

Federated Indians of Graton Rancheria Temporary Assistance for Needy Families (TANF) Plan

SECTION I: GENERAL PROVISIONS

1. INTRODUCTION

The Federated Indians of Graton Rancheria (“FIGR”) operates a Tribal TANF Program (TANF) to assist eligible Indian families in its approved TANF service area (TSA). Those eligible Indian families residing within the approved service area of Sonoma and Marin Counties in California must meet any financial and non-financial requirements of this plan and, if receiving assistance, participate in work activities as required by the program. The Program shall be known as Tribal TANF of Sonoma and Marin (“TTSM”)

2. STATUTORY AUTHORITY

The 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), Section 412, authorizes federally recognized Indian tribes to operate Tribal Family Assistance programs.

3. REGULATORY AUTHORITY

This plan is submitted pursuant to and in accordance with 45 CFR 286.75.

4. PROGRAM ADMINISTRATION

The Graton Tribal Council has the overall administrative authority for Tribal Departments. Program management responsibilities have been delegated to the TANF Department.

5. PROGRAM MISSION

The mission of the TANF program is to help eligible Indian families work toward and achieve self-sufficiency through skill building, training and work experience, and to reduce risk factors that keep Indian families from achieving stability and self-sufficiency through prevention, diversion and emergency services.

6. PROGRAM GOALS

The goals of the Tribal TANF Program are:

Highlighted sections are the proposed changes.

1. Increase the employability of Indian families by promoting job formation in the service area
2. Increase employability of Indian families through job training and skill development
3. To reduce those barriers and risks that increase dependency on public benefits
4. To ensure that Indian children are raised in their own homes
5. To prevent and reduce unwanted and unplanned pregnancies
6. Encourage healthy and stable two parent Indian families

Outcomes and progress towards meeting program goals will be measured by various methods depending upon the specific outcome or goal. For example, employability will be measured by job placements, the number of TANF participants that successfully complete training programs and courses offered or sponsored by the Program. Other goals and outcomes, whose success may be more difficult to quantify in the short-term, such as goals 3 and 6, will be measured by the number of events and participants that participate in Program activities that are designed to promote these goals. Over the longer term, comparisons can and will be made between rates of unemployment, pregnancy and other demographic data elements that conform with standard survey research methodologies. The program also will track the progress of families and children after they are no longer participants. Finally, the Program tracks new jobs created in whole or in part through TANF activities as well as tracking the number of participants that secure employment in pre-existing jobs or industries.

7. PERIOD COVERED BY THE PLAN

The plan covers the continued operation of the Federated Indians of Graton Rancheria Tribal TANF Program for a three (3) year period **beginning May 1, 2020 through April 30, 2023.**

8. REVIEW AND COMMENT ON TANF PLAN

The Federated Indians of Graton Rancheria TANF Tribal Family Assistance Plan was made available for public comment, via the Graton Rancheria website, the Sonoma County Indian Health Project Office, as well as the Kashia and Dry Creek Tribal Offices from February 14, 2020 to March 31, 2020. No comments were received. This is a revision of the original plan that was adopted by the Tribal Council and approved by ACF. This revision has been reviewed and approved by the Tribal Council on (TBD)

9. SERVICE POPULATION

Highlighted sections are the proposed changes.

Our service population includes all eligible members of federally recognized tribes, Alaska Natives, members of the California Judgment Roll, their descendants and families who reside anywhere in the off-reservation areas of Sonoma and Marin County and who reside on the Dry Creek and/or Kashia Rancherias. Indian families that include only members of the Hopland, Redwood Valley, Scotts Valley, Sherwood Valley, Pinoleville, and Round Valley tribes residing in Sonoma County are not eligible for services or assistance. However, if that family has other family members that are eligible for services or assistance, then that family's eligibility for assistance or services shall be based on the tribal affiliation of any minor children or biological parents in the household. Individuals seeking services are ineligible to receive services if they are an enrolled member of any of the listed tribes.

10. SERVICE AREA

The Graton Tribal TANF Service Area includes all of the off-reservation areas of Sonoma and Marin Counties, and the Dry Creek and Kashia Rancherias.

11. DUAL ELIGIBILITY: PROVIDING BENEFITS AND ASSISTANCE TO FEDERATED INDIANS OF GRATON RANCHERIA ENROLLED TRIBAL MEMBERS WHO LIVE OUTSIDE OF THE TRIBAL TANF SERVICE AREA

In accordance with the authority granted under TANF-ACF-PI-2018-02, Federated Indians of Graton Rancheria elects to provide, as financial resources permit, the full range of Tribal TANF assistance and services as described in this plan to all eligible enrolled Federated Indians of Graton Rancheria Tribal citizens and their families, who reside outside of the approved Tribal TANF of Sonoma and Marin service area. Federated Indians of Graton Rancheria understands 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. Federated Indians of Graton Rancheria understands that it is not authorized to establish a Tribal TANF office outside of the Tribal TANF of Sonoma and Marin approved service area without expressed permission of the entity that has designation of that service area. Federated Indians of Graton Rancheria understands that the time limit exception associated with "50% or more not-employed" an adult is considered to be living in his or her actual location not the location of his or her tribe.

SECTION II: ELIGIBILITY

1. ELIGIBILITY, IN GENERAL:

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

Highlighted sections are the proposed changes.

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 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 3 or 4. Objective criteria will be established for participation in these programs.

Unless the State 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.

If there are not sufficient funds to provide assistance and services to every eligible participant or family, the Tribe reserves the right to use more stringent financial eligibility criteria for a particular service component or program. The Graton TANF plan employs different definitions of needy based upon the services or assistance provided.

2. ELIGIBILITY FOR CASH ASSISTANCE:

The Graton TANF plan defines needy families as families with total family income equal or less than **175%** of the federal poverty guideline for the provision of any form of assistance as defined below. **Needy, for this purpose, also means that the family cannot be eligible if they have countable assets in excess of \$20,000.**

The TANF Family Assistance Unit shall include all biological children, step-children, adopted children, and/or relative child (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.

An Indian adolescent enrolled in public high school receiving special education services through and Individualized Education Plan (IEP) or 504 Plan may receive assistance services through the age 22.

In addition, all families must meet one of the following:

1. Indian/non-Indian single parent families with eligible children, or
2. Expectant Indian mother (individuals will become eligible for Tribal TANF Services in third trimester month of pregnancy), or

Highlighted sections are the proposed changes.

3. Indian/non-Indian two parent families with eligible children, or
4. Needy or non-needy caretaker of an eligible Indian child(ren) (non-foster care). Caretaker must be related to the Indian child as set forth in Section III, 1, D.

Only needy families, as defined in the TANF plan, may receive: (a) any form of Federally-funded “assistance” (as defined in 45 CFR 286.10). “Indian” as defined herein, means a member of a federally recognized Indian tribe or eligible for membership in such a tribe, as set forth in Section I, 9. The Family Assistance Unit is defined with greater specificity in Section III, 1, below.

3. ELIGIBILITY FOR TRANSITION SERVICES:

All participants that have transitioned from cash assistance to work and have secured gainful employment are eligible for transition support services after TTSM cash assistance terminates.

4. ELIGIBILITY FOR DIVERSION and EMERGENCY SERVICES:

The Graton TANF plan defines needy families seeking these services as families with total family income equal or less than **300%** of the federal poverty guidelines. **Needy, for this purpose, also means that the family cannot be eligible if they have assets in excess of \$20,000.00.**

Only those families that meet the non-financial criteria specified for assistance families as set forth in Section II (2), above, may receive these services.

