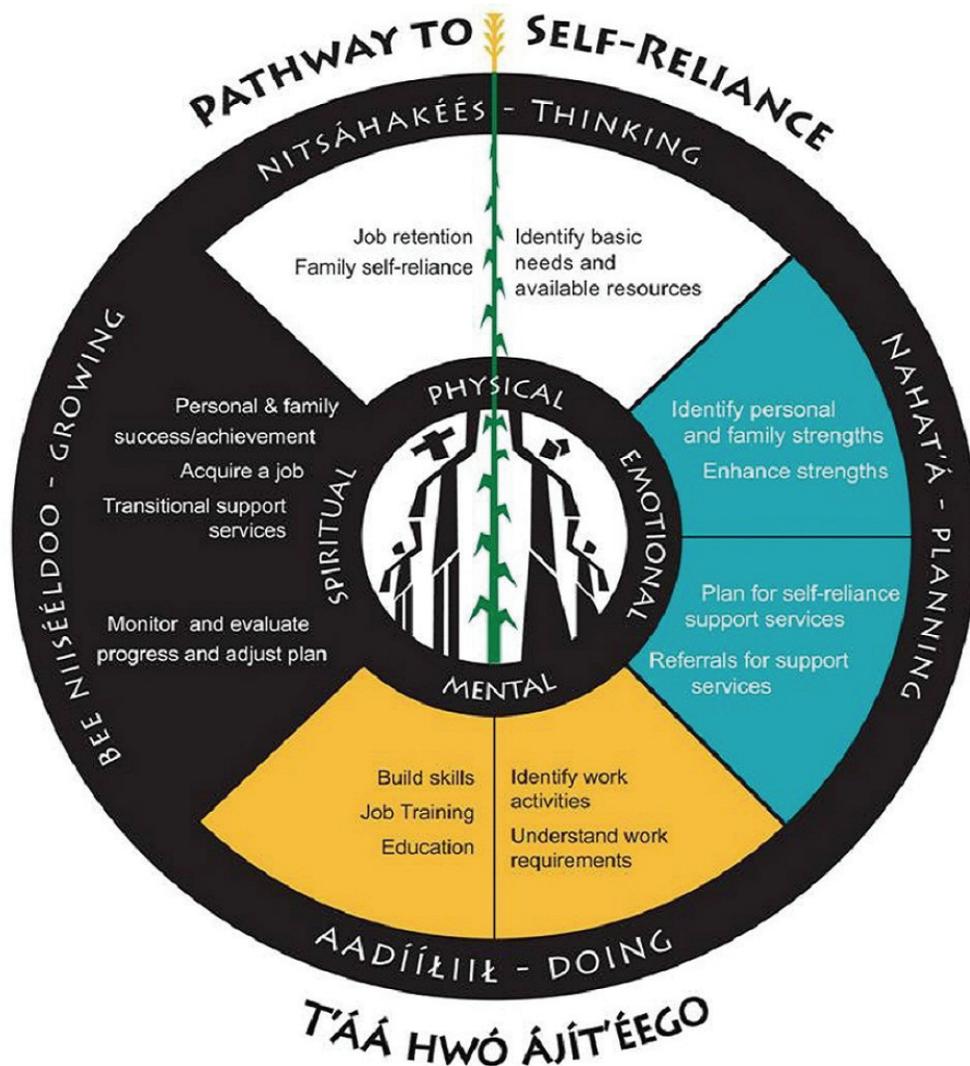




The Navajo Nation
 Division of Social Services
DEPARTMENT FOR SELF RELIANCE

TRIBAL FAMILY ASSISTANCE PLAN



For period of October 01, 2015 to September 30, 2018

DRAFT FOR PUBLIC COMMENT PERIOD



I. PERIOD COVERED BY THE TRIBAL FAMILY ASSISTANCE PLAN

This Tribal Family Assistance Plan (TFAP) covers the operation of the Navajo Nation's Tribal TANF program, known as the *Department for Self Reliance*, for a three-year period beginning October 01, 2015 and ending September 30, 2018.

II. THE NAVAJO NATION: AN INTRODUCTION

The Navajo Nation is the largest federally recognized Indian tribe in the United States. According to the 2010 U.S. Census, 308,013 individuals claim Navajo ethnicity. Of the estimated 170,000 individuals residing on Navajo Nation tribal lands, approximately 145,000 are enrolled members of the Navajo Nation. An estimated 80,000 Navajos reside in or near "border towns" adjacent to the Navajo Nation.

