

**Tuolumne Me Wuk Tribal TANF Plan
December 1, 2018-November 30, 2021**

Introduction Tuolumne Band of Me-Wuk Indians

The Tuolumne Band of Me Wuk Indians is a sovereign nation that is dedicated to uphold social and economic stability through self-reliance and to promote the health, safety and welfare of our Native American people. The mission of the Social Services Department is to assist the community of the Tuolumne Band of Me Wuk Indians and Native American families.

General Provisions

The intent of the Tuolumne Band of Me Wuk Indians (the Tribe) is to administer a Tribal TANF Program designated as the Tuolumne Me Wuk Tribal TANF Program (TMWTT Program) to provide TANF assistance and related support services to all eligible members of the approved service population and their families, who reside in the approved service area, as described in this plan. The Program will provide TANF assistance and services to eligible Native American families with children, or those expecting children, who are in need of temporary assistance and who qualify for cash assistance and supportive services.

Program Goals

The TMWTT primary goals are as follows:

- To increase the employability of Native American families through job training and skill development
- To reduce barriers and risks that increase dependency on public benefits
- To prevent and reduce unwanted and unplanned pregnancies
- Encourage healthy and stable two parent Native families

The TMWTT Program will provide eligible program participants with job preparation, work related assistance and other supportive services to equip them with the skills and knowledge to leave the program and become self-sufficient. It is the intent of the TMWTT Program that assistance shall be responsive with particular concern for the preservation of the Native American family.

The TMWTT will measure progress and achievement of desired goals and outcomes of the TMWTT Program by collecting data that documents the assistance and services provided each month, and tracks client participation in program services and work activities. Outcomes will include indicators related to one or more of the purposes of TANF including but not limited to work participation rates, employment entries, employment advances and marriages.

Designated Tribe

The Tuolumne Me Wuk Tribe is responsible for all aspects of the administration and oversight of The Tuolumne Tribal TANF Program, and will ensure the timely, appropriate provision of Tribal TANF assistance and services to the approved service population in the approved service area(s). Program management responsibilities of the Tuolumne Tribal TANF Program have been delegated to the Tuolumne Tribe's Department of Social Services. The main administrative and service office for the program will be located in Tuolumne County; satellite service offices will be located throughout the approved service areas, to ensure all eligible clients and their families have equitable access to assistance and services.

Fiscal Accountability

For each year in which the tribe receives or expends TANF grant funds, the Tribe will comply with the fiscal accountability provisions of Section 5 (F)(1) of the Indian Self Determination and Education Assistance Act, U.S.C. 450c (f)(1), relating to the submission of a single agency audit (45 CFR 286.75(h)) as required by Chapter 75 of Title 31 U.S. Code.

Period Covered by the Program

This plan covers the operation of the Tuolumne Me-Wuk Tribal TANF Program for a three (3) year period, beginning December 1, 2018 through November 30, 2021.

Service Population

The TMWTT Program will provide TANF assistance and services to all eligible enrolled members of the Tuolumne Band of Me-Wuk Indians, eligible members of federally recognized Tribes, Alaska Natives, members of the California Judgment Roll, their families and descendants who reside in the approved service area.

Service Area

The TMWTT Program will provide TANF assistance and services to eligible members of the approved service population (and their families) who reside on the Tuolumne Rancheria; in the off-reservation area of Tuolumne County, which is the exclusive BIA designated near reservation service area for the Tuolumne Tribe, and; in the off-reservation service areas of Stanislaus and Calaveras Counties.

Review and Comment Period on the Program Plan

The Tuolumne Tribe complied with the 45-day public comment period by informing the public that the plan was available for review and comment beginning August 10, 2018, through September 23, 2018. Tribal members and the community were given the opportunity to submit written or verbal comments during the comment period. The Tuolumne Tribe's Social Services

Committee also provided input to ensure that social service needs specific to the service area were included/addressed in the plan. The development and submittal of the Tribal TANF plan was approved by the Tuolumne Tribal Council on September 27, 2018.