5. ELIGIBILITY FOR PREVENTION SERVICES PURSUANT TO TANF PURPOSES 3 AND 4:

The TANF Program will provide Preventive Services to promote the purposes of TANF. TANF Preventive Services Activities or Programs are based upon the needs of the community and meet the general purposes of TANF, which include:

- To prevent and reduce the incidence of out-of-wedlock pregnancies;
- To encourage the formation and maintenance of two-parent families

The Tribe will provide purposes 3 and 4 activities and services to both income eligible and other eligible families and individuals.

The Tribe may use segregated Federal TANF funds (not State MOE 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 (“needy”) but who need the kind of services that meet TANF purposes 3 and 4. The Tribe will use objective criteria for participation by non-needy families and individuals in these programs.

Highlighted sections are the proposed changes.

The Tribe may use both State TANF monies and Federal TANF funds to provide these services to families and individuals. The Graton TANF plan defines prevention eligible families or individuals as families or individuals with total family/individual income equal or less than 300% of the federal poverty guideline for the provision of such services. There is no asset limit for these services.

Any individual receiving such services shall meet any of the definitions of an eligible Indian as set forth in Section I,9.

6. ELIGIBILITY FOR PREVENTION SERVICES PURSUANT TO TANF PURPOSES 1 AND 2:

TTSM, as financial resources permit, may provide services, other than Assistance, Emergency and Transition Services that advance TANF purposes 1 or 2 such as reducing dependence on government benefits and promoting self-sufficiency. The Tribe has determined that promoting job readiness is critical service needed by the community it serves.

To be eligible to receive these services the participant must be needy. The Graton TANF plan defines needy families or individuals as families or individuals with total family/individual income equal or less than the weighted average median income of Sonoma and Marin County.

Any individual receiving such services shall meet any of the definitions of an eligible Indian as set forth in Section I, 9.

7. FAMILIES MOVING INTO THE COVERED SERVICE AREA:

Needy Indian families moving into the designated service area will receive the same amount of cash assistance and support services as all other participant families. However, these families must provide evidence of permanent residency within the boundaries of Sonoma or Marin Counties and must withdraw from any other state, county or tribal TANF Program.

8. NON-DUPLICATING SERVICES

All applicants are required to sign a statement certifying that family members are not receiving assistance from another tribal, state or county TANF Program. Information will be disclosed to other TANF Programs to verify non-duplications of TANF Assistance or services if recently moving to the service area. Social Security numbers for Tribal TANF applicants will be shared with other TANF Programs to avoid 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.

SECTION III: THE TANF FAMILY ASSISTANCE UNIT

1. TANF FAMILY ASSISTANCE UNIT:

The following persons are included in the TANF Assistance Unit:

- A. Applicants who meet all non-financial eligibility requirements;
- B. The following household members:
 - a. Parents of a dependent eligible Indian child who is in the assistance unit;
 - b. Eligible parents and their biological minor children who are in the assistance unit;
 - c. Parents of an unborn, as follows:
 - 1) If there are no other dependent children in the filing group, then the mother and the father, if married, are in the group.
 - 2) If the parents are not married, only the mother, if she is an Indian eligible for assistance, is included in the unit.
 - 3) If there are other eligible Indian children in the unit, and both parents live in the household, both parents are included, regardless of marital status.
 - 4) For payment purposes, the unborn child shall be considered the same as any other dependent child.
 - 5) Eligibility will commence beginning with the third trimester of the pregnancy. This must be verified by a licensed medical practitioner.
- C. Except as provided below, include blood- related and step siblings of a dependent child if the siblings meet all the following non-financial eligibility requirements:
 - a. Age
 - b. Living with a caretaker relative, including parents
 - c. Citizen/alien status
- D. Non-parent Caretakers
 - a. Although it is expected that most Family Assistance Units will include at least one parent, some children (non-foster care) may be in the care of non-needy or needy caretakers that are not the parents of the child. Such households to be considered a Family Assistance Unit must contain an eligible Indian child as defined in Section I, 9 and their caretaker.
 - (1) A caretaker is a person, regardless of age, who is responsible for the care, control and supervision of the dependent Indian child and whose relation to the child meets any of the following criteria.
 - (a) A blood relative whose relationship to the child is established by public records or through DNA testing; or,

Highlighted sections are the proposed changes.

- (b) The child's legal custodian; or,
 - (c) The person designated as the custodian in a Designation of Indian Custodian; or,
 - (d) Where none of the above applies, a person whose close relationship to the child or child's family is such that they are considered to be a relative or family member by the Tribe.
2. Because of the high housing costs in the service area, Indian families may share occupancy of a house or an apartment. If a household contains two separate parent/caretaker-child families who would independently meet eligibility requirements, then eligibility and benefits will be determined separately for each family.
 3. Minor parents are allowed to apply separately with their dependent children when the minor parent lives apart from their parent(s).
 4. The status of caretaker, including parents, ends when care, control and supervision of the child is given to, or accepted by, another person for 30 days or more.
 5. When a caretaker is a member of a pre-existing TANF Family Assistance Unit, the inclusion of the needy Indian child will not result in the creation of a new TANF family assistance unit. The existing unit will be expanded to include the new child(ren) brought into the household. If the child is placed with the caretaker for more than 30 days, and is a member of another Family Assistance Unit, the child will no longer be included in the original Family Assistance Unit. While assistance to that child's original Family Assistance Unit may terminate if they were the only qualifying child in the unit, non-assistance services may continue to his/her parent(s) as needed to further the purposes of TANF.

SECTION IV: NON-FINANCIAL ELIGIBILITY REQUIREMENTS:

1. REQUIREMENT OF NATIVE AMERICAN OR INDIAN STATUS FOR ELIGIBILITY FOR ASSISTANCE, DIVERSION, EMERGENCY OR TRANSITION SERVICES:

For the purposes of TANF assistance, transition, emergency or diversion services eligibility, at least one person in the family must be a member or eligible for membership in a federally recognized Indian tribe and reside in the service area. Membership means an enrolled member of an Indian tribe, regardless of Tribal affiliation, or where an application for membership is pending and under active consideration. An Indian Tribe means any Indian Tribe, band, nation or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. Membership in some tribes as set forth in Section 1, 9, is disregarded for those families residing in Sonoma County. FIGR

Highlighted sections are the proposed changes.

requires participants to provide proof of tribal membership or proof that they have applied for membership and that their membership is under active consideration by the Tribe.

2. REQUIREMENT OF NATIVE AMERICAN OR INDIAN STATUS FOR OTHER SERVICES:

The Tribe uses a broader definition of Indian for eligibility for other services. An individual or family may be eligible to receive these State or Federally funded services if they can demonstrate or that the Tribe knows through membership rolls, TANF records, public records or other objective criteria that the participant is an Indian as defined in Section 1,9.

Proof of Native American or Indian status that TTSM requires for these services will vary from service to service or program to program to reasonably reflect the relative costs of eligibility determinations in relation to the cost of the services or programs offered.

3. RESIDENCY:

The Indian participant must be a resident of the service area as defined in this plan. There is no minimum time period required to establish residency; however, a person must permanently reside and not be here on vacation or a transient. Proof of residency will be governed by program policies and procedures, that may vary depending upon the nature of the service provided.

