

107TH CONGRESS  
2D SESSION

# S. 2552

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.

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## IN THE SENATE OF THE UNITED STATES

MAY 22, 2002

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

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## 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 2002”.

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 paragraph (2), a  
 11 State to which a grant is made under section 403  
 12 may use the grant to establish a program under  
 13 which an eligible participant (as defined in para-  
 14 graph (3)) may be provided support services de-  
 15 scribed in paragraph (5).

16 “(2) NO FEDERAL FUNDS FOR TUITION.—A  
 17 State may not use Federal funds provided under a  
 18 grant made under section 403 to pay tuition for an  
 19 eligible participant.

20 “(3) DEFINITION OF ELIGIBLE PARTICIPANT.—

21 “(A) IN GENERAL.—In this subsection, the  
 22 term ‘eligible participant’ means an individual  
 23 who receives assistance under the State pro-  
 24 gram funded under this part and satisfies the  
 25 following requirements:

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

5 “(ii) During the first 24 months that  
6 the individual participates in the program,  
7 the individual engages in a combination of  
8 educational activities in connection with a  
9 course of study, training, study time, em-  
10 ployment, or work experience for an aver-  
11 age of not less than 24 hours per week.

12 “(iii) After the first 24 months of the  
13 individual’s participation in the program,  
14 the individual—

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

18 “(II) engages in a combination of  
19 educational activities in connection  
20 with a course of study, training, study  
21 time, employment, or work experience  
22 for an average of not less than 30  
23 hours per week.

24 “(iv) During the period the individual  
25 participates in the program, the individual

maintains satisfactory academic progress,  
as defined by the institution operating the  
undergraduate post-secondary or vocational  
educational program in which the indi-  
vidual is enrolled.

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

“(4) REQUIRED TIME PERIODS FOR COMPLE-  
TION OF DEGREE OR VOCATIONAL EDUCATIONAL  
TRAINING PROGRAM.—

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

“(B) EXCEPTION.—For good cause, the  
State may allow an individual to complete their

1 degree requirements or vocational educational  
2 training program within a period not to exceed  
3 1½ times the normal time frame established  
4 under subparagraph (A) (unless further modi-  
5 fication is required by the Americans with Dis-  
6 abilities Act of 1990 (42 U.S.C. 12101 et seq.),  
7 or section 504 of the Rehabilitation Act of 1973  
8 (29 U.S.C. 794)) and may modify the require-  
9 ments applicable to an individual participating  
10 in the program. For purposes of the preceding  
11 sentence, good cause includes the case of an in-  
12 dividual with 1 or more significant barriers to  
13 normal participation, as determined by the  
14 State, such as the need to care for a family  
15 member with special needs.

16 “(5) SUPPORT SERVICES DESCRIBED.—For  
17 purposes of paragraph (1), the support services de-  
18 scribed in this paragraph include any or all of the  
19 following during the period the eligible participant is  
20 in the program established under this subsection:

21 “(A) Child care.

22 “(B) Transportation services.

23 “(C) Payment for books and supplies.

24 “(D) Other services provided under policies  
25 determined by the State to ensure coordination

1           and lack of duplication with other programs  
2           available to provide support services.”.

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

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

8           “(E) STATE OPTION TO INCLUDE PARTICI-  
9 PANTS AS ENGAGED IN WORK.—

10           “(i) IN GENERAL.—Subject to clause  
11 (ii), in the case of a State that elects to es-  
12 tablish an undergraduate post-secondary or  
13 vocational education program under sec-  
14 tion 404(l), the State may include, for pur-  
15 poses of determining monthly participation  
16 rates under paragraphs (1)(B)(i) and  
17 (2)(B) of subsection (b), all families that  
18 include an individual participating in the  
19 program during the month as being en-  
20 gaged in work for the month, so long as  
21 each such individual is in compliance with  
22 the requirements of that program.

23           “(ii) LIMITATION.—With respect to a  
24 month, the number of families counted as  
25 being engaged in work under clause (i)

1                   may not exceed the amount equal to 10  
 2                   percent of the number of families receiving  
 3                   assistance under the State program funded  
 4                   under this part for the month.”.

5                   (2) CONFORMING AMENDMENTS.—

6                   (A) Section 407(c)(2)(D) of the Social Se-  
 7                   curity Act (42 U.S.C. 607(c)(2)(D)) is  
 8                   amended—

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

11                  (ii) by inserting “(determined without  
 12                  regard to individuals participating in a  
 13                  program referred to in subparagraph  
 14                  (E)(i))” after “training”.

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

20                  (c) STATE OPTION TO CREDIT MONTHS OF PARTICI-  
 21                  PATION FOR PURPOSES OF 5-YEAR ASSISTANCE LIMIT.—

22                  Section 408(a)(7) of the Social Security Act (42 U.S.C.  
 23                  608(a)(7)) is amended by adding at the end the following:

24                                 “(H) CREDIT FOR MONTHS PARTICIPATING  
 25                                 IN A PATHWAYS TO SELF-SUFFICIENCY PRO-

1           GRAM.—In determining the number of months  
2           for which an adult has received assistance  
3           under a State program funded under this part,  
4           the State may disregard any month during  
5           which the adult is a participant in a program  
6           that meets the requirements of section 404(l).”.

7           (d) EFFECTIVE DATE.—The amendments made by  
8           this section take effect on October 1, 2002.

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