Eligibility for TANF Assistance and Services Related to the Purposes of TANF

Eligibility for TANF assistance and services is as established in the Tribe's approved Tribal TANF Plan.

Only needy families, as defined in the TANF plan, may receive; (a) any form of Federally or State MOE funded "assistance" (as defined in 45 CFR 286.10); or (b) any benefits or services pursuant to TANF purposes 1 or 2, regardless of the purpose served. "Needy" means financially deprived, according to income and resource (if applicable) criteria established in the TANF plan by the Tribe to receive the particular "assistance," benefit or service.

The Tribe may use segregated Federal TANF funds (not State Maintenance of Effort funds) to provide services-that do not constitute "assistance" (as defined in 45 CFR 286.10) to eligible individuals and family members who are not financially deprived but who need the kind of services that meet TANF Purposes 3 or 4. Objective eligibility criteria will be established for receipt of services and activities under Purposes 3 and 4.

Unless the State instructs otherwise, the tribe may use MOE funds to pay for non-assistance pro-family activities for individual or family members regardless of financial need.

Needy Families

The TMWTT Program defines "needy" families as families with a total family income up to 200% of the federal poverty guidelines. Families meeting this income and other asset limitation guidelines will be eligible to receive cash assistance and supportive services.

The program shall define an eligible Native American family as one comprised of biological children, stepchildren, adopted children, foster child or a relative child (including non-Native American), under age 19 (if still attending high school), living with an eligible adult (defined as the head of household). Eligible families must have at least one family member in the assistance unit who is Native American . The term Native American shall be defined as all eligible enrolled members of the Tuolumne Band of Me-Wuk Indians, all eligible members of federally recognized Tribes, Alaska Natives, members of the California Judgment Roll, their families and descendants who reside in the approved service area.

All Qualifying families must also meet one of the following criteria:

- a. Native American and/or non-Native American single parent adult with an eligible child(ren).

- b. Native American and/or non-Native American two parent families with an eligible child(ren).
- c. A Native American expectant mother, either a teen or an adult, in her second trimester in either a single parent or two-parent family.
- d. An eligible Native American child(ren) living (full-time) with a Native American/non-Native American needy caretaker adult (non-foster care). Must be related to the eligible child(ren) by blood, custom or court designated placement. There is no limit requirement related to the degree of the relationship.
- e. An eligible Native American child(ren) living (full-time) with a Native American/non Native American non-needy caretaker adult (non-foster care) must be related to the eligible child(ren) by blood, custom or court designated placement. There is no limit requirement related to the degree of the relationship.

Eligible Native American Families Who Have Moved into the Covered Service Area

Eligible Native American families who have moved into the approved service areas of Stanislaus, Calaveras or Tuolumne shall receive the same amount of cash assistance and/or the support services as all other eligible TANF participant families, as long as they meet all of the TMWTT Program eligibility requirements.

Non Duplication of Services

All applicants will be required to sign a TMWTT Program application certifying that family members are not receiving assistance from another Tribal, State or County TANF Program.

Information on services being provided by the TMWTT Program to a particular client will be disclosed to other TANF programs to verify non-duplication of TANF assistance or services. The TANF client's social security number(s) may be shared with other TANF programs to prevent duplication of services.

Procedures to assure non-duplication of services will be developed through agreements with state, county and tribal programs where individuals may be dually eligible for services.

Confidentiality Statement

The TMWTT Program requires all TMWTT Program employees, service contractors and consultants to sign a contract verifying that they understand and will maintain the complete and full confidentiality of all program applicants/recipients relative to any matters related to

their participation in the TMWTT Program. Confidentiality contracts will also provide that any violations to the client confidentiality policy by the individual entering into the contract will result in immediate termination of their employment or service contract with the program.

Income and Earnings Eligibility Requirement

All TMWTT needy participants' earned income will be counted as income in determining eligibility for cash assistance and in the calculation of the monthly TANF grant amount (with the exception of the first \$225 dollars plus 50% of each additional dollar of unsubsidized earnings).

