§ 335. Assessments and employability plans for certain recipients in households with dependent children. 1. Each social services official shall ensure that each recipient of public assistance who is a member of a household with dependent children and is eighteen years of age or older, or who is sixteen or seventeen years of age and is not attending secondary school and has not completed high school or a high school equivalency program, receives an assessment of employability based on his or her educational level, including literacy and English language proficiency, basic skills proficiency, child care and other supportive services needs; and skills, prior work experience, training and vocational interests. This assessment shall include a review of family circumstances including a review of any special needs of a child and whether home visiting services would be appropriate and beneficial for the family. Such assessment shall be completed within ninety days of the date on which such person is determined eligible for public assistance. An applicant for or recipient of public assistance may be assigned to work activities prior to completion of such assessment.

2. (a) Based on the assessment required by subdivision one of this section, the social services official, in consultation with the participant, shall develop an employability plan in writing which shall set forth the services that will be provided by the social services official, including but not limited to child care and other services and the activities in which the participant will take part, including child care and other services and shall set forth an employment goal for the participant. To the extent possible, the employability plan shall reflect the preferences of the participant in a manner that is consistent with the results of the participant's assessment and the need of the social services district to meet federal and state work activity participation requirements, and, if such preferences cannot be accommodated, the reasons shall be specified in the employability plan. The employability plan shall also take into account the participant's supportive services needs, available program resources, local employment opportunities, and where the social services official is considering an educational activity assignment for such participant, the participant's liability for student loans, grants and scholarship awards. The employability plan shall be explained to the participant. Any change to

the participant's employability plan required by the social services official shall be discussed with the participant and shall be documented in writing.

(b) Where an assessment indicates that a participant who is not subject to the education requirements of subdivision four of section three hundred thirty-six-a of this title has not attained a basic literacy level, the social services official shall encourage and may require the participant to enter a program to achieve basic literacy or high school equivalency or to enter such educational programs in combination with other training activities consistent with the employability plan.

(c) Where an assessment indicates that home visiting services would be appropriate and beneficial to the public assistance household, and such services are available, the local social services official shall encourage the recipient to participate in such services. To the extent that such participant is interested in receiving home visiting services, the local social services official shall assign the participant to a work activity in accordance with paragraph (f) or (m) of subdivision one of section three hundred thirty-six of this title, where such home visiting services shall count towards the individual's work requirements as set forth in section three hundred thirty-five-b of this title.

3. Each applicant for or recipient of public assistance as described herein must participate in an assessment as required by the social services district in accordance with the conditions of this section. Applicants who fail or refuse to participate with the requirements of this section shall be ineligible for public assistance. Recipients who fail or refuse to participate with the requirements of this section shall be subject to the sanctions set forth in section three hundred forty-two of this title.

4. A local social services official shall, pursuant to department regulations developed in consultation with the department of education, and the department of social services or its successor agencies use designated trained staff or contract with providers having a demonstrated effectiveness in performing assessments and developing employability plans to perform assessments and develop employability

plans.

5. A social services district shall assign participants to activities pursuant to their employability plans to the extent that child care is guaranteed and other services as prescribed by section three hundred thirty-two-a of this title and section four hundred ten-u of this chapter are available. The district shall provide information to participants orally and in writing, as appropriate, regarding child care and the methods of payment therefor. Such information shall be sufficient for participants to make an informed decision regarding child care.

6. Nothing in this section shall be construed to prevent a social services official from providing an assessment more detailed or comprehensive than the requirements set forth in this section.