

# The Washoe Tribe of Nevada and California



## Washoe Native TANF Program *Temporary Assistance for Needy Families*

**TRIBAL FAMILY ASSISTANCE PLAN RENEWAL**

**January 1, 2021– December 31, 2023**

**Approved by Resolution No. 2020-xx-WTC-xxx**

**DRAFT – 45-day Public Comment**



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## **Statutory Authority**

Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) authorizes Indian Tribes to administer and operate their own Temporary Assistance for Needy Families (TANF) program. The Washoe Tribe of Nevada and California will administer the Washoe Native TANF Program (WNTP).

## **Administration**

The Washoe Tribe of Nevada and California is responsible for all aspects of the administration of the Washoe Native TANF Program, and will provide TANF assistance and support services to the approved service population residing in the approved service area.

## **Program Intent and Purpose**

The Washoe Tribe of Nevada and California's Native TANF Program (WNTP) will provide cash assistance and support services to eligible Indians and their families, to assist them in becoming self-sufficient.

WNTP will provide eligible participants with job preparation, work and support services to enable them to become employed and leave the program. WNTP may provide diversion assistance to eligible families at risk of welfare dependency. It is the intent of the WNTP that assistance shall be provided promptly with due regard for the preservation of Indian family life.

WNTP's intent and primary focus is to provide all income-eligible needy participants the opportunity to achieve a self-reliant lifestyle rather than be dependent upon the Washoe Native TANF Program or other programs for assistance.

WNTP will comply with all federal statutes and regulations governing Tribal TANF while meeting the four purposes of TANF:

1. Provide assistance to needy families so that children can be cared for in their own homes or in the homes of relatives;
2. End the dependence of needy parents by promoting job preparation, work, and marriage;
3. Prevent and reduce the incidence of out-of-wedlock pregnancies;
4. Encourage the formation and maintenance of two-parent families;

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## **Program Goals and Outcomes**

The goals of WNTF are to assist, support and prepare families to meet the challenges of achieving self-sufficiency. WNTF provides the essential assistance, support services, and resources to promote opportunities through job preparation, work, and educational and/or vocational support services empowering participants to succeed in reaching their full potential.

WNTF will provide services in a culturally relevant manner while strengthening Native families and empowering them to be self-sufficient.

WNTF goals are focused on the purposes of TANF as described previously and include:

- Promptly providing cash aid assistance to those in need
- Increasing employability and employment opportunities for income-eligible participants through skills training, education, vocational training, job preparations and work experience
- Preparing and providing education to individuals and families in an effort to reduce the incidence of out-of-wedlock pregnancies
- Encouraging stable and healthy two-parent Native families

Achievement of these goals will be measured through the documentation, tracking, and analysis of: participant's fulfillment of required work activities; the removal of barriers to meeting family plans and the attainment of family plan milestones; achievement of individual case plan goals and objectives, and rates of cases closing due to achievement of self-sufficiency.

## **Period Covered by the Plan**

The Washoe Native Tribal TANF Plan covers the operation of the WNTF for a three-year period beginning January 1, 2021 and ending December 31, 2023.

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## **Service Population and Service Area**

The Washoe Native TANF Program's approved service area includes Washoe reservation lands in Alpine County, California, Carson City, Nevada, and Douglas County, Nevada; the off-reservation areas of Carson City, Nevada, and Douglas County, Nevada; and the off-reservation areas of Amador, Alpine, Nevada, Alameda, San Francisco, Santa Clara, San Mateo, Santa Cruz, and San Joaquin\* Counties in California.

The Washoe Native TANF Program's approved service population includes:

- a. Eligible Washoe Tribal members and their descendants who reside in the off-reservation areas of Carson City and Douglas County in Nevada, and on Washoe reservation lands in Nevada and California;
- b. Eligible Ione Band of Miwok Indian Tribal members and their descendants residing in the off-reservation areas of Amador County; and
- c. Eligible Washoe Tribal members, members of Federally recognized Tribes, members of the California Judgment Roll, and their descendants who reside in the off-reservation areas of Alpine, Nevada, Alameda, San Francisco, Santa Clara, San Mateo, Santa Cruz, and San Joaquin counties in California.

*\*San Joaquin County Tribal TANF services are shared with California Tribal TANF Partnership (CTTP).*

## **Serving enrolled Washoe Tribal members outside of the Approved Service Area**

In accordance to the authority granted under TANF-ACF-PI-2018-02, the Washoe Tribe hereby elects to provide the full range of Tribal TANF assistance and services as described in this plan to all eligible enrolled Washoe Tribal members and their families, who reside outside of the approved WNTP's service area in Washoe County, Nevada.

It is understood that no additional funding will be provided now or in the future for this additional service population, and that all federal rules and regulations governing Tribal TANF apply. The Tribe also understands that it is not authorized to establish a Tribal TANF office outside of the WNTP's approved service area, and that the time limit exception associated with 50% or more not-employed does not apply to those enrolled Washoe Tribal members who reside outside the Washoe Reservation lands.

As per the requirements outlined in TANF-ACF-PI-2018-02, and as noted in this plan, the Washoe Tribe of Nevada and California has established memorandums of understanding with the State agency serving Washoe County as to ensure non-duplication of benefits and services. All services will be provided from the Carson City, Nevada office. In order for a family to be eligible, at least one member of the assistance unit will need to be an enrolled Washoe Tribal Member with one Native child. The Washoe Tribe of Nevada and California assures that the Washoe Native TANF Program has the administrative capacity to provide TANF benefits and services with no negative impact to overall Tribal TANF operations and/or current provision of benefits and services.