Income from Indian Judgment funds, distributions from land and mineral rights, or other disbursement excluded under Federal law, will not be counted in determining eligibility and/or in calculating a family's monthly assistance grant.

Resources and Assets

The TMWTT Program will exclude from the resource/asset limit one primary residence, one vehicle per family, and a second vehicle for two parent families where both parents are engaged in approved work participation. Available assets as defined in policy may not exceed a resource limit of \$2,000.

All other assets such as real property stocks, etc., will be considered as available assets, (with the exception of land and/or a home located on Federal trust land).

Any assets beyond these limits shall be considered available income to the needy family, including equity in other vehicles. Exceptions can be granted in special circumstances, for example burial accounts, inoperable vehicles, or other assets that are held in trust or have no value. Religious articles such as religious jewelry, prompt books or Bibles, crucifixes, decorative objects of art such as paintings, statuary blankets, masks, carvings, etc., are only exempt if the item(s) has an important cultural significance to a client's tribe, village or for religious purposes. For any such items to be exempt, they should not be intended for sale or trade.

Assistance

The TMWTT Program will provide eligible needy Native American families with monthly assistance as defined at 45 CFR Part 286.10 in the form of cash, checks, vouchers or other forms of benefits designed to meet a family's ongoing basic needs such as food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses. This includes child care and transportation assistance for those TANF recipients who are participating in work activities but are not employed.

Supportive Services

The TMWTT Program may provide assistance eligible TANF program participant families with the following Purpose 1 and 2 support services, as funds permit:

1. TMWTT may provide eligible program participants with all justifiable job-related or educational costs when in compliance with the TMWTT work participation and case management requirements. These costs include, but are not limited to; books, uniforms, tuition (excluding private education tuition), employment tools and supplies, child care, transportation, clothing and grooming allowance and education supplies such as paper, notebooks, calculators, etc.
2. Job-training, work experience, subsidized employment, on- the- job training (OJT), career pathways, and other employment/educational related activities intended to increase skills, knowledge development and lead to employment, including GED completion activities, computer training, etc.
3. Assistance with job search, job placement, resume development, etc.
4. Job-training and other educational activities intended to increase skill and knowledge development and lead to employment, including but not limited to GED completion activities, vocational training, and computer training.
5. Non-medical mental health and non-medical substance abuse services, including referral and outreach support.
6. In certain cases, provide non-assistance and non-cash support services for justified job related educational and training activities or support services to a non-custodial parent for the purpose of enhancing the ability of this non-custodial parent to obtain work and provide support and other financial assistance to his/her child or children.
7. Individual Development Accounts subject to available funds. TMWTT will allow eligible TANF clients to accumulate assets through a program of individual or family group development accounts.
8. Non-recurring, emergency assistance may be provided to TANF clients to meet extraordinary needs that may arise from an emergency, crisis situation or an episode of need beyond those intended to be covered by regular monthly assistance and/or supportive services. As provided through CFR 286.10 (b)(1) Nonrecurring Short-term Benefits must meet the following five (5) basic criteria:
 - a. Designed to deal with a specific crisis situation or episode of need
 - b. Are not intended to meet recurrent or ongoing needs
 - c. Will not extend beyond four months
 - d. Will not exceed a lifetime limit of \$5000
 - * *Will not affect the client's income and resources level and eligibility status*

9. Domestic violence services such as counseling, legal referrals, and temporary shelter emergency crisis services.
10. Financial assistance to pay for costs associated with marriage such as marriage licenses, as an incentive to become a two-parent family (premarital marriage counseling and or culturally relevant counseling will be included). Will not exceed \$2000 payable through vendor pay.
11. A one-time payment of up to \$1,000 for education loans that are in default (state or other non-federal loans only) as a barrier removal for up to two years upon graduation.
12. A one-time payment of traffic fines and/or tickets, up to \$3,500 as a barrier removal activity, so that the client may obtain a driver's license that is needed for a job or educational reason, with the exclusion of DUI and felony related fines.
13. Assistance with transitional housing services for program clients experiencing domestic violence, recovering from substance abuse, homeless and/or emancipated from foster youth programs.

