered to meet the degree of relatedness of the minor parent. If the minor parent does not meet an exemption, the AU includes the adult parent and the child. The minor parent is excluded from the AU and his/her income is counted and his/her needs are considered for financial eligibility determination and grant computation.

---

**TREATMENT OF SENIOR PARENT**

The senior parent's income is deemed available to the minor parent and the minor parent's children.

## INCOME

When the senior parent, minor parent's siblings, minor parent and minor parent's child are **all** aided, they will all be in the same AU due to mandatory inclusion rules.

When there are no aided siblings of the minor parent and CalWORKs is only requested for the minor parent and his/her child(ren), the senior parent may be included or not included in the AU depending upon the circumstances of the case, such as who has care and control of the minor parent's child.

If the senior parent has care and control of the minor parent's child, the senior parent is included in the AU, and his/her income is to be counted and his/her needs are to be considered for financial eligibility determination and grant computation.

If the senior parent does not have care and control of the minor parent's child, the senior parent is not included in the AU, but his/her income is still to be counted and his/her needs are to be considered for financial eligibility determination and grant computation.

Refer to Policy 100-B2 Treatment of Income for more information.

---

## SENIOR PARENT SEMI-ANNUAL REPORTING (SAR)

A [SAR 73, Senior Parent Income Report](#) is required when a minor parent lives with an unaided senior parent. The SAR 73 is used as a supplement to the SAR 7 to collect necessary information pertaining to the senior parent's income to determine continuing eligibility and grant levels for the minor parent.

The SAR 7 is not considered complete if the SAR 73 is not also submitted. The completeness criteria of the SAR 73 is the same as for the SAR 7. Verification requirements are the same for the SAR 73 as for the SAR 7. The senior parent is not required to sign the SAR 73.

CalWIN does not automatically send the SAR 73. The form must be manually generated by the worker and sent to the AU. The worker must provide a supply of the SAR 73 forms to the household.

**Note:** For CalWORKs Annual Reporting/Child Only (AR/CO) cases, a SAR 73 is not required for CalWORKs.

---

## EXAMPLES

The following [Senior/Minor Parent Examples](#) are provided as guidance and clarification in determining the AU and treatment of income in senior/minor parent cases.

---

## MINOR PARENT TURNS 18

When the minor parent lives with the senior parents, is aided in the minor parent AU and turns 18 years old, the use of the senior parent's income in the budgeting process no longer applies beginning with the month following the minor's 18th birthday.

Refer to [Policy 100-E8 Eligibility for Teens Turning Age 18](#) for more information.

---

**ATTACHMENTS**

[CW 25 Supplemental Statement of Facts - Minor Parent](#)

[CW 25A Payee Agreement For Minor Parent](#)

[Minor Parent Case FAX Coversheet](#)

[SAR 23 Senior Parent Statement of Facts](#)

[SAR 73 Senior Parent Income Report](#)

[Senior/Minor Parent Examples](#)

[Worker Tool 19 Chart for Determining Relatedness of Caretaker Relatives](#)

---

**REFERENCES**

EAS Manual 40-128.12, 40-181.24, 44-133.5, 44-207, 44-315, 82-808, 89-201

ACIN I-57-96

ACL 96-65, 97-17, 97-18, 97-26, 01-15, 02-94, 03-20, 12-25

[Policy 100-A2 Immediate Need](#)

[Policy 100-B2 Treatment of Income](#)

[Policy 100-C4 Assistance Unit](#)

[Policy 100-E8 Eligibility for Teens Turning Age 18](#)

[Policy 100-H2 Homeless Assistance](#)