## **Eligibility for WNTP Assistance and Services Related to the Purposes of TANF**

Only needy families, as defined in this TFAP, may receive:

- a. any form of Federal or State Maintenance of Effort (MOE) funded “assistance” (as defined in 45 CFR 286.10); or
- b. any benefits or services pursuant to TANF purposes one or two.

The Tribe may use segregated Federal TANF funds to provide services (and related activities) that do not constitute “assistance” (as defined in 45 CFR § 286.10) to individuals and family members who are not financially deprived but who need the kind of services that meet TANF purposes three and/or four. Objective criteria will be implemented to determine eligibility for participation in TANF Purpose 3 and/or 4 activities.

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

### **Eligible Indian Family**

WNTP shall define an eligible Indian family as a unit comprised of biological children, step children, adopted children or relative children (including non-Indians) under the age of 18 (or has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training) living with an eligible adult/adults, where at least one member of the unit is an enrolled member or descendant of a federally recognized Tribe. Eligible Indian families must also meet one of the following criteria:

- a. Indian/non-Indian single parent family with an eligible child or children (at least one child must be Indian).
- b. Single, pregnant Indian adult (with no other children) in the third trimester of pregnancy.
- c. Indian/non-Indian teen head-of-household with eligible child/ren (at least one child must be Indian).
- d. Indian/non-Indian two-parent family with eligible child/ren (at least one child must be Indian).
- e. Eligible Indian children residing with a non-needy caretaker relative must be related by blood, tribal culture or tradition, with legally conferred guardianship (other than a parent) by a tribal, federal or state court, having the duty and authority to provide care and control of a child.

### ***Needy Family***

For receipt of cash assistance, “Needy” means financially deprived, according to income and resources. WNTP defines needy families as those families with total family income equal to or less than 200% of the most recently published federal poverty guidelines.



### ***Other Eligible***

Subject to availability of funds, WNTP may provide prevention services and activities under TANF Purposes 3 and 4 to individuals and families who are not financially deprived, but who have been determined to be eligible under objective criteria established and implemented by WNTP. Eligibility criteria for participation in Purpose 3 and 4 activities and services is outlined in the WNTP program operations manual.

### **Assistance**

WNTP will provide eligible, needy families monthly assistance (as defined in 45 CFR § 286.10) in the form of cash, direct payments, vouchers and other forms of benefits designed to meet a family's ongoing basic needs, (e.g. food, clothing, shelter, utilities, household goods, personal care items and other basic needs). This includes child care and transportation assistance for those eligible needy TANF program participants who are engaged in approved work activities but are not employed, and eligible program participants who are transitioning off of assistance due to earned income.

### ***Income and Earnings/Monthly Cash Assistance Determination***

If deemed eligible, all countable earned and unearned income reported will be evaluated when determining the monthly cash assistance amount. WNTP will exclude as income all Indian judgment funds or other disbursements that are excluded under federal law. Additional exclusions include funds provided as disaster relief or as an emergency/crisis benefit as described in WNTP policy and procedures. WNTP will deduct the first \$500 from the total gross earned income, then, from the remainder, 50% will be counted toward the monthly countable income. Additional disregards such as child support pass-throughs are included in WNTP policy and procedures regarding a per child per month disregard from child support income received by WNTP families.

### ***Assets and Resources***

WNTP will exclude one fixed, mobile, or motor vehicle home that the family resides in, and one operable vehicle for each eligible and licensed adult in the household receiving assistance, from being counted as an available resource/asset. Equipment needed to maintain or obtain employment, land located on an Indian reservation or held in Trust, burial accounts, retirement accounts with restricted access, and other assets held in trust may also be excluded from the resource limit.

WNTP will exclude as resources all Indian judgment funds or other disbursements that are excluded under federal law. All other available assets, including, but not limited to, real property equity, mineral rights, stocks, bank accounts, cash, and vehicle equity (beyond those exempted above), will be counted as resources and considered in determining eligibility based upon income. Total combined value of countable assets cannot exceed \$5,000 in order to be considered for eligibility.





## Support Services and Activities for Income Eligible Participants (Purposes 1 & 2)

As funds permit, WNTP may provide needy eligible participant families with the following supportive services:

- a. Vocational training, skills assessment, job readiness, job placement support and training.
- b. Educational activities designed to increase job skills, and work experience.
- c. Work subsidies (i.e. payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training).
- d. Job related or educational costs when cooperating with WNTP work participation requirements, including but not limited to the following: books, uniforms, tuition, educational supplies, child care, clothing allowance, transportation expenses, gas allowance, and vehicle repairs.
- f. Transitional support services may be provided for up to twelve months (not to exceed \$10,000) to participants who are no longer eligible to receive assistance due to earned income, but whose earned income does not exceed 300% of the federal poverty guidelines for receipt of assistance. Transitional services are intended to help families transition successfully from TANF and are limited to work related expenses including childcare, gas allowance for traveling to and from work, work related educational expenses or work related tools or clothing. A family will be moved to transitional services in the fourth month after exceeding the 200% income limit for three consecutive months. Families whose earned income exceeds the 300% limit for two consecutive months will become ineligible for transition services at the end of the second month in which their income exceeds 300%, and their case will be closed. Transitional services are not available if the family's cash assistance has been terminated due to fraud, sanction, or if the family is receiving child only cash assistance. Time-Out/Child only cases for cash assistance are only allowed for California residents and are funded with California MOE.
- g. Individual Development Accounts for needy eligible TANF program participants, if implemented.
- h. Economic and job development as approved by the Administration for Children and Families (ACF).
- i. Domestic violence services and referral services, including, but not limited to counseling, prevention outreach, education, anger management, parenting classes and assistance with temporary or emergency shelter services.