Objective Criteria for Purposes 3 & 4 Activities

The following criteria will be utilized to determine "other" eligibility for Native American individuals and families who may benefit from participation in activities under Purposes 3 & 4. In addition to being a member of the approved service population and service area, at least one of these factors must be present for participation in Purposes 3 & 4 activities and/or services:

- Living in High Rate Crime Area per California Office of Attorney General.
- Absent Parent (Single Parent Children)
- Parents are not High School Graduates
- Child Living with a caretaker relative
- Living on or near a Reservation or Rancheria lands (within a 10 mile radius)
- Current or previous involvement in Foster Care System
- Current or previous involvement in Juvenile Justice System
- Living in under-performing school districts per the California Department of Education
- Being a member of a family with poverty level income that does not exceed FPL 300%.
- Having low academic skills per GPA and testing
- Homelessness/Housing instability
- Substance Abuse issues
- Pregnant/Parenting Teen
- Domestic Violence issues

Other eligible participants, as well as assistance eligible participants, may be eligible to participate in Purpose 3 and 4 activities, which include but are not limited to the following:

- Parenting and life-skills activities, workshops, trainings, cultural preservation and awareness activities.
- Culturally relevant support services and activities, which, support family cohesion, teach traditional values, strengthen community involvement, and build supportive social networks.
- May provide prevention services and activities to TMWTT participant youth and other eligible youth (as established by the eligibility criteria described in the TMWTT Plan), including but not limited to: educational activities, workshops, trainings, mentoring, tutoring, cultural preservation and awareness activities, and job-preparedness activities associated with summer youth employment.
- Pregnancy prevention counseling and education for young men and women including classes, outreach education and workshops.

Tribal Options

The Tuolumne Tribe has set the following policies with regard to the TMWTT Program:

A. All adult applicants, including non-needy caretaker relatives, will be administered a standardized substance abuse test to identify if substance/alcohol related issues exist. Upon a positive result of the testing, the applicant(s) will be referred to an appropriate professional to determine the necessary action plan to address this barrier. Additionally, clients determined eligible for receipt of assistance and/or support services, and required to engage in work activities must complete substance abuse testing. An MOU will be developed with appropriate clinics and/or health service agencies. Thereafter, random testing may take place as needed. Clients with a positive test for substances will be required to participate in substance abuse assessments and attend counseling sessions, or enroll in a rehabilitation programs. TMWTT will continue to assist the Client through a voucher system, or deny, reduce or terminate benefits until the Client complies with these requirements.

B. All school age children will be required to attend school full-time and to submit written verification of enrollment and current attendance. If the children do not meet this educational requirement, cash benefits will be reduced until the non-compliant children return to school and attend regularly.

C. TMWTT will deny cash aid and supportive services to applicants/participants who commit fraud to collect benefits, and are convicted in a court of law, for a maximum of three years from the date of the conviction.

D. All children in TANF participant families must be current in all of their immunization requirements unless one or both of following exemptions exist:

1) Their parents sign a statement indicating that such immunization is contrary to their beliefs; or

2) The parents submit a statement from a physician indicating that immunization is not considered safe for the child.

E. The program exempts parent/needed caretakers that are 55 years of age or older from the work participation requirements. TMWTT considers Native American persons reaching 55 years of age to be elders in the Native American community and deserving deferential and preferential treatment. Native Americans experience a much lower life expectancy than other Americans, so the adoption of deferential and preferential treatment of elders is justified.

F. For TANF program applicants and recipients convicted of a felony drug related crime, the Program will deny benefits unless these clients are enrolled in substance abuse rehabilitation services or can provide proof of completion of a program.