4. CITIZEN/ALIEN STATUS:

The participant must be a US citizen or have an approved alien status. Participants must sign a statement attesting to citizenship or alien status.

5. SOCIAL SECURITY NUMBER: The participant must supply or apply for a Social Security Number (SSN).

6. AGE/SCHOOL: For eligibility for assistance a dependent child, must be one of the following:

- A. Under age 16.
- B. If age 16 or 17, in school or enrolled in a Tribal TANF education or vocational training program.
- C. If 18 and a full time student in secondary school or the equivalent level of vocational or technical training; or,

Highlighted sections are the proposed changes.

- D. Minor parent whose parents have chosen to apply for benefits for the minor parent. This does not apply to minor parents who are living apart from their parents.
- 7. **PURSUING AND ASSIGNING BENEFITS/ASSETS:** Except for pregnant females and SSI recipients, clients must pursue and report child support, unless there is good cause, e.g., where members have been battered or subjected to extreme cruelty.
- 8. **RE-DETERMINATION OF TRIBAL TANF ELIGIBILITY:** Eligibility for assistance is reviewed every six months. The review includes participant eligibility and evaluation of the Family Service Plan (FSP) for that household. Re-determination includes verification of eligibility factors and compliance with the FSP and ensuring that the FSP is tailored to the household

SECTION V: FEDERATED INDIANS OF GRATON RANCHERIA FINANCIAL ELIGIBILITY REQUIREMENTS:

- 1. **RESOURCE LIMITS:** The resource limits for needy families and participants are:
 - A. \$20,000 for all families defined as a Family in Need of Assistance, Transition, Diversion or Emergency services.
 - B. No limit for needy families or participants in need of other services.
- 2. **COUNTABLE ASSETS:** All other assets, i.e.; property, mineral rights, stocks, etc., will be considered as available assets, (exception; land/home located on an Indian reservation and/or a dwelling and associated land owned by a member of the TANF unit and providing the primary residence of the family/unit). Any resources beyond the limit 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 or inoperable vehicles and /or other assets that are held in trust or have no value. (Refer to Appendix "A" for detailed table) We also will exempt all property that is considered cultural, traditional or for subsistence purposes.
 - A. The program will exempt one vehicle per licensed driver when that vehicle is used for employment, education and training, and/or transportation of family members.
 - B. The program will exempt any funds in an Individual Development Account administered by the TTSM
 - C. On a case by case basis, TTSM may waive the resource limit if the resource is reasonably expected to produce employment or income for the family in the future (e.g., wood cutting equipment, tools, etc)

Highlighted sections are the proposed changes.

3. INCOME LIMITS:

- A. **Assistance:** All earned income (except the first \$1,000 plus 50% of each additional dollar of earnings will not count as income in determining a family's grant); the remainder will be counted toward the set grant amount. The total income/earnings, (after deductions), shall not exceed the Family grant amount. The TANF Program will exclude: all Indian judgment funds or other disbursements that are excluded under federal law, and the first \$7,500 a year in tribal per capita payments. (Refer to Appendix "A" for detailed table.) When per capita payments are not provided on a frequent or regular schedule (i.e., monthly) after the yearly one-time \$7,500 deduction, the remaining per capita payments will be treated as irregular income and averaged out over the course of the year for income eligibility determination purposes.
- B. **Emergency, Diversion and Prevention Services:** All income is countable.

SECTION VI: PAYMENT OF TANF BENEFITS

1. TANF ASSISTANCE AND SERVICES

The TANF program will provide monthly cash assistance for shelter, clothing and other basic needs. Cash assistance and other assistance shall be provided as follows:

- A. Cash assistance or assistance through a voucher system and may include heating/cooling, housing, food, and incidental costs
- B. Transportation costs based on need and available funding
- C. Depending on available funds, TANF will provide, subject to lifetime limits and availability of funds, justified job related or educational costs for participants when related to TANF work participation including, but not limited to, the following: books, uniforms, tuition, educational supplies, childcare, clothing allowance and transportation expenses.
- D. **Payment Standards for TANF Benefits:** The TANF Program will incorporate the same benefit standards as CalWORKS established for Sonoma and Marin Counties in the fiscal year 2000 adjusted by the all subsequent annual increases in the Consumer Price Index for the San Francisco Bay Area, or the fiscal year 2020 benefit standards as established for Sonoma and Marin Counties adjusted by the all subsequent annual increases in the Consumer Price Index for the San Francisco Bay Area, whichever is greater and as funding permits. The

Highlighted sections are the proposed changes.

Tribe reserves the right to disregard a portion of cost of living increases as fiscal prudence dictates.

2. DIVERSION SERVICES

The TANF Program will provide payment to eligible individuals or families as an alternative to ongoing cash assistance. Individuals/families must be employed, have an explicit job offer, or have a recent work history. A recent work history is defined as having worked within the 90-day period immediately preceding the date of application. Individuals or families must also have a written plan for self-support from earned or unearned income.

The purpose of diversion assistance and support services payments provided under this portion of the program is to provide limited, temporary assistance to families who do not desire or need to participate in the regular cash assistance program and who have the desire and potential capability to move directly into or remain in the work force without going into the monthly cash assistance maintenance program. Such payments can be made to a family for up to four consecutive months. The total dollar amount of diversion payments depends upon the specific needs such payments are meant to address, but cannot exceed the total Family Size Allowance payment standard for a four month period of time. Diversion assistance is only available once every 36 months with a \$5,000 cap per family episode of need.

Services and/or items that may be purchased with this payment include:

- Work expenses such as uniforms, tools, special certifications and licensing, work appropriate clothing and the like
- Mortgage, rent or other housing expenses
- Car repairs, inspections, payments, insurance premium payments and other transportation costs
- Child care
- Costs to relocate to secure employment
- Payments to repair credit-worthiness that is a condition of employment, not to exceed \$1,000.

To be eligible for this initiative, the individual or family must:

- Meet the income/resource requirements and definitive conditions for TANF which are minor child, specified relative and deprivation
- Be employed or have been employed within three months of applying for services or have a current job offer
- Have a specific episode of need that, if met, will allow an individual(s) to be employed, or that would eliminate the individual's or family's need for ongoing TANF cash assistance because of other unearned income
- Have a verified plan for ongoing self-support from earned or unearned income

Highlighted sections are the proposed changes.

3. EMERGENCY SERVICES (NONRECURRING SHORT-TERM BENEFITS)

Emergency Services are designed to deal with a specific crisis situation or episode of need and are not intended to meet recurrent or ongoing needs. Emergency services are intended to meet immediate needs of the family. All personal, other federal, state, county and tribal resources must be exhausted or not available to the family, and will be related to removing barriers to employment. Emergency services may be provided to eligible households regardless of whether they currently are receiving assistance services.

Services include crisis services for participants at risk of homelessness, death or serious medical or health-related conditions, utility shut off or other conditions of the family that demonstrate an emergency or urgent situation that may cause imminent harm to the family. Emergency circumstances that would lead to a need for assistance services or that would impede a family's path toward self-sufficiency are of particularly great importance.

There is a \$7,500 lifetime limit per family or a TANF case involving the same minor children; families are eligible only once every 12 months unless there are extraordinary circumstances. Non-needy caretakers are eligible to apply for emergency assistance on behalf of needy eligible children when the emergency only implicates the needs of the eligible child.