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- j. Culturally relevant support services and activities which fulfill one of the four purposes of TANF. Such services and activities include but are not limited to counseling and group support and mentoring services which follow traditional cultural methods; limited work training and education activities incorporating traditional skills and language; and culturally relevant youth prevention, education, and family strengthening activities which incorporate traditional beliefs and elements.
- k. Teen pregnancy prevention (non-medical) and education services and activities.
- l. Non-medical substance abuse services and mental health services to remove barriers to employment and self-sufficiency.
- m. Assistance with limited health services (such as eye glasses) in order to remove barriers to employment when all other resources have been exhausted.
- n. To promote marriage and the formation of two-parent families, WNTP may provide needy eligible participants with a one-time marriage incentive of up to \$1,000. This incentive is provided to assist with marriage costs including but not limited to the cost of a marriage license, officiant, and appropriate attire.
- o. In the context of removing barriers to employment and training, one-time payment of up to \$1,000 toward state or non-federal education loans that are in default. Recipient must be within twelve months of graduation and meeting work participation requirements to be eligible.
- p. To promote work and self-sufficiency efforts, WNTP will provide, a one-time incentive payment (equal to the participant's maximum monthly cash assistance grant) for obtaining and retaining full-time unsubsidized permanent employment following 90 days of continuous successful employment.
- q. Home Safety Funds may be provided for needs discovered after completion of a home visit and recommended by a Site Manager with a lifetime limit of \$1000. Items may include but are not limited to: smoke/carbon monoxide detectors, child safety plugs, child safety gates (stairs), bed/bedding etc.
- r. One-time payment per eligible adult towards non-felony related traffic fines, expired car registration, expired auto insurance, and/or payment of parking fines in the context of removing barriers to employment and training.
- s. WNTP will provide child care assistance to WNTP participant families who are cooperating with the work participation requirements and all other requirements as set forth in the participant's Family Self-Sufficiency Plan. WNTP may also provide child care and transportation assistance for eligible families who are no longer eligible for cash assistance but are receiving of transitional services.

**Child Care Defined:**

1. **Appropriate child care:** The provider meets applicable state standards of care, or an informal arrangement in which the environment is representative of the quality of care provided to others in the community.
2. **Reasonable distance:** A parent should not have to travel more than 30 minutes dropping his/her child off at the care provider's location and 30 minutes picking up their child.
3. **Unsuitability of informal care:** Informal child care is unsuitable if it is not being provided legally, or does not meet basic health and safety standards as outlined in county ordinances and/or State statutes. Informal child care is unsuitable if the arrangements do not support the working schedule of a parent, are not affordable, not easily accessible, or do not meet quality standards as defined by the parent.
4. **Affordable child care arrangements:** Affordable child care is child care that does not exceed 15% of the parent's gross income.

**Achievement Incentives for Income Eligible Participants**

Subject to the availability of funds, incentives will be offered to income-eligible TANF participants who are in compliance with program requirements. Achievement Incentives will be tied to the purposes of TANF, will be reasonable, and have established, objective criteria. Verification of the certificate or degree is required prior to receiving an academic achievement incentive. A prorated calculation of the achievement incentive may be applied on a per semester basis (full-time equivalent) for the amount of education or vocational training completed while an active WNTF participant.

- a. Income-eligible TANF parents may receive a \$500 achievement incentive for completing and obtaining a High School diploma or their GED certificate, \$1000 for a vocational certificate program, or a career certificate program such as, but not limited to, licensed vocational nurse (LVN), dental assistance, cosmetology, massage therapy, welder, or mechanic as directly related to employment; \$1,500 for an Associate's Degree from an accredited college, and \$2,500 for a Bachelor's Degree from an accredited college/university.
- b. WNTF may provide income-eligible WNTF participant families an annual \$250 clothing and school supplies allowance for each enrolled school age child in an eligible WNTF family.
- c. WNTF youth in a family receiving cash assistance may be eligible for the following achievement incentives twice per school year. An "A" average may receive \$100, a "B" average may receive \$75 and a "C" average may receive \$50. At the end of the school year, an eligible youth may receive an additional \$75 achievement incentive when obtaining a full grade point average improvement or if maintained an "A" average from the last reporting period of the school year.
- d. WNTF youth in a family receiving cash assistance and graduating from high school may be eligible for a graduation achievement incentive of \$200.



## **Support Services under TANF (Purposes 3 and 4)**

WNTP may provide the following Purpose 3 and 4 support services to individuals and families who are not eligible for assistance, but who have been determined to be eligible to participate in Purpose 3 and 4 activities under the “other eligible” objective eligibility criteria established in WNTPs program policies and procedures.