G. TMWTT may provide TANF assistance eligible school age children (PreK-12) with school supplies and clothing allowance (guidelines in TMWTT program policies), as long as the child(ren) is enrolled and attending school (written verification required), as funding permits.

H. May provide diversion assistance to families at risk of welfare dependency (not current participants in the Tribal TANF program), subject to a maximum life-time limit of \$5,000 (and based on availability of funding). Families must meet income eligibility of no more than 300% of the Federal Poverty Guidelines. Diversion assistance and/or services are cash payments and/or services provided to families who: (1) are not currently TMWTT recipients; (2) are at risk of becoming dependent upon welfare; (3) who are in need of a one-time or limited benefit to help them avoid becoming dependent upon welfare.

I. TANF cash assistance grants may be increased each year by a percentage amount equal to the federal Cost of Living Allowance (COLA) annual increase or by the decision of the Tribal Council and subject to the availability of funds.

J. May provide transitional support services to TANF clients who have become employed and are no longer eligible to receive TANF cash assistance due to earned/unearned income, to support the family in transitioning from TANF and becoming self-sufficient. Transitional services (non-cash assistance) may be provided for a period not to exceed 12 months, and/or until the family income reaches or exceeds 250% of the federal poverty guidelines, whichever comes first. To be eligible to receive transitional services the client must remain employed. Transitional services include non-cash supportive services only (as defined at 45 CFR 286.10).

K. TMWTT will not require client cooperation with child support enforcement activities as a condition of eligibility.

Coordination with Other Programs

The TMWTT Program will coordinate with other Tribal service providers and other welfare related agencies such as CalWORKs, Employment Development Department (EDD), Women, Infants and Children (WIC), and others to assist applicants/recipients with accessing and obtaining support services such as SNAP, MediCal, etc.. Furthermore, the TMWTT program will coordinate with federal, state, county and local government, organizations, businesses and educational institutions for employment and educational services to enhance employment skill development, employment opportunities, and to ensure access and optimal utilization of available resources.

Child Care

The TMWTT Program will provide assistance with childcare services to eligible TANF families who are participating in work/training/educational activities.

Employment Opportunities and Barriers

The approved service areas in Tuolumne and Calaveras Counties are primarily rural areas with extremely limited and/or inaccessible public transportation. Limited employment opportunities, rural location, lack of community services, inaccessibility of services, and low levels of education attainment serve as barriers to self-sufficiency. In addition, Calaveras and Tuolumne both have higher rates of unemployment (as of June 2018, Calaveras County had an unemployment rate of 4.2%, Tuolumne County's unemployment rate was 4.8% and Stanislaus County's unemployment rate is 7.2%)

Key employers in Tuolumne County are government, Sonora Regional Medical Center, Black Oak Casino, and retail stores such as Walmart, Kohl's, Sierra Pacific Industries and Lowes. State government employment includes one minimum security correctional facility, and the Sierra Conservation Center. There are many small businesses that collectively employ a significant

number of county residents. Many of the employers are seasonal (recreation based or forestry). The construction trade has traditionally been a significant employment option, and there seems to be a trend toward recovery after the recent economic slowdown.

Stanislaus County is a primarily urban setting, making access to community services and public transportation more readily available. However, higher costs for housing, child care and other basic needs, higher rates of crime in low income areas and the stress of living in a city create a different set of barriers to self-sufficiency.

The TMWTT Program will maintain linkages with local employment development departments, workforce investment boards, community colleges, and businesses to facilitate training, apprenticeships, and employment opportunities for clients. In addition, TMWTT will coordinate with these agencies and with other Tribal governments in Tuolumne, Calaveras, and Stanislaus Counties to expand economic development and employment opportunities throughout the region.

TMWTT will take steps to monitor the growth and capacity of the local labor market, and takes steps to ensure that TANF job training and education activities are aligned with the needs of the local labor market. Since 2013, the largest job growth in these counties have been in the construction, home health and elder care, rail transportation workers, structural metal fabrication and fitting, electronics/electrical repair industries.