SECTION VII: TIME LIMITS

1. GENERALLY

The TANF Program shall limit the time a family may receive cash assistance from the TANF program to a maximum of 60 months. When a family member reaches the sixty-month time limit, cash assistance to the family will end. The family may still be eligible for non-cash supportive and prevention services.

The TANF Program will not count benefits received by another Tribal/State TANF Program if the applicant lived on an Indian reservation that had at least 50% not employed during the time of eligibility for assistance.

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

2. HARDSHIP EXEMPTION

The TANF Program may exempt up to 20% of the caseload from applicable time limits based upon hardship. Hardship exemptions are conditions that hamper or inhibit an individual's ability to maintain work or enter into work activities. On a

Highlighted sections are the proposed changes.

case by case basis the TANF Program may consider the following categories of cases for exemption from the sixty month time limit considered on a case by case basis:

- An individual's disability, as determined by a qualified professional, which limits their ability to perform work activities and/or maintain employment
- Single parents with four or more children under 12 years old
- Adult responsible for the care of an elderly, (60 years of age or older) or disabled parent/relative
- Insurmountable transportation difficulties in rural areas
- A member of the family has to care for a family member with a serious health problem (this exclusion is limited to three cumulative months in a 24 consecutive month period);
- Both parents are incapacitated or one parent has to care for the other incapacitated parent

The needs of the Tribe's TANF service area requires a 30% cap on the number of hardship exemptions because of the remoteness of much of the service area, the lack of adequate transportation in much of the service area, significant and serious health issues in the Indian population as compared to the general, non-Indian population, and the number of children being cared for by non-needy caretakers.

3. DOMESTIC VIOLENCE AND EXTREME HARDSHIP

Pursuant to 45 CFR 286.120 and 45 CFR 286.140 we intend to exempt from TANF time limits families which have been subjected to extreme cruelty or battery for up to 24 months. Eligibility for this exception must be determined and documented by a Case Manager and approved by the TANF Director based upon TANF Policies.

The Federated Indians of Graton Rancheria has established and is enforcing standards and procedures that meet the Tribal and federal standards and certifies that TANF policies includes procedures that will:

1. Screen and identify individuals with a history of domestic violence, while maintaining;
2. Refer such individuals to counseling and supportive services; and
3. The TANF Program will provide waivers, pursuant to a determination of good cause, of TANF program requirements to such individuals for so long as necessary in cases where compliance would make it more difficult for such individuals to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.

Family Violence Waivers of TANF program requirements must:

Highlighted sections are the proposed changes.

1. Identify the specific program requirement being waived;
 2. Be granted based on need as determined by an individualized assessment by a person trained in domestic violence and re-determinations no less than every six months;
 3. Be accompanied by an appropriate services plan that:
 - a. Is developed in coordination with a person trained in domestic violence;
 - b. Reflects the individualized assessment and any revisions indicated by any re-determination; and
 - c. To the extent practicable is designed to lead to work.
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SECTION VIII: TANF PLAN SERVICES

THE TANF PROGRAM MAY PROVIDE THE FOLLOWING TANF RELATED SERVICES:

1. SUPPORT SERVICES FOR FAMILIES IN NEED OF ASSISTANCE

Purpose: Support services payments will be issued to the Tribe's TANF program participants, or directly to the service providers and are intended to enable participants to engage in assigned TANF activities and/or accept and maintain employment.

Kind of Services: The Tribes support services funds will be expended on needs that cannot be addressed by other available programs, such services include the following items:

- A. Child care (subject to the program policies)
- B. Transportation (e.g., car repairs, insurance, fuel costs, bus tickets, etc.) for the TANF purposes and activities
- C. Tools and equipment needed for work or occupation
- D. Relocation expenses for employment as related to employment
- E. Grooming and cosmetic expenses (e.g., dry cleaning, haircuts) as related to employment
- F. Substance abuse and mental health counseling related to removing barriers to employment when other resources, e.g. IHS, Tribal medical services, Medicaid, Insurance, etc. have been exhausted or do not cover these expenses
- G. Dental services related to removing barriers to employment when other resources, e.g. IHS, Tribal medical services, Medicaid, Insurance, etc. have been exhausted or do not cover these expenses
- H. Eye glasses related to removing barriers to employment when other resources, e.g. IHS, Tribal medical services, Medicaid, Insurance, etc. have been exhausted or do not cover these expenses

Highlighted sections are the proposed changes.

- I. Culturally relevant support services for the purposes of TANF
- J. Domestic violence services
- K. Onetime payment of up to \$1,000 for each of the following purposes:
 - o a onetime payment of education loans or debt (state or other nonfederal) as needed to advance participant's current education and training
 - o Payment of a debt necessary to secure good credit or to establish eligibility for housing and/or utility services
- L. One-time payment of up to \$1,500 for traffic fines or classes when necessary to secure or renew a driver's license and where such a license is needed to remove barriers to employment and training (and education). DUI related fines are excluded. This assistance is subject to available funding.
- M. Educational or training activities/non-cash assistance to non-custodial parent of an eligible Tribal TANF family for the purposes of improving the non-custodial parent's ability to contribute to the support of the child(ren)
- N. Educational or training activities that lead to self-sufficiency
- O. Other expenses reasonably related to the purposes of TANF

2. PREVENTION SERVICES

For the **purposes** of this section we are using the following TANF purposes:

- 1. To prevent dependence of needy families on government benefits by promoting job preparation, work and marriage
- 2. To prevent and reduce the incidence of out-of-wedlock pregnancies
- 3. To encourage the formation and maintenance of two-parent families

Services provided under this section include, but are not limited to, the following approaches that are consistent with the purposes of TANF:

- Traditional values, health and wellness
- Support healthy and stable two-parent families
- Juvenile justice prevention services
- Culturally relevant youth and family activities
- Increase non-traditional educational opportunities for Tribal youth
- Substance abuse education and prevention for families and children
- Youth mentoring and tutoring
- Youth education development designed to reduce the need for government based assistance
- Parenting skills and classes
- Education development related services

3. COORDINATION WITH OTHER PROGRAMS

Highlighted sections are the proposed changes.

The TANF Program will coordinate with other Tribal service providers (e.g., TERO, Indian Housing Authority, ICWA, General Assistance, LIHEAP) and other welfare related agencies (county, state and tribal eligibility based or work opportunity programs) and will assist applicant's in order to obtain needed services. The Tribal TANF Program will coordinate with the state, county, local high schools, community colleges, universities, and local Indian programs for educational needs and to enhance job opportunities.

The Federated Indians of Graton Rancheria will use the similar state/tribal memorandum of understanding used by other Tribal TANF Programs in California to address the transfer of cases and other related information.

4. ISSUANCE DECISIONS

The initial decision regarding whether to approve a participant's request for a support service payment and in what amount are made by TANF Case Managers based on assessments of participants' situations and the requirements of the FSP. A support service payment, as opposed to an emergency service payment, should be for the purpose of helping that family move towards self-sufficiency rather than meeting an episode of special need. Requests for payment should include an explanation that describes how and why the supportive service will meet this goal, why the cost is appropriate, and whether these services are available outside of the TANF program. These justifications will be part of the case file for the TANF unit. Under no circumstance will a participant be required to engage in activities for which they need support services but that have been denied them by the TANF program or other local programs.

5. CHILDCARE

The TANF Program may provide childcare services to eligible Tribal TANF assistance families participating in approved work activities. For the purposes of transition, childcare services may be made available to families at risk of welfare dependency up to twenty-four months beyond eligibility of the TANF Program for cash assistance if all adults in the household are employed, or if one adult is employed and the other is actively seeking work. During this transition period, TANF participants must first apply for county or tribal childcare funding.