The Navajo Nation land base occupies a total area of approximately 27,000 square miles and extends into three states. Approximately 65% of the total Navajo land area is in northeast Arizona, 27% is in northwest New Mexico and the remaining 7% in southeast Utah. Three (3) additional Navajo "satellite" communities known as Alamo, Tohajiilee, and Ramah are located in central New Mexico (see Exhibit "A").

The Navajo Nation operates under a three (3)-branch government system centrally headquartered in Window Rock, Arizona:

- The Executive Branch, headed by an elected President and Vice President, is comprised of sixteen (16) Divisions and Executive offices which provide a broad range of governmental services.
- The Legislative Branch, headed by an elected Speaker of the Navajo Nation Council, consists of a twenty-four (24) member elected Navajo Nation Council and various offices and boards.
- The Judicial Branch, headed by an appointed Chief Justice, is comprised of a system of eleven (11) District Courts and a Supreme Court.

III. ADMINISTRATION OF THE NAVAJO NATION'S TRIBAL TANF PROGRAM

A. Lead Agency and Organizational Structure

The Department for Self Reliance (DSR) will be responsible for the overall administration of the Navajo Nation's Tribal TANF program and will provide Tribal TANF assistance and related support services to all eligible participants and their families who reside within the approved service area.

The DSR is established under the Navajo Division of Social Services (NDSS), within the Executive Branch of the Navajo Nation (see Exhibit "B"). The organizational structure of the DSR (see Exhibit "B"), consists of a Department Manager III, who is responsible for managing the DSR; ten (10) administrative support sections at the Central office level; and eight (8) local offices responsible for providing direct services and assistance to Customers and families.



Legislative oversight is provided to the DSR by the Health, Education and Human Services Committee (HEHSC) of the Navajo Nation Council, pursuant to authority and powers granted to the Committee in the Navajo Nation Code. The HEHSC promulgates regulations, promotes accountability to policies, and provides legislative oversight on matters involving health, social service, education, general governmental services and human services.

B. Mission of the Department for Self Reliance

We shall serve, with integrity and ethics, to empower individuals and families by promoting T'áá hwó ájít 'eego through appropriate support, opportunities and education.

C. Purposes of the Department for Self Reliance

The DSR accepts the four (4) purposes of federal Welfare Reform legislation as its own and has identified two (2) additional purposes:

1. To provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
2. To end the dependency of needy parents on government benefits by promoting job preparation, work, and marriage;
3. To prevent and reduce the incidence of out-of-wedlock pregnancies;
4. To encourage the formation, maintenance, and strengthening of two-parent families.
5. To reduce the future dependency of children on government benefits by promoting education and prevention.
6. To promote responsible and involved parenting.

D. Goals and Objectives

The DSR has established the following goals and objectives for provision of TANF assistance and services to its Customers and families and for the management and operation of the program.

Goal I: To promote career development for DSR customers and employees through education and training.

Objectives:

- a. Coordinate with local resources so that at least five percent (5%) of adult benefit group members increase their grade equivalency level by two grades by September 30, 2018.
- b. All DSR employees will have an Individual Development Plan which is reviewed quarterly and will attend at least one (1) training annually which is identified in their Individual Development Plan.



- c. Establish an academic tutoring service at each DSR field office by September 30, 2018.
- d. By September 30, 2018, all Personal Responsibility Plans developed for adult benefit group members will be customized to the Customer's needs utilizing Customer assessment results and will have a career focus.

Goal II: To encourage and support wellness for DSR customers and employees

Objectives:

- a. Each local office will collaborate with local resources to promote Customer wellness by providing at least one (1) wellness related training session for adult benefit group members each quarter.
- b. Each local office will collaborate with local resources to promote wellness by providing at least two (2) educational training sessions annually (e.g., bullying, peer pressure, substance abuse, relationships, fatherhood and motherhood) for minor children included in DSR benefit groups.
- c. Promote staff wellness by conducting at least one wellness related training or activity at each DSR office quarterly.
- d. Promote staff wellness by including at least one (1) wellness related session at each DSR quarterly staff meeting
- e. Promote wellness to the public each quarter by providing wellness related information through the use of media (newsletter, radio, website, etc.).