The TMWTT Program will focus initially on family stabilization with new program participants and their families, to ensure that personal, developmental, and/or circumstantial barriers to employment/self-sufficiency are addressed and/or resolved. Once program participants are stabilized, they will participate in skill and knowledge assessment, counseling, career development, training, educational activities, job search, interview, resume development, and other types of skills and knowledge development activities that will equip the participant to move from dependence to self-sufficiency.

Eligible Work Activities

Reasonable travel time (no more than 2 hours per day) to and from assigned work/training sites and to/from child care providers will be counted as time toward meeting participant's work activities requirement. Reasonableness will be determined by TMWTT staff based on participant's residence due to the isolation and rural surroundings of these service areas (not to exceed two hours per day).

The following is a list of approved work activities that TMWTT Clients may participate in to fulfill their work participation requirement. Other activities may be approved on a case-by-case basis, as long as they are within the limitations of the governing TANF regulation.

1. Subsidized employment
2. Unsubsidized employment
3. Tribal employment
4. Participation in Native Employment (NEW) Works Program activities (when this service is available).
5. Job sampling or work experience
6. On the Job training
7. Education and job skills training directly related to employment
8. Satisfactory attendance in secondary school or in a course of study leading to a certificate of general equivalence (GED) in the case of a Client who has not completed secondary school or received such a certificate.
9. Post-Secondary education
10. Vocational education training
11. Provision of childcare services for individuals who are participating in a community services program or approved TANF work activity.
12. Small business training, business start-up and operational activities
13. Life Skills training and education such as financial management, health/hygiene, and other skills contributing to readiness for employment.
14. Culturally relevant work activities that fulfill a basic need, such as attainment of food; an activity that produces products or provides services that may be sold to provide income; or an activity that results in the development or improvement of skills applicable to employment.
15. Participation in knowledge and skills development, and/or mental health assessment activities to evaluate for domestic violence, behavioral health, substance abuse and chemical dependency counseling and treatment needs; education and training activities to remove barriers to self-sufficiency and family formation.
16. Community service activities that lead to marketable skills.
17. Job search and job readiness activities (as per the limitations at 45 CFR 286.105 (b) and (c)).

Mandatory Work Requirements

The TMWTT Program agrees to satisfy the following minimum participation rates for the period covered by this plan.

Work Participation Rates

FY 2018	25%
FY 2019	26%

FY 2020 26%

FY 2021* 26%

*For October and November 2021

Weekly Work Hour Requirements

Single Parent Families:

FY 2018 - 2021 18 hours minimum

Two-Parent Families:

FY 2018 – 2021 24 hours minimum

The TMWTT Program allows either parent in a two parent family to participate in a work activity to meet the minimum requirements or the work hours of both parents can be combined to meet the minimum requirement.

Limitations and Special Rules

An individual shall be considered to be engaged in work participation by virtue of participating in any work activities specified in this plan, or as otherwise approved in advance by TANF within limits specified at 45 CFR Part 286.105.

The TMWTT Program policies recognize that the involvement of a client in a job search or job readiness activity for a minimum of three days per week to be equivalent to a full week of participation by that client, verification required.

Job search and/or job readiness activities may only count towards work participation requirements for a maximum of six weeks in a fiscal year, unless the unemployment rate in the Program's service area is at least 50 percent greater than the United States' total unemployment rate for the fiscal year, in which case they may count for 12 weeks. If job search or job readiness is a supplementary part of another activity, then there is no limitation on counting the time spent in job search/job readiness.

A minor head of household who maintains satisfactory high school or college or GED education attendance is considered to be fully meeting the work participation requirements of the Program.

Upon certification by a Family Advocate and approval by the TMWTT Director, the TMWTT Program will temporarily exempt victims of domestic violence from work participation requirements until released by a licensed mental health provider. Domestic violence victims

will also be exempted from cash assistance overpayment recovery, while living in a shelter with their children, on a case by case basis.