Childcare may be provided by private providers or by contracted state or tribally licensed childcare providers. The TANF Program will provide childcare funds when necessary, after all other sources of funds are exhausted, including payment of childcare for children in the household but not on the AU and the entire household is risk of becoming welfare dependents due to lack of childcare.

Highlighted sections are the proposed changes.

TANF childcare assistance may continue for a twenty-four (24) month maximum for those families moving off TANF due to a combination of earned/unearned family income that exceeds that TANF base allocation for that family. Households with no adult employed, and that have simply timed-out are not eligible for childcare.

6. TRANSITIONAL SUPPORT SERVICES

In addition to childcare, as detailed above, Tribal TANF participants may also be eligible for other support services payments for up to twenty-four (24) months after they become employed and lose eligibility for the TANF cash grant due to excess income (i.e., income that exceeds the Tribal TANF eligibility standards). Case Managers will provide written justification for all support service decisions, including why the service is needed as related to TANF purposes and why the cost is appropriate. These justifications will be part of the case file for the TANF unit.

7. FINANCIAL LIMITS

The program is responsible to manage within a total TANF budget, and may establish, yearly, lifetime, individual or aggregate limits as needed. The Tribe may also establish limits on the amount it will pay for specific support services. Although this TFAP establishes no set limitation on the total amount of individual payments for supportive services, such limits may be imposed as program policy and procedure.

8. INDIVIDUAL DEVELOPMENT ACCOUNTS (IDA)

The TANF Program will allow Needy Family participants receiving assistance to accumulate assets through a program of individual or family group development account for the following purposes:

1. Post-secondary education expenses (the amount is paid directly to an eligible educational institution)
2. Purchase of a first home
3. Business development

The value of any IDA's are excluded from asset limit calculations.

SECTION IX: EMPLOYMENT BARRIERS AND OPPORTUNITIES

GENERAL DESCRIPTION OF SERVICE AREA

Highlighted sections are the proposed changes.

Sonoma County is considered a rural/suburban county with a significant number of unincorporated and geographically isolated areas. Sonoma County covers over 1,600 square miles; the total population in 2010 Census data was 483,878. Ranging in population from 8,618 (Cloverdale) to 167,815 (Santa Rosa), the County's nine cities are Petaluma, Rohnert Park, Cotati, Sebastopol, Santa Rosa, Sonoma, Healdsburg, Cloverdale, and Windsor. The Russian River/West County Area includes the unincorporated city of Guerneville, as well as several other small, unincorporated communities. Many of these communities are geographically isolated from each other and operate very independently.

Sonoma County is located approximately forty miles north of San Francisco and is bordered by the County of Marin to the south, the County of Napa to the east, and the Counties of Mendocino and Lake to the north. The entire western portion of the County consists of Pacific Ocean coastline.

Marin County is linked to San Francisco by the Golden Gate Bridge and to the East Bay by the Richmond-San Rafael Bridge. It is bordered on the north and northeast by Sonoma County and on the west by the Pacific Ocean. The 520 square miles of Marin offer a wide variety of topography, climate, and vegetation, from the tidal flats of the coastline to the slopes of Mt. Tamalpais rising 2,600 feet above sea level; from the dense stands of redwood and pine to the inland grasslands and exposed rocky areas, and the coastal fogs that temper the warm inland temperatures in summer.

Marin County is usually thought of as a suburban residential and recreational area, ranching and dairying are major features of the rural areas of West Marin. Industry in the county includes movie and video production, computer software, communications equipment, printing, and the manufacture of plastic products, ceramics, candles, and cheese.

Both counties in the TANF Service Area are experiencing a "Housing Bubble." This means that housing costs are rising much faster than wages. This is especially acute with low income families.

MEDIAN HOUSEHOLD INCOME AND OTHER INCOME DATA (2010 Census)

	State	AIAN	AIAN % of state	AIAN % of county
Median Household Income in 2010				
California	\$ 61,818	\$ 45,491	73.6%	
Marin	\$ 89,208	\$ 54,271	87.8%	60.8%
Sonoma	\$ 63,274	\$ 48,240	78.0%	76.2%
Family Median Income in 2010				

Highlighted sections are the proposed changes.

California	\$ 70,720	\$ 51,839	73.3%	
Marin	\$ 112,911	\$ 65,278	92.3%	57.8%
Sonoma	\$ 76,715	\$ 56,698	80.2%	73.9%
Per Capita Income in 2010				
California	\$ 30,318	\$ 21,416	70.6%	
Marin	\$ 53,940	\$ 20,770	68.5%	38.5%
Sonoma	\$ 32,597	\$ 26,678	88.0%	81.9%

As noted in the 2010 Census, American Indian families residing in Marin and Sonoma Counties are significantly lower income level than the median income level for all populations. Median Household Income (MHI) for AIAN is 60.8% of all populations in Marin County and 76.2% of all populations in Sonoma County. Family Median Income (FMI) exhibits an even worse trend. This is exhibited in the table above.

Per Capita Income demonstrates that Indian individuals significantly below the general population. This is particularly acute in Marin and Sonoma Counties where the cost of living is higher.

Compared to other Bay Area Counties Indian families residing in Sonoma, and to a lesser extent Marin County, have much higher rates of utilization of CalWORKS assistance.

EMPLOYMENT TRENDS

Marin County

A diverse workforce has persons in a variety of occupations. Traditionally, management, professionals, and sales persons have higher incomes than laborers and clerical workers. As occupational data is based on where an employee lives, it is clear that most of Marin's workforce is in higher earnings positions. This data compared with employment data, which is employer based, shows why there is a significant amount of commuting in and out of the County; the workers living inside and outside Marin don't live where their jobs are located.

In 2010, the employed civilian labor force in Marin County was approximately 132,805 persons, with a very low unemployment rate of 1.9% (U.S. Census 2010). Employment opportunities in Marin County are primarily available in the following sectors: management, professional and related (52.5%), sales and office (24.7%), service (12.0%), construction, extraction, and maintenance (6.0%), production, transportation, and material moving (4.5%), and farming, fishing & forestry (0.5%) (U.S. Census 2010). Cities with the highest unemployment rates included Sausalito (3.5%) and Larkspur (3.7%).

Highlighted sections are the proposed changes.

The 2019 Unemployment rate for Marin County is 2% (Employment Development Department- Labor Market Information Division).

Sonoma County

In 2010, the employed civilian work force in Sonoma County was approximately 261,415 persons, with an unemployment rate of 8.1% (U.S. Census 2010). Employment opportunities in Sonoma County primarily are available in the following sectors: management, professional and related (35.0%), sales and office (23.4%), service (19.8%), production, transportation, and material moving (9.8%), construction, extraction, and maintenance (10.6%), and farming, fishing & forestry (3.4%) (U.S. Census 2010). The trend in Sonoma County is toward high technology and tourism related jobs.

The 2019 Unemployment Rate for Sonoma County is 2.4% (Employment Development Department- Labor Market Information Division).