Purpose 3 and 4 support services include but are not limited to:

- a. Non-medical substance abuse prevention services.
- b. Fatherhood and Motherhood Classes.
- c. Positive Indian Parenting Classes.
- d. Talking Circles.
- e. Domestic violence services and referral services including, but not limited to counseling, prevention outreach, education, anger management and/or parenting classes.
- f. Culturally relevant support services and activities which fulfill one of the four purposes of TANF. Such services and activities include but are not limited to counseling and group support and mentoring services which follow traditional cultural methods; training and events to support self-sufficiency; and education activities incorporating traditional skills and language; and culturally relevant youth prevention, education, and family strengthening activities which incorporate traditional beliefs and elements.
- g. Positive youth development activities including but not limited to leadership development, self-esteem, self-confidence, team building skills, and education support services such as after school programs for future success.
- h. Teen pregnancy prevention (non-medical) and educational services and activities.

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## **Non-Recurrent, Short-Term Benefits (Specific Crisis Situations)**

As funds permit, WNTP may provide Non-Recurrent Short-Term Benefits (NRSTB) to eligible Tribal TANF, participant families, caretaker relatives, and eligible Indian families whose total family income is equal to or less than 200% of Federal Poverty Guidelines, with non-recurrent, short term benefits to meet an extraordinary need that arises from a specific crisis situation and is beyond those needs that are intended to be covered by regular TANF assistance and support services.

In order to receive the benefit, a family must demonstrate a specific episode of need, and as per the regulation at 45 CFR Part 286.10 (b)(1), NRSTB must meet the following criteria:

1. Are designed to deal with a specific crisis situation or episode of need;
2. Are not intended to meet recurrent or ongoing needs; and
3. Will not extend beyond 4 months

WNTP will establish a lifetime limit of \$7,500 for NRSTB provided to assistance eligible TANF participant families and eligible Indian families, and a lifetime limit of \$2,500 for NRSTB provided to caretaker relatives, outside of the context of a natural disaster or pandemic.

## **Non-Recurrent Short-Term Benefits in the Context of Natural Disaster or Pandemic**

As funds permit, WNTP may provide NRSTB to eligible TANF participant families, caretaker relatives, and eligible Indian families whose total family income is equal to or less than 200% of Federal Poverty Guidelines, with non-recurrent, short term benefits to meet an extraordinary episode of need that arises from a government declared (federal, state, county, or tribal government) natural disaster, emergency, or pandemic. In order to receive the benefit, a family must demonstrate a specific episode of need, and as per the regulation at 45 CFR Part 286.10 (b)(1), NRSTB must meet the following criteria:

1. Are designed to deal with a specific crisis situation or episode of need;
2. Are not intended to meet recurrent or ongoing needs; and
3. Will not extend beyond 4 months

NRSTB provided in the context of a governmentally-declared natural disaster, emergency, or pandemic will be limited to \$1,000 per event for TANF participant families and eligible Indian families; and to \$500 per event for relative caretakers.

## **Coordination with Other Programs**

- a. WNTP coordinates with the state, county, local schools, community colleges, universities, and local Native American programs for educational needs and to enhance job opportunities.
- b. WNTP coordinates with outside tribal, local, county and state organizations as well as local schools, high schools and community colleges to leverage educational resources and employment services for Native Youth.
- c. WNTP support services are provided through a variety of methods, including direct



provision of services by WNTP and through agreements with other organizations, local community organizations, Tribal service providers, county governments, welfare related agencies, school districts, and other private contractors, where feasible or reasonable for each county.

- d. WNTP sites will provide career development services to coordinate with the local private/government/business training agencies to generate training and employment opportunities. WNTP will also collaborate with community partners to provide small business opportunities for WNTP participants. In addition, WNTP will provide services to address transportation issues as appropriate.

## **Employment Opportunities and Economic Outlook in Service Area**

WNTP operates in both rural and urban areas; each service area presents its own unique set of assets and challenges in terms of employment opportunities, geographic and infrastructure barriers, and economic outlook.

### ***Rural Areas and Reservations***

#### **Challenges and Barriers**

The WNTP service area includes reservation lands that are located primarily in rural areas. The majority of the reservation communities covered under the program are geographically isolated, located a significant distance from areas with job opportunities and with limited access to public transportation. The logistical challenges presented by this isolation contribute to significant social and economic challenges including chronic poverty, high rates of unemployment, low levels of education, and deficiencies in basic life skills; these challenges serve as barriers to successful employment and the attainment of self-sufficiency for the populations that live in these communities.

#### **Employment Opportunities and Industry**

While there are limited commercial employment opportunities in the rural reservation service areas, there are currently tribal, federal, state and local public sector employment opportunities related to stewardship of the indigenous home lands near the reservation area communities. Occupational growth trends in this area are anticipated from 2017 to 2024 in such sectors as construction, utilities, business support services, child care daycare services, transportation and warehousing. Being near the Washoe Tribe of Nevada and California's Tribal Headquarters also offers individuals with options and opportunities. Other opportunities for rural area participants have included potential self-employment or small business operations including work-at-home opportunities.

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**WNTP Strategies to Assist Participants in Rural Areas in Becoming Employed**

WNTP provides vocational training and an apprenticeship model for workforce development. WNTP staff build on the participant’s skill-set through several avenues including:

- Work Experience (WEX) Program with the various departments of the Washoe Tribe
- On-the-Job-Training (OJT) opportunities with community-based employers
- Vocational training and certification including licensing preparation
- On-Line based (Distant Learning) degree programs and certifications
- Tribal operated enterprises

WNTP has also established and maintains relationships with nearby industries and businesses to provide trainings, work subsidy, work experience, and employment opportunities to WNTP participants. WNTP addresses the deficit of employable skills through vocational trainings, employment assessments, education, job placement, and will promote self-sufficiency in a way that supports traditional activities, customs and ways of life of indigenous people.