In a two parent family where one parent is admitted to an inpatient rehabilitation program, the second parent will be required to meet the weekly WPR requirement for a single parent.

If the individual is a single custodial parent caring for a child under age six, the Tribe may not reduce or terminate assistance based on the parent's refusal to engage in required work or work activities for the following reasons. In these circumstances, clients will be required to provide a signed statement, verifying that the reported conditions exist and that the client will take steps to address/resolve the condition:

- A. Appropriate and/or affordable childcare is temporarily unavailable within reasonable distance from the Clients home or work site; or
- B. Childcare provided by a relative or under other arrangements is temporarily unavailable or unsuitable, or
- C. Appropriate and affordable childcare is unavailable

For the purposes of clarity, the following definitions will govern the meaning of the following terms:

- A. Appropriate Childcare:
 - 1. Full day/full-year high quality childcare services for young children. High quality programs meet high educational and child developmental standards (e.g. Head Start and accredited pre-Kindergarten).
 - 2. After-school and summer recreation activities that provide supervision and developmental services for children and youth while their parents participate in eligible work activities.
 - 3. Friend, Family or Relative care is a parental choice. All childcare providers will be subject to a background check. TMWTT has the right to refuse to accept the friend, family or relative based on the background check.
- B. Reasonable Distance:
 - 1. Within 30 miles or 60 minutes one-way public transit travel time.
- C. Unsuitability of Informal Care:
 - 1. Lack of adult supervision (must be 18 or older).

2. Unsafe surroundings (unsafe housing conditions and/or inappropriate environmental conditions due to the presence of violence, substance abuse, etc.).
 3. Over-crowded conditions in residential home or childcare facility; or
- D. Affordable Childcare:
1. Childcare provide that agrees to accept childcare subsidy payment provided by Tribal TANF as full payment.

Time Limits

The TMWTT Program shall limit the time a family may receive federally funded cash assistance from the TANF Program to a maximum of sixty (60) months. When an adult head-of-household or adult in a single or two-parent family reaches the sixty-month limit, federally funded cash assistance to the family will stop.

Once a family is ineligible to receive federally-funded TANF assistance due to reaching the federal time limit, the TMWTT Program may extend assistance to the eligible child (ren) of a timed-out family using State Maintenance of Effort (MOE) funds if such funds are available and provided to the TMWTT by the State of California.

Families receiving State MOE funded assistance must meet the same Tribal TANF income eligibility and resource standards of financial need applicable to all other Tribal TANF eligible families and consistent with State policies concerning the extension of assistance to time-out families.

TMWTT will not count months in which TANF benefits were received from a State/Tribal TANF program if the applicant lived on an Indian Reservation/or Indian Country as defined in Title 18 U.S.C. Sec. 1151, that had at least a 50% “not employed” rate during a month of eligibility for assistance, per 45 CFR Part 286.115 (d)(3). It will be up to the participant to prove residence during that time frame.

TMWTT will not count any month that does not include a head of household pursuant to CFR 286.115 (d)1.

The TMWTT Program will count all previous months of TANF assistance funded with TANF block grant funds provided by any tribe or state, except for any month that was exempt or disregarded by statute or regulation, or under any experimental, pilot or demonstration project approved under Section 1115 of the TANF Act.

TMWTT has chosen a 60 month time limit in order to provide those we serve with sufficient time to address their personal barriers to employment as well as the barriers of our location. Please reference page 11, Employment Opportunities and Barriers of this Plan for additional background on those barriers.

Good Cause

The TMWTT Program may temporarily exempt clients from fulfilling the weekly work participation requirement for good cause. “Good Cause” is a temporary condition or circumstance that significantly hinders an individual’s ability to reasonably fulfill their weekly work participation requirement; examples of “good cause” include but are not limited to; temporary lack of transportation (until problem is solved); temporary lack of acceptable child care (until problem is solved); mental or physical illness (as verified in writing by a physician); extreme weather conditions and/or natural calamities, such as earthquake, wildfire, mudslides, etc., that make travel unsafe to and from work.