EMPLOYMENT OUTLOOK FOR AMERICAN INDIANS

2010 Census data indicates that Indians are significantly under MHI, FMI and Per capita Income. This clearly indicates significant unemployment or under-employment as compared to the whole population. This is true for various reasons and will be a barrier the TANF Program will need to address. Some of the reasons include:

- Lower graduation rate for Indian youth than their counterparts- Indians have a 70% rate as compared to the general population rate of 82%
- 2010 Census data indicates that 23% of the AI/AN population 25 years and over do not have a high school diploma.
- The economies for both Marin and Sonoma Counties are taking a strong turn towards the High Tech sector. This requires extensive training and experience. Tourism and related services are also growing.

SECTION X: WORK REQUIREMENTS

Minimum Average Participation Hours per Week: The TANF Program can reasonably expect that the following average participation hours per week standards reflect what can reasonably be expected from its TANF participant population. Predictably, a significant number of Tribal TANF participants will have been out of school and/or unemployed for a substantial period of time.

TANF agrees to satisfy the following minimum participation rates as established by the TANF Program and as consistent with economic conditions and resources.

Highlighted sections are the proposed changes.

Work Hours Required for All Single Parent Families (except non-needy caretakers and Parent(s) with a child under one year of age)

Program Year	Minimum Participation Rate (hr/wk)
FY 2020/21	20
FY 2022	20
FY 2023	20

Work Hours Required for All Two Parent Families (except non-needy caretakers and Parent(s) with a child under one year of age)

Program Year	Minimum Participation Rate (hr/wk)
FY 2020/21	30
FY 2022	30
FY 2023	30

FIGR TANF allows either or both parents to participate in the work activity to meet the minimum requirements, the work hours of both parents can be combined).

Work Activities Countable for Participation Rates: The TANF program will coordinate with existing state, county, and tribal services or make available to its participants the following employment and training activities. Some of the following activities will be conducted directly by the Program; others will be delivered through contracts with other tribal programs or local service providers. The following list of work activities is not intended to be inclusive. These services are offered subject to fund availability.

- Unsubsidized employment
- Subsidized tribal, private/public sector employment
- Participation in a “NEW” activity, (if and when this service becomes available)
- Work experience and on the job training
- Job search/Job Readiness Training
- Education related to employment
- Satisfactory attendance in secondary school or in a course of study leading to a certificate of general equivalence in the case of a participants who has not completed secondary school or received such a certificate
- The provision of child care services to other TANF Participants engaged in work activities
- Domestic Violence, substance abuse and mental health counseling, education and rehabilitation

Highlighted sections are the proposed changes.

- Small business training
- Life skills training and education
- Culturally relevant work activities based upon tribal culture
- Sheltered/Supported Work: Involves work site job skills and job readiness training coupled with intensive supervision and counseling. The intent of the activity is to assist participants who lack basic job experience and skills to develop them at their own pace in a supportive environment.
- Other activities that are judged to constitute work and which contribute to the employability of the participant.

MANDATORY WORK REQUIREMENTS

TANF agrees to satisfy the following minimum participation rates as established by the TANF and as consistent with economic conditions and resources

WORK PARTICIPATION RATES

ALL FAMILIES (Except non-needy caretaker)

FISCAL YEAR	MINIMUM PARTICIPATION RATE
FY 2020/21	36%
FY 2022	36%
FY 2023	36%

For two-parent families TANF will allow either one of the parents to fulfill the minimum number of work hours required or allows both parents to participate in a work activity and combine the work hours of both parents to meet the minimum requirements.

TANF will exempt Parents in the following circumstances:

- Parents in their third trimester of pregnancy or from work participation hours
- During the first one year after birth of their child

When a one-parent in a two parent household is exempted, the minimum work participation shall be that of a single-parent household.

SECTION XI: EXEMPTION FROM WORK PARTICIPATION REQUIREMENTS

LIMITATIONS AND SPECIAL RULES

Highlighted sections are the proposed changes.

An individual shall be considered to be engaged in work by virtue of participation in any work activity specified in this plan or approved by the TANF Program in advance.

An individual's job readiness may only count toward work requirements for a total of 6 weeks in any fiscal year unless our Tribe's unemployment rate in our Tribal TANF service area is at least 50 percent greater than the United States' total unemployment rate for that fiscal year, then an individual's participation in job search or job readiness assistance counts for up to 12 weeks in that fiscal year. If job search and/or job readiness activities are an ancillary part of another activity, then there is no limitation on counting the time spent in job search/job readiness.

A single parent with a child under six and over one year of age shall be required to participate at a minimum of twenty hours worked per week. A single parent with a child under one year of age shall be exempt from any work requirements.

A teen head of household who maintains satisfactory high school, GED, vocational, or college attendance is considered to be meeting the work participation requirements.

Cash assistance will not be terminated or reduced if a single parent caring for a child under the age of six refuses or stops work activities for the following reasons with a certified written statement.

- A. Unavailability of a licensed childcare provider, license-exempt/TrustLine Certified childcare provider or Aunt, Uncle, Grandmother or Grandfather related by blood or marriage with no physical or mental disabilities within 20 miles of the individuals home or work site, or
- B. There is no TrustLine Certified informal child care by a relative or other arrangements, or
- C. Unavailability of appropriate childcare whose rates do not exceed the established reimbursement rates as defined by the Regional Market Ceiling Rate for California Childcare, or
- D. Chronic illness or medical condition of the child requires the parent to stay at home to care for the child.

MANDATORY WORK ACTIVITIES PARTICIPATION: Unless exempted, all participants will be required to participate in basic education, employment preparation and training (including work experience), and/or job search/job readiness assistance activities. In addition, those participants with significant employment barriers will be offered, and will be required to accept, services designed to help them address and overcome such barriers.

EXEMPTION CRITERIA: While the Tribes TANF program expects most of its adult and minor parent participants to engage in activities intended to move them

Highlighted sections are the proposed changes.

toward self-sufficiency, it recognizes that some conditions and circumstances may limit or prevent persons from benefiting from such engagement. The following is a list of conditions and circumstances that will exempt participants from the Tribes TANF work participation requirements.

- Pregnant females who are: (1) in their last trimester of pregnancy and age 18 or over; or (2) experiencing medical complications due to pregnancy that prevents active participation;
- **Parent(s) during the first one year after giving birth to a child;**
- Persons who must do the following to participate in the individual TANF work activities: (1) travel 30 or more miles one way from their home; or (2) remain away from their home overnight;
- Persons age 60 or over;
- Persons determined by the Case Managers and certified by the TANF Director to be unable to participate in TANF activities due to a doctor-certified medical condition or other extraordinary circumstances (e.g., care for disabled or chronically or acutely ill children, elder care).

SECTION XII: GOOD CAUSE CRITERIA FOR NONCOOPERATION WITH TANF WORK REQUIREMENTS

RESPONSIBILITY FOR DEMONSTRATING GOOD CAUSE: Participants who fail to participate in assigned Tribal TANF activities or who fail to accept and/or maintain employment/work requirements will be subject to sanctions. The exception is when the individual participant has good cause for such failures. It is the responsibility of the participant claiming to have good cause to demonstrate and produce evidence supporting the existence of good cause.

GOOD CAUSE CRITERIA FOR FAILURE TO PARTICIPATE IN ASSIGNED TRIBAL TANF ACTIVITIES:

- Transportation breaks down, or is unavailable;
- Child care arrangements break down or are unavailable;
- Mental or physical illness of the caretaker or a dependent child
- Schedule conflicts with required court appearances or incarceration;
- Extreme weather conditions such as floods, heavy snow, or other serious acts of nature
- Family circumstances or issues of an emergency nature preventing participation;
- Misunderstanding of participation requirement (one time only). This refers to the failure to participate in TANF Work activities and not employment.