**Urban Service Areas**

**Challenges and Barriers**

In the urban areas within the WNTP service delivery area, there are many job opportunities in both the public and private sector, but the cost of living is extremely high. Families with low wage jobs are not able to be economically self-sufficient nor are they able to afford the education and training necessary to obtain higher paying jobs.

**Employment Opportunities and Industry**

In California, the Workforce Innovation and Opportunity Act (WIOA), American Job Centers present opportunities to enhance career and job options through the job-driven public workforce system. Urban areas such as the California Bay Area are experiencing an anticipated occupation growth from 2017 to 2024 in such sectors as medical assistants, nursing assistants, web developers, software developers/application, and multimedia artists and animators.

**WNTP Strategies to Assist Participants in Urban Areas in Becoming Employed**

WNTP locations serving the urban areas work closely with the major employers of this area including hospitals/healthcare and laboratories, schools/universities, county government, grocers, technology companies and electronic equipment/supplies. Within the WNTP service area, there are also Native American specific agencies such as the Native American Health Centers, Intertribal Friendship House, and the American Indian Child Resource Center. In the urban areas of California public and private employers, WNTP matches available opportunities with Tribal TANF participants including such industries as computer and information technology, health, transportation, retail, food services, and seasonal work. Whenever possible, we partner with Native American specific entities in the service area as well as various Workforce Development Boards.



### ***Assessment Tools for Job Seeking and Skill Preparation for all Service Areas***

In an effort to reduce or eliminate barriers to employment, WNTP utilizes a wide variety of assessment tools which assist participants in determining skills required and their potential career path. From basic math, reading and English skills testing to assessments providing insights into their interest to help in deciding an appropriate career choice for themselves.

On-line, self-paced workshops are used to promote job readiness skills. In addition, workshops to prepare participants for the workforce are provided by WNTP staff. These tools and information are provided to assist in the growth and development of skills required for successful job placements.

### ***Employability Workshops for all Service Areas***

Employability Workshops are provided by WNTP staff. These various workshops are intended to assist WNTP participants with the tools to assist in obtaining employment. These workshops are designed to motivate and increase confidence in the abilities to be successful in the individual's career goals. Topics include but are not limited to:

- Resume Building
- Strategies for Job Search Success
- Dress for Success
- Soft Skills
- Interview Skills

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## **Tribal Work Participation Activities**

WNTP ensures work participation requirements meet the unique challenges of serving both on-reservation and off-reservation rural communities as well as urban communities.

Factors for the rationale regarding WNTP work participation requirements include but are not limited to poverty, unemployment, transportation, education levels of opportunities in these adults, and employment locations.

The WNTP service area includes the densely populated San Francisco Bay area as well as remote rural counties. In the Bay area, public transit commutes of more than one hour each way are not unusual. In remote and isolated counties such as Alpine and Nevada Counties, WNTP participants have to travel twenty or more miles to travel to work or to reach a grocery store or seek medical care. For those who do not own their own vehicle, they must rely on limited public transportation or extended family.

Whether it is by public transportation or personal vehicle, reasonable transportation time is a necessary part of obtaining and/or maintaining employment. Up to two hours total for each day of travel to and from work/training sites and travel time to and from child care providers will be counted as time towards meeting participant's work participation requirements. By allowing the participants to count the travel time to and from work/training sites and travel time to and from child care provides participants with the opportunity to learn how to navigate public transportation with confidence and plan around transportation commute challenges they may be faced within both urban and rural service areas which aligns with the purposes of TANF by promoting job preparation and work.

WNTP work activities include but are not limited to:

- a. Private, public or tribally subsidized/unsubsidized employment;
- b. Participation in a Native Employment Works (NEW) activity;
- c. Work experience;
- d. On the job training/job shadowing;
- e. Apprenticeship;
- f. Job Search/Job readiness assistance and basic skill development within the limitations specified at 45 CFR § 286.105 (b& c);
- g. Community service;
- h. Post-secondary education/vocational educational training;
- i. Job skills training directly related to employment;
- j. Education/training directly related to employment;
- k. Participation in mental health counseling, domestic violence counseling and/or substance abuse/chemical dependency treatment as a barrier removal activity;



- l. Small business/entrepreneurial training; Life skills training/education such as financial management, health, hygiene, nutrition, and other activities that contribute to family wellness and individual readiness for the job market;
- m. Satisfactory attendance and completion of secondary school or a course of study leading to a GED in cases where a participant has not completed secondary school or received a diploma or GED certificate; and
- n. Culturally relevant work activities to increase self-sufficiency such as activities which will result in food or other basic needs fulfillment, products or services that may be sold to provide income or those activities that increase skills applicable to employment.

**Work Participation**

**Work Participation Rates**

The recent pandemic has significantly impacted WNTP service areas with the decline in economic conditions, job losses, and reduction in employment opportunities. This instability impacts vulnerable populations; including Native Americans, who may not have the ability to continue achieving work participation through technological means. WNTP therefore, agrees to satisfy the following minimum participation rates as is consistent with current economic conditions and resources.

**Minimum Work Participation Rates, All Families**

Plan Year	Minimum Rate
FY 2021	33%
FY 2022	38%
FY 2023	43%

**Hourly Work Participation Requirements**

The WNTP minimum work participation requirements will apply to families that receive Tribal Assistance that include an adult or minor head of household receiving such assistance.