Hardship Exemptions

Hardship exemptions are conditions that hamper or inhibit an individual’s ability to maintain work or enter into work related activities. The TMWTT Program may exempt up to 20 percent of the caseload from the 60-month time-limit based on hardship (annually).

The TMWTT Program will consider the following categories of cases for exemption from the sixty-month time limit on a case by case basis:

- A. Individuals with significant cognitive, physical and/or mental disabilities which limit their educational and job skills attainment and/or their ability to secure and retain employment due to a disability (Must be verified in writing by a medical professional);
- B. Single parents with numerous children (3 or more) under the age of eight years old;
- C. Adults responsible for the full-time care of an elderly person (a person over 55+ years old) or disabled parent or relative (Must be verified in writing by a medical professional substantiating need for fulltime care is required).
- D. Domestic Violence – A TMWTT client who is a victim or has recently been the victim of domestic violence and the physical, mental, or emotional well-being of the victim would be endangered by a strict application of the 60-month limit.

E. Responsible for the full-time care of significantly disabled (cognitive, physical, and/or mental) child (Must be verified in writing by a medical professional).

F. Other exemptions may be made on a case-by-case basis, depending upon the severity of the case and as approved by the TMWTT Director.

Penalties Against Clients

If a TMWTT TANF participant receiving assistance refuses to fulfill their work activities or other activities mandated and agreed to as required by the TMWTT Program, in the absence of good cause, the TMWTT Program may;

A. Reduce or terminate the amount of assistance otherwise payable to the family for the parent or needy caretaker or;

B. Provide limited assistance for basic needs through a voucher system for those clients that fail to participate in work requirements until such time that the client resumes the required work requirements.

Any individual that refuses to participate in mandatory substance abuse and/or mental health counseling when referred by the Family Advocate shall be automatically placed on the voucher system.

Appeal Rights and the Process

The following appeal process shall apply to all TMWTT participants. As per 45 CFR 286.75(a)(7), the TMWTT program will apply the following dispute resolution process for all individuals or families who wish to appeal a TMWTT decision to deny, reduce, suspend, sanction or terminate assistance and/or supportive services.

1. Clients who are at risk of losing benefits due to non-compliance will be issued a written notice of adverse action ten (10) days before the action is implemented. Clients shall be advised of their right to appeal an adverse decision or sanction under the program.

2. Any appeal by the client of a written program notification which proposes to deny, reduce or terminate assistance or services to a client, or having a client placed on a voucher system, must be in writing and submitted to the Family Advocate within ten (10) working days of the client being notified of an adverse action under the program.
3. After an appeal has been filed as described in #2 above, the Family Advocate shall have ten (10) working days to notify the client in writing of his/her decision relative to the appeal.
4. A client can appeal the Family Advocate's decision to the TANF Director within ten (10) working days of the client receiving an appeals decision from the Family Advocate.
5. The TANF Director will make a decision on the appeal and must provide a written copy of this decision within ten (10) working days of receiving the appeal from the client.
6. The client can further appeal the decision of the TANF Director to the Social Services Director. This appeal must be made in writing within ten (10) working days of the client receiving an unfavorable decision from the TANF Director. The Social Services Director will have ten (10) working days to provide a written response to the client and the decision of the Social Services Director is FINAL.

Data Collection and Reporting

The Tuolumne Me Wuk Tribe will comply with all federal statutory and regulatory requirements relating to data collection and reporting requirements pertaining to the TANF Program.

Retrocession

In the event that the Tuolumne Me Wuk Tribe elects to retrocede the Tuolumne Me Wuk Tribal TANF Program, the Tuolumne Me Wuk Tribe will comply with all statutory and regulatory requirements pertaining to retrocession as outlined at 45 CFR Part 286 and the Social Security Act.

Respectfully submitted by Honorable Kevin Day, Tribal Chairman

Signature and Date