GOOD CAUSE CRITERIA FOR FAILURE TO ACCEPT OR MAINTAIN EMPLOYMENT

Highlighted sections are the proposed changes.

Good cause exemptions shall be determined by the case worker and certified by the TANF Director on a case by case basis considering the unique facts of each circumstance. Good cause may include the following circumstances or conditions:

- Lack of transportation
- Lack of child care
- Illness statement (verified by doctor)
- Extreme weather conditions such as floods, heavy snow, or other serious acts of nature

Other good cause conditions include:

- The work adversely affects the person's health;
- The work site violates health and safety standards;
- The wage does not meet minimum wage or piece work standards;
- Required hours of work are in excess of what is customary for the job;
- The job is vacant due to a strike, lockout or other labor dispute;
- The job referral or employer exhibits overt discriminatory behavior toward the participant;
- The person quit a job and did not understand the TANF penalty for job quits (one time only).

SECTION XIII: TRIBAL TANF NONCOOPERATION SANCTIONS

GENERAL PRINCIPLES: Sanctions are intended to induce cooperation with Tribal TANF program requirements on the part of the participants who, without sanctions or the threat of sanctions, would fail to do so.

The sanction process is progressive in the sense that it has graduated levels of response to program violations: the more serious the program violation, the more severe the sanction. In addition, a participant sanctioned at a certain level will be at-risk of a higher level of sanction for future violations. Built into this progressive sanction process, however, is a mitigation factor; namely, that a participant may begin again at the first sanction level after 12 months have elapsed from the date the original sanction was imposed.

SANCTIONS-PENALTIES AGAINST INDIVIDUALS

If an individual in a family receiving assistance refuses to engage in work as required by the TANF in the absence of good cause, TANF may reduce or terminate the amount of assistance otherwise payable to the family for that parent or needy caretaker. TANF may also provide limited assistance for basic needs through a voucher system for those individuals that fail to work or participate in work participation requirements until such time that the individual

Highlighted sections are the proposed changes.

resumes work requirements. The voucher system will pay for food, utilities and shelter only. We also may impose other sanctions appropriate to the needs of the family and delineated in TANF policy.

Any individual who refuses to complete substance abuse testing or to participate in substance abuse/mental health counseling and/or treatment when referred by TANF shall be placed on the voucher system. The policies and procedures for penalties will be further defined in TANF guidelines.

TERMINATION DUE TO FRAUD: In cases where there has been a termination for deliberate fraud, i.e., collecting TANF benefits from multiple sources, knowingly providing fraudulent information when participant was receiving SSI or was employed independently or deliberate withholding or misstating resource information, the TANF program, at the discretion of the TANF Director, may declare the participants ineligible for a period up to two years.

SECTION XIV: RIGHTS AND DUE PROCESS

NOTICE AND HEARING RIGHTS: The TANF will send notice to the participant at least 10 days before taking an adverse action on their case. A participant will have a hearing on a case decision if any of the following applies:

1. The TANF Program has not acted on a request or application for TANF within 30 days of the date the application is received;
2. The TANF Program claims that an earlier TANF payment was an overpayment;
3. The participant is protesting the TANF Program decision to deny, reduce or end benefits.

A request for hearing is complete when the TANF Program Hearing Request form is filled out and signed by the claimant or the claimant's representative and is received by TANF. To be timely, a completed hearing request must be received by the TANF Program not later than 30 days following the date of the TANF decision notice.

A claimant has the right to an expedited hearing if the claimant disagrees with the denial of continued benefits. An expedited hearing will be held within five working days of TANF Program's receipt of the written hearing request, unless the claimant requests more time. Notice of the hearing shall be served upon the claimant either personally or by certified mail not later than 48 hours prior to the hearing time. TANF Program will issue a Final Order within three working days from the date of the hearing.

Highlighted sections are the proposed changes.

Disputes involving the TANF Program participants will be resolved fairly, quickly, and at the lowest level possible.

PENALTIES AGAINST INDIVIDUALS

If an individual in a family receiving assistance refuses to engage in work as required by the TANF Program in the absence of good cause to the contrary, the TANF Program may reduce or terminate the amount of assistance otherwise payable to the family for that parent or needy caretaker or the TANF Program 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 will pay for food, utilities, shelter and some daily living needs.

Any individual that refuses to participate in substance abuse/mental health counseling when referred by TANF shall be placed on the voucher system.

APPEAL RIGHTS AND PROCESS

During the application process any individual shall be advised of their right to appeal an adverse decision or sanction by TANF decision to deny, reduce, or terminate assistance/services or placed on the voucher system. A written notice of appeal rights, process and time line shall be provided at the time of application and with any decision document whether mailed or otherwise provided.

TANF will provide individuals at risk of losing benefits a notice of adverse actions 10 calendar days before said action will begin. All appeals must be in writing and submitted to the TANF Director within ten (10) calendar days of receiving the notice. The TANF Director will hold a fair Hearing within ten (10) calendar days of receipt of the appeal request. The TANF Director will issue a written decision within ten (10) calendar days of the hearing date.

A final appeal of an adverse decision may be made by the participant within ten (10) days of receipt of the decision of the TANF Director. Such final appeal shall be directed to the Grievance Committee whose members shall be appointed by the Graton Tribal Council. The TANF Grievance Committee shall be comprised of three (3) individuals that have a demonstrated professional and working knowledge of Social Services, Employment and or Educational issues. The Committee shall schedule a hearing. The time, date and place of the hearing shall be mutually convenient to the committee and the participant. Transportation costs may be provided if need is established. Upon receipt of the appeal, counted as day one, the Committee shall render a decision and notify the participants in writing within ten (10) days. The decision of the Committee shall be final and binding. All appeal periods are in calendar days.

Highlighted sections are the proposed changes.

SECTION XV: CONFIDENTIALITY

ALL TANF PARTICIPANT INFORMATION IS CONFIDENTIAL: The TANF Program will take such steps it deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance. The TANF Program will not release or disclose participant information, except as specifically authorized in administrative rule, or as ordered by a court of competent jurisdiction.

Confidential participant information includes all verbal, written, printed or electronic display of data that can identify any specific participant's name, SSN or address. Confidential data cannot be released in any format, including mailing labels; PC downloads on disk or spreadsheet, or other computer printouts, unless specifically authorized by the TANF Director.

INFORMATION EXCHANGE: All Tribal staff receives training on keeping participant information confidential. Each employee is asked to sign a statement that they have read and understood the importance of confidentiality. These procedures are also extended to our partners to ensure that they uphold similar standards on participant information.

VERBAL AND WRITTEN INFORMATION: All information related to a participant's eligibility is documented in the participant's case file and kept with other written information pertaining to the participant's case. The content of the file is handled by the Case Manager, but may be reviewed by the TANF Director and other Department Management staff if deemed necessary for the administration of the program.

INFORMATION PERTAINING TO SUPPORT ENFORCEMENT: The TANF Program will disseminate administrative rules to safeguard all confidential information of participants in relation to establishing parentage; establishing, setting the amount of, modifying or enforcing child support obligations; or enforcing child custody or visitation orders.