Family Type	Minimum Hrs/Wk
Single Parent with child/children under 6 years old	16
Single Parent with child/children over 6 years old	24
Two Parent Families	30

Single and two-parent families are required to participate in a work activity for the minimum number of hours per week listed above. For two-parent families, WNTP will allow either one or both parents to fulfill the weekly work requirement. It is recommended in a 2-parent family that both parents participate in opportunities presented which will enhance the self-sufficiency goals as well as count towards the WPR of the family.



## Limitations and Special Rules

- a. An individual shall be considered to be engaged in work by virtue of participation in any approved work activity specified in this plan or approved by WNTP in advance.
- b. Exemptions provided for work participation requirements do not extend the time limit for receiving Federal assistance.
- c. Individuals who are participating in approved vocational education activities will not be subject to a 12-month limitation.
- d. WNTP may consider participation of an individual in a job search and/or job readiness activity for a minimum of three days per week to be counted as a full week of participation by that individual. An individual's job search and job readiness may only count toward work requirements for a total of six weeks in any year, unless such activities are an ancillary part of other work activities such as employment/training, education classes, or other job readiness classes.
- e. If the participant resides in a WNTP service area with an unemployment rate that is at least 50% greater than the United States total unemployment rate for that fiscal year, then an individual's participation in job search or job readiness assistance may count for up to twelve weeks in that fiscal year. If job search and/or job readiness activities are an ancillary part of other work activities, there is no time limit.
- f. A single parent with a child under one year of age may choose to be exempted from any work requirements until the child reaches one year of age. Maximum exemption of 12 months per lifetime.
- g. A teen head of household who maintains satisfactory school, high school, GED, or college, attendance is considered to be meeting the work participation requirements.
- h. WNTP Site Managers (SM) may provide, with documentary verification, approval for the temporarily exemption for victims of domestic violence (DV) from work participation requirements for an initial period of three months. DV victims will be exempted from sanctions related to work participation requirements while living at a shelter with their children for up to three months or for so long as necessary in cases where compliance would make it more difficult for such individuals to escape DV, unfairly penalize those who are or have been victimized by such violence, or who are at risk of further DV. Upon recommendation of the case manager and approval by SM, the exemption for DV may be extended.
- i. WNTP may temporarily exempt participants of an in-patient substance abuse, alcohol abuse and/or mental health rehabilitation program (placement includes children) from work participation requirements, up to a maximum period of three months.
- j. With a written statement verified by a participant's Site Manager, WNTP will not terminate or reduce cash assistance to a single parent caring for a child under the age of six if the parent refuses or stops work activities for the following reasons:



1. Unavailability of appropriate child care within a reasonable distance from the individual's home or work site; and/or
  2. Unsuitability of informal child care by a relative or under other arrangements; and/or
  3. Unavailability of appropriate and affordable formal childcare arrangements.
- k. WTNP in conjunction with employers shall ensure no displacement of employees shall result in the placement and/or hire of a TANF participant. In accordance with 45 CFR §286.110, an adult or minor head-of-household cannot fill a vacant employment position if:
1. Any other individual is on layoff from the same or substantially equivalent job.
  2. The employer terminated the employment of a regular employee or otherwise caused an involuntary reduction in force in order to fill a vacancy with a TANF participant.

### **Penalties Against Individuals**

If an individual in a family receiving assistance refuses to engage in approved work activities as required by the WNTP in the absence of good cause, WNTP will reduce or terminate the amount of assistance otherwise payable to the family and may provide limited assistance for basic needs through a voucher system for those individuals that fail to participate in work participation requirements, until such time that the individual resumes work requirements. The voucher system may pay for food, clothing, shelter, utilities, household goods, personal care items and general incidental expenses.

WNTP may impose progressive sanctions up to and including case closure. In addition, sanctioned households will not be eligible for support services and/or incentives until such sanction period has been served or a good cause determination has been issued.

Any individual who refuses to participate in substance/alcohol abuse screening and/or substance abuse, alcohol abuse and/or mental health counseling when referred by WNTP will be progressively sanctioned up to and including case closure.

Refusal to work when an acceptable form of child care is available is not protected from sanctioning.

### **Good Cause**

WNTP may exempt certain individuals from work requirement penalties for good cause for a limited period of time. Good cause is determined on a case-by-case basis when unforeseen conditions prevent the individual's ability to complete the work participation requirement. Good cause may include but is not limited to a death of an immediate family member, temporary lack of transportation, temporary illness verified by a doctor or medical professional, temporary lack of accessible child care, extreme weather or natural disasters which may temporarily prevent safe travel to or from work, training or approved activity, or other extenuating crisis situation.



## Time Limit

WNTP shall limit the time a family may receive cash assistance to a maximum of sixty months. WNTP is opting to use the maximum federal time due to the challenges and barriers that many of our participants face. These include but are not limited to poverty, lack of education, transportation, joblessness, and employment opportunities. During this assistance time, WNTP shall provide participants with assistance and support meeting all four purposes of TANF to help families achieve their goal of self-sufficiency. This is consistent with the purposes of TANF and the economic conditions and resources of the Tribe.

As defined in Title 18 US Code 1151 and 45 CFR §286.115, WNTP will not count toward the limit:

1. Any month of receipt of assistance (from any Tribal, State or County TANF Program) to a family that does not include an adult head-of-household
2. Any month of receipt of assistance (from and Tribal, State or County TANF Program) by an adult during which the adult lived in Indian country or in an Alaskan Native Village in which at least 50 percent of adults were not employed.