Goal III: To increase and strengthen collaboration with local, State, Tribal, and Federal stakeholders to enhance service delivery and resources

Objectives:

- a. DSR will meet with at least one (1) resource or program each quarter to establish and/or maintain collaborative efforts, share information and to cross train staff.
- b. Meet with key partner programs to review, monitor and, as necessary, update the Memorandum of Understanding/Agreement which exist with the partner programs.
- c. Enhance service delivery and resources by establishing at least one (1) new Memorandum of Understanding/Agreement with stakeholders annually.



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- d. Coordinate with local organizations and/or educational institutions so that 5% of youth, who are age 12 -18 and a member of a DSR benefit group during the fiscal year, complete an academic enrichment and/or team building activity by the end of the fiscal year.
- e. Coordinate with local organizations and/or businesses so that 15% of youth, who are age 14-18 and a member of a DSR benefit group during the fiscal year, participate in employment related activities (paid/unpaid employment, Job Search and Job Readiness Training and Assessments, etc.) by the end of the fiscal year.

Goal IV: To improve quality of service delivery through the upgraded use of technology

Objectives:

- a. Establish and maintain a Customer computer resource center, which consists of a minimum of three (3) computers and a printer, at each local office by September 30, 2017.
- b. Seventy-five percent (75%) of DSR meetings, trainings and orientations held each year will be conducted with the use of technology (video conferencing, videos, webinars, etc.).
- c. At least 5% of Adult Benefit Group members who have a grade equivalency level of less than 9.0 will complete remediation and adult basic education courses on-line by September 30, 2018.
- d. At least one (1) Customer or staff survey will be conducted annually, utilizing technology, to measure the quality of services provided to Customers.

E. Background of the Department for Self Reliance

In July 1999, the Navajo Nation submitted its first Tribal Family Assistance Plan (TFAP) to the Department of Health and Human Services (DHHS). In August 2000, DHHS formally notified the Navajo Nation of its first approved TFAP for the three (3)-year period of October 01, 2000 to September 30, 2003. Subsequently, tribal TANF plans were approved for the Navajo Nation for the periods of October 01, 2003 to September 30, 2006 ; October 01, 2006 to September 30, 2009; and October 01, 2009 to September 30, 2012.

The creation and establishment of the Navajo Nation's own tribal TANF program originated from a strong belief in Navajo values and teachings of living life in harmony and balance, or *Hozho K'eh lina*. These Navajo values and teachings have lasted for generations and helped the Navajo people endure challenges, such as poverty, and to persevere. It is with these beliefs that the Navajo Nation chose to take on the challenge of stemming the cycle of dependence by establishing a program that places responsibility, decision-making, and self-reliance back on our own people.



The concept of *T'áá hwó ájít 'eego* is one of these values and teachings. This powerful concept captures living life with a purpose, making conscious decisions, exercising personal discipline and taking responsibility for one's life. If one instills *T'áá hwó ájít 'eego* in his/her life, personal attributes of self-respect, perseverance, overcoming challenges, and conducting one's self with courage and potential are developed.

The DSR has adopted these values and teachings as a foundation and model for individuals and family served by the program to follow on their path to self-sufficiency. Both *Hozho K'eh lina* and *T'áá hwó ájít 'eego* are in each of the following four (4) developmental stages of learning and personal development.

NITSÁHAKÉÉS (Thinking): To promote personal responsibility by educating customers on welfare reform, reducing dependency on public assistance by creating educational and career opportunities, providing assistance to needy families to meet their basic needs, and addressing social dilemmas by identifying and providing referrals to key resources.

NAHAT'Á (Planning): To create an atmosphere which encourages personal change by assisting the Customer in identifying specific opportunities which foster a positive outcome. The Customer will begin to recognize their personal strengths which promote the Customer's well-being by encouraging a Customer-centered process that instills hope and optimism in the Customer's capacity for change.

AADÍŁIIŁ (Doing): To implement a plan of action based on identified strengths and barriers while establishing and providing opportunities for Customers to develop skills, enhance knowledge and gain experience will help them to become self-sufficient and self-reliant.

BEE NIISÉÉLDOO (Growing): To empower Customers to take responsibility for their future by assisting the Customer to progress toward self-sufficiency, *lina*, for themselves and their family members.

These four (4) cultural components provide guidance and serve as a model for development of one's well-being and promote value in sustaining Navajo livelihood, self-reliance and self-efficacy in today's world.