SECTION XVI: INFORMATION ACQUISITION AND EXCHANGE

INFORMATION EXCHANGE: In accordance with established Memorandum of Understanding, the Tribes TANF Program, the county, and the Department of Social Services will be authorized for and have access to specific data necessary for the administration of the TANF programs, and to assure that a family receiving assistance under the plan(s) does not receive duplicative assistance from other State or tribal programs funded under this part.

Highlighted sections are the proposed changes.

EXCHANGE OF INFORMATION WITH LAW ENFORCEMENT AGENCIES: The TANF Program will provide information to Tribal, State, or Federal law enforcement officers involved in carrying out public assistance laws, or any investigation, criminal or civil proceedings connected with administering the agency's benefit programs. The agency also will provide the current address of any participants to a law enforcement officer if the officer furnishes the name and SSN in any case of fraud referred for legal action by TANF. Otherwise, no information will be provided to law enforcement officers on participants from case records, conversations or sources obtained because the person is or has been a participant of TANF except as required by Federal law or regulation.

Information Pertaining to Support Enforcement: The TANF Program will promulgate policies and procedures to safeguard all confidential information of participants in relation to establishing parentage; establishing, setting the amount of, modifying or enforcing child support obligations; or enforcing child custody or visitation orders.

SECTION XVII: GRATON TANF OPTIONS

The Federated Indians of Graton Rancheria has chosen the following options:

1. The Federated Indians of Graton Rancheria reserves the right to establish a family cap.
2. All TANF applicants are required to participate in substance abuse testing during the period of intake. For cause testing will be conducted as deemed necessary by the Program. A positive test will require participants to complete a substance abuse assessment and comply with the recommendations of the Substance Abuse Counselor. This will include counseling, education or rehabilitation programs depending on the substance abuse evaluation. TANF will continue Tribal TANF assistance to the family. In some cases the TANF Caseworker may elect to serve through a voucher system, or deny reduce/terminate benefits until the participant comes into compliance.
3. TANF requires all school age children to attend an approved education program. Regular attendance, verification of enrollment and current status is required. Cash benefits will be reduced, until child(ren) return to school or attend regularly.
4. The TANF Program will apply a two-year denial of benefits to those applicants who have been determined to have fraudulently collected TANF benefits.
5. The TANF Program will have no deprivation requirement.

Highlighted sections are the proposed changes.

6. The participant must provide proof of current immunizations of all children in the need group.
7. Any participant receiving TANF benefits from TANF convicted of a felony drug, sexual abuse, or domestic violence crime will be denied benefits for 2 years following conviction.
8. Any applicant convicted of a crime governed by the FIGR Indian Children Protection Statute may, and where there are no mitigating factors, may be denied all services or receive restricted services as necessary to protect other Indian children from harm as mandated by federal and tribal law.
9. TANF will continue to provide cash assistance while an eligible Tribal TANF parent/needful caretaker is in an inpatient substance abuse treatment program for a maximum of 180 days.

INFORMATION PERTAINING TO SUPPORT ENFORCEMENT: The TANF Program will promulgate policies and procedures to safeguard all confidential information of participants in relation to establishing parentage; establishing, setting the amount of, modifying or enforcing child support obligations; or enforcing child custody or visitation orders.

RETROCESSION PROVISION

The Federated Indians of Graton Rancheria may retrocede the operation of this TANF program to the state and HHS/ACF by 1.) providing written notice to ACF and the State according to the guidelines in 45 CFR 286, and by 2.) meeting all the requirements in 45 CFR 286 for retrocession.

SECTION XVIII: FISCAL ACCOUNTABILITY ASSURANCE

For each fiscal year during which Federated Indians of Graton Rancheria receives or expends funds pursuant to a block grant under Section 412 Of Title I-Block Grants for Temporary Assistance for Needy Families, the fiscal accountability provisions of Section 5(f) (1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code, applies.

Highlighted sections are the proposed changes.

SECTION XIX: DATA COLLECTION AND REPORTING

The Federated Indians of Graton Rancheria will comply will all the statutory and regulatory data collection and reporting requirements pertaining to Tribal TANF

Highlighted sections are the proposed changes.

Appendix One: Countable Income Matrix

TYPE	INCOME					RESOURCES	
	Excluded	Earned	Unearned	Periodic	Lump sum	Excluded	Count*
Adoption Assistance							
Special Needs	X						
Remaining Balance			X				
Agent Orange							
Issued by Aetna Life and Casualty	X						
Issued through DVA			X				
Alaska Permanent Fund Dividend					X		
Aleutian and Tribes of Islands Restitution Act	X						
Bank Account							X
Burial Arrangement						\$1,500	X
Burial Space and Merchandise						X	
<u>California Tribal Per Capita Payments Made to Tribal Members</u>	<u>\$5,000 per year, pro-rated monthly</u>		<u>Excess of \$5,000 per year, pro-rated monthly</u>			<u>First \$5,000 per year</u>	
Cash							X
Cash Contributions			X				
Census Income	X						
Civil Liberties Act of '88	X						
Disability Benefits			X				
Monthly Payment			X				
Other Payment				X	X		
Temporary Disability Ins..(employer-Funded)		X					
Disaster Relief	X						
Earned Income Credit (EIC)	X						
Energy Assistance	X						

Highlighted sections are the proposed changes.

TYPE	INCOME					RESOURCES	
	Excluded	Earned	Unearned	Periodic	Lump sum	Excluded	Count*
Food Program	X						
Gifts and Winnings							
Non-cash							X
Cash			X		X		
Income Producing Contract		X					X
Income-Producing Property		X					X
Managed 20+ hrs/week		X					
Non Active Management			X				
Independent Living Subsidies	X						
Individual Education Accounts (IEA)	X						
Inheritance				X	X		
Life Insurance							X
Payments to Beneficiary			X				
Loans and Repayment of Loans							
Payments on Interest Portion			X				
Payment on Principal Portion	X						
Loans Obtained by Participants	X						
Motor Vehicles							
First Vehicle						X	
Additional Vehicle ¹							X

¹ Vehicle must be in working condition and useable or sellable

Highlighted sections are the proposed changes.

TYPE	INCOME					RESOURCES	
	Excluded	Earned	Unearned	Periodic	Lump sum	Excluded	Count*
Older American Act							
Title III	X						
Title V		X					
Personal Belongings	X						
Personal Injury Settlement							
Monthly Payment			X				
Other Payment				X	X		
Program Benefits	X						
Radiation Exposure Compensation Act	X						
Real Property (not home or income-producing)							X
Recreational Vehicles							X
Refunds							
Retirement or Pension		X		X			
Utility or Rental Deposits	X						
Merchandise Purchases or Received as a Gift	X						
Social Security Benefits							
Monthly Payments			X				
Other Payments				X	X		

Highlighted sections are the proposed changes.

TYPE	INCOME					RESOURCES	
	Excluded	Earned	Unearned	Periodic	Lump sum	Excluded	Count*
Social Security Death Benefits (after burial costs)				X	X		
SSI	X						
Stocks, Bonds, and Securities							X
Strikers' Benefits			X				
Tax Refund (Excluding EITC)							X
Trust, if available for maintenance							X
Unemployment Compensation							
Monthly Payment			X				
Other Payment					X		
Uniform Relocation Act	X						
USDA Meal Reimbursement to Child Care Provider		X					
Worker's Compensation							
Monthly Payment			X				
Other Payment				X	X		

Amendment to Tribal TANF of Sonoma and Marin TFAP on TBD as approved by:

Signature

Date

Greg Sarris

Tribal Chairman

Federated Indians of Graton Rancheria