WNTP counts all prior months of TANF benefits received under a State, County, or other Tribal TANF program's TANF assistance funded with TANF block grant funds, except for any month(s) that exempted or disregarded by statute, regulation, or under any experimental, pilot, demonstration project approved under Section 1151 of the Act. In addition, WNTP will count all prior months of Welfare-to-Work (WtW) cash assistance provided for basic needs is defined as "assistance" under the regulations against the time limit on Tribal TANF assistance. (§ 286.130). WNTP will count any pro-rated or partial assistance as a month of assistance received.

For families residing in California, once a family is ineligible to receive federally funded TANF assistance due to the federal time limit, the Tribe may continue to provide assistance for the benefit of the eligible children of the timed-out parent(s) using State Maintenance of Effort (MOE) funds if funds are available and provided to the WNTP by the State of California. Any family whose assistance is extended through State MOE funds will not be eligible for federally funded supportive services. Families receiving MOE funded assistance must meet the same WNTP income eligibility and resource standards of financial need applicable to all other WNTP eligible families and consistent with the state MOE provision concerning the extension of assistance to timed-out families.



## **Hardship Exemption**

A time limit exemption may be granted due to hardship conditions that hamper or inhibit an individual's ability to maintain work or enter into work activities. WNTP will consider exempting up to 20% of the total case load from the 60-month time limit, on a case-by-case basis, due to hardship, which includes but is not limited to:

- a. Adult participants with significant learning disabilities as confirmed in writing by a licensed medical or psychological professional;
- b. Single parents with four or more children under twelve years of age;
- c. Single parents responsible for the full-time care of an elderly or disabled parent/relative (as confirmed by a physician);
- d. Victims of domestic violence as described in Limitations and Special Rules (i).
- e. Participants with significant medical restrictions as diagnosed by a physician and approved on a case-by-case basis, depending upon severity. WNTP will refer those with severe medical restrictions to the appropriate agencies for disability benefits and services.

## **Tribal Options**

- a. Subject to the availability of funds, there will be no limit to the number of individuals included in a family.
- b. WNTP requires all applicants, including non-needy caretakers, to complete a substance abuse testing or screening for illegal substances as defined by federal regulations or for undocumented prescription medications. A positive result requires recipients to participate in a substance abuse assessment and to provide proof of compliance with a plan recommended by a qualified provider, which may include counseling sessions or participation in a rehabilitation program. Random testing may be conducted at any time. Refusal to participate in a substance abuse initial screening, substance abuse evaluation and/or subsequent treatment recommendation will result in progressive levels of sanction up to and including case closure.
- c. All school age children shall be required to regularly attend school full time. Verification of enrollment, attendance, and current status is required. Cash benefits may be reduced, suspended, or terminated until the child or children return to school and attend regularly. WNTP may report lack of school attendance to proper local authorities.
- d. WNTP shall require written verification of current immunizations of all children in the household who are not enrolled in a school with immunization requirements. WNTP shall comply with all applicable local, state and federal laws governing immunization requirement to protect and to assure children are not compromised, or excluded from education opportunities due to non-compliance to immunization requirements..



- e. WNTP may exempt parents that are 55 years of age or older from the work participation requirements.
- f. WNTP may continue to provide cash assistance to an eligible parent who is participating in an inpatient substance abuse treatment program with their children for a maximum of one year. WNTP may provide assistance through a voucher system or provide benefits through the method of “disperse on behalf of” while a participant is completing their treatment recommendations.
- g. Where welfare fraud is established, WNTP reserves the right to impose the maximum allowable penalties available within the service area jurisdiction pertaining to the denial of benefits.
- h. WNTP will provide comprehensive youth prevention-based services and activities under WNTP purposes three and four for income eligible and “other eligible” native youth (K-12). At-risk is defined in WNTP policies and procedures. WNTP may coordinate with outside tribal, local, county and state organizations as well as local schools, high schools and community colleges to leverage educational resources and employment services for Native Youth.

Youth prevention services and activities include, but are not limited to:

- i. Pregnancy prevention, education, and outreach;
  - ii. Literacy and education activities such as tutoring;
  - iii. Culturally relevant support services such as counseling and mentoring services, traditional skills and language, family strengthening, wellness, self-esteem and leadership activities; and
  - iv. Summer youth employment activities.
- i. May provide assistance to income-eligible TANF participant youth with fees, uniforms and/or equipment required to participate in positive youth development activities such as in-school activities, or sport-related activities that support the goals of the youth plan. Limited to one activity per child, per year. In order to be eligible for this benefit, youth must maintain a “C” GPA or recommendation from a school or counseling professional.
  - j. Diversion services for families at risk of welfare dependency (TANF eligible/non-TANF participant families). The intent of Diversion services is to provide a short-term (not to exceed 4 months) benefit to an eligible family to assist them through a crisis situation and episode of need. Diversion services payments are made directly to the vendors and/or services provided to families who are: 1) not current WNTP participants; 2) at risk of becoming dependent upon WNTP; and 3) are in need of a one-time or limited benefit(s) to assist the family to stay off of welfare. This is a one-time benefit with a \$5,000 lifetime limit per family.



## **Assurances**

### ***Review and Comment on Tribal TANF Plan***

The Washoe Tribe of Nevada and California posted a draft of this TFAP renewal 45 days prior to its submission to the Administration for Children and Families (ACF). The draft was presented at Tribal Council and posted at the Washoe Tribe's Headquarters, the WNTP Headquarters, on the Tribe's intranet web site, and at each of the eight WNTP sites.

### ***Fiscal Accountability***

For each year in which the Washoe Tribe of Nevada and California receives or expends TANF funds, the tribe will comply with the fiscal accounting provision of Section 5(f) (1) of the Indian Self-Determination and Education Assistance Act 25 U.S.C. 5305 (f) (1), relating to the submission of a single-agency audit report as required by Chapter 75 of Title 31, U.S. Code.

### ***Data Collection and Reporting***

WNTP complies with all statutory and regulatory TANF reporting requirements. WNTP will measure progress and outcomes by collecting data that describes the assistance and/or services provided to eligible families and/or individuals each month.

### ***Appeals Rights and Process***

In accordance with 45 CFR § 286.75 (a) (7), WNTP implements a dispute resolution process for all individuals or families who wish to appeal WNTP's decision to deny, reduce, suspend, sanction, or terminate assistance.

All adverse actions or sanctions must be appealed in writing. Any participant at risk of losing assistance or receiving sanctions will be issued a notice of action for any adverse action, 10 business days prior to the onset of such action.

Adverse actions including denial of eligibility or sanctions affecting cash assistance grant amounts may be appealed. All appeals must be submitted in writing to the WNTP headquarters office within 10 business days of the postmark date of the Notice of Action (NOA). The WNTP appeals process includes up to three levels.

**Level 1 Appeals:** Level 1 appeals will be reviewed and determined by the Program Compliance Officer (or their designee) who will notify the complainant in writing, of their decision. Notification will occur within 10 business days of the receipt of the appeal.

**Level 2 Appeals:** An individual may appeal the level 1 decision within 10 business days of the postmark date of the level 1 decision. The level 2 appeal will be reviewed and determined by the WNTP Executive Director (or their designee) who will notify the individual of their decision in writing. Notification will occur within 20 business days of receipt of the level 2 appeal.

**Level 3 Appeals:** Only notices of action resulting in the termination of benefits or removal of an individual from the Assistance Unit can be appealed to the 3<sup>rd</sup> level. An individual may appeal





the level 2 decision and submit a level 3 appeal within 10 business days of the postmark date of the level 2 decision. The level 3 Appeal will be reviewed and determined by the WNTP Hearing Officer who will notify the individual of their decision in writing within 45 business days of receipt of the level 3 appeal. The WNTP Hearing Officer's decision is final.

### ***Non-Duplication of Services***

All applicants will be required to sign the WNTP TANF application and documentation certifying that they and other family members are not receiving assistance from another Tribal, State, or County TANF Program.

Information will be shared with other Tribal, State, and County TANF programs to verify non-duplication of TANF assistance and/or services. Social Security numbers of all WNTP applicants will be cross referenced with Tribal, State, and County welfare staff to avoid duplication of services. Applicants will verify information on a monthly basis to ensure continued eligibility.

### ***Certifications and Grant Assurances***

The following certifications and assurances have been submitted with this plan; as required Non-Construction, and in addition Lobbying, Debarment, Tobacco Free Workplace, and Drug Free Workplace.

### ***Provision of Services***

The Washoe Tribe maintains a Memoranda of Understanding (MOU's) with each of the California counties located within WNTP service delivery area and with the State of Nevada which details the process for the transfer of cases to ensure a smooth transition of eligible applicants/participants choosing to transfer from the State/County TANF services to WNTP services. The MOU's will ensure the following:

- a. Qualified Native American Indian families can choose to receive Native TANF or State/County TANF but cannot receive assistance from both programs simultaneously.
- b. WNTP and State/County TANF Program will exchange information as needed to determine eligibility for Native TANF, State/County TANF Program, Medicaid/Medical or Food Stamps.
- c. State/County TANF Programs and WNTP agree to exchange Social Security Numbers, as needed, to prevent duplicate aid.



**Same or Comparable Services**

WNTP will provide welfare related services and assistance to all eligible Indian families in an equitable and fair method.

WNTP will review and compare current Maximum Aid Payments (MAP) as established by the California Department of Social Services and Nevada Division of Welfare and Supportive Services to accommodate for the higher cost of living in specific counties. WNTP MAPs are reviewed annually and may remain as established, increase, or decrease based on economic conditions and poverty levels within the service area as approved by Tribal Council.

**Eligible Families Moving into the Service Area**

Eligible families moving into the service area will receive the same amount of cash assistance and/or supportive services as all eligible program participants within the WNTP service areas as described in Same or Comparable Services.

**Confidentiality Statement**

WNTP requires all WNTP staff to sign a confidentiality agreement acknowledging they understand and will follow all policies and procedures to ensure applicant’s and participant’s rights to complete confidentiality and that any violation of confidentiality will result in staff disciplinary action up to and including termination.

**Retrocession**

In the event that the Washoe Tribe chooses to retrocede, the Tribe will follow and comply with all requirements defined by applicable TANF statutes and regulations pertaining to retrocession as described in the 45 CFR, part § 286.30 and the Social Security Act.

Respectfully Submitted,

\_\_\_\_\_  
Serrell Smokey, Chairman

\_\_\_\_\_  
Date Renewal Plan Signed

**Washoe Tribe of Nevada and California**