F. Assurances

1. Forty-five (45)-day Public Comment Period

From November 10, 2014 to December 31, 2014, the DSR conducted a public comment period pertaining to the contents of this TFAP. Several methods were utilized by the program to inform, educate and collect input from the public. The public comment period and public hearing dates and locations were announced on radio stations, newspapers, and the DSR Newsletter. A total of twelve (12) public hearings were held at locations on the Navajo Nation.



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In addition, copies of the plan were distributed to stakeholders; meetings were held with partner programs to orientate them about the contents in the plan; and comment sheets were distributed for the public to complete and return to the program. The comments were considered and, where appropriate, were incorporated in the plan.

2. Tribal Administrative Approval

In accordance with Navajo Nation law, the Navajo Nation's TFAP was approved by the Nabiki'yati Committee (See Exhibit "C") of the Navajo Nation Council following the recommendation of the DSR's oversight committee, the Health, Education and Human Services Committee of the Navajo Nation Council (See Exhibit "D").

3. Fiscal Accountability Provision

For each fiscal year in which the Navajo Nation receives or expends funds pursuant to a block grant under Section 412 of Title 1 – Block Grants for Temporary Assistance for Needy Families, the Nation will comply with the fiscal accountability provisions of Section 5(f) (1) of the Indian Self-Determination and Education Assistance Act (25 USC 450c (f) (1), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

Other internal controls were established within the DSR for enhanced fiscal accountability. Administrative functions to prevent, identify, and deter fraud; recover and reconcile improper payments to Customers; and to execute quality assurance were established within the Program.

4. Dispute Resolution Process.

Any applicant or Customer who is not satisfied with a decision made by the DSR will be afforded an opportunity to dispute the decision, pursuant to the procedures set forth in the DSR's AADÍŁIIŁ (DOING) Procedures Manual. The dispute resolution process affords the applicant or Customer a fair hearing that meets the standards comparable to the provisions in Tribal TANF Program Final Rules 45 CFR, Part 286, Section 286.75 (a) (7).

5. Assurance of Protection of Customer Confidentiality

Pursuant to the Navajo Nation Privacy Act (CAP-48-99), the DSR's Professional and Ethical Standards of Employee Conduct, and DSR Pathway to Self Reliance (Policy) Manual, the DSR assures it will uphold and protect the confidentiality of Program Customers.



6. Prevention of Duplicative Assistance

Pursuant to 45 CFR, Part 286, Subsection 286.75(f), a family cannot receive assistance from the DSR while simultaneously receiving similar assistance from another State or Tribal program. The means by which the DSR will assure prevention of duplicative assistance includes:

- The DSR's Application for Assistance requests a Customer to provide information on current and prior assistance received by family members. The Application also includes a Certification/Acknowledgement section which Customers will sign after receiving an explanation from program staff of its purpose;
- Conducting thorough eligibility determination interviews to solicit potential applicant and Customer responses which may indicate potential receipt of similar assistance;
- If there is an indication that an applicant may be currently receiving similar assistance, contact will be made with the appropriate State or Tribal program(s) to inquire whether the applicant is being assisted by their program.
- Staff training will regularly be provided in the areas of interviewing skills, completion of application, potential fraud detection, and program policies and procedures relative to prevention of duplication assistance; and
- The DSR established administrative sections that oversee a process for quality assurance and that detect and investigate potential program violations and fraud. Both sections allow the DSR to detect and investigate potential duplicative assistance and improve program policies and procedures to prevent duplicative assistance.

IV. **EMPLOYMENT OPPORTUNITIES, COLLABORATION, AND OUTREACH**

The DSR will conduct outreach to coordinate and collaborate with various entities to promote the delivery of services and assistance to Customers and to assist the program in accomplishing the goals stated in this plan.

A. Employment Opportunities

The DSR will coordinate and collaborate with employers in and around the Navajo Nation Service Delivery Area (SDA) to identify knowledge, skills, abilities and other preparation necessary for various employment; prepare identified Customers for long-term sustainable employment; identify and create employment for job-ready Customers; establish work experience and on-the-job training opportunities; and to plan and/or implement other activities that will increase the marketability of, and employment opportunities for, DSR Customers. Coordination and collaboration will be carried out with, but not limited to, the following employers in and around the DSR's SDA:



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- Navajo Nation Government
- Indian Health Services
- Bureau of Indians Affairs
- Federal, State, and County Offices
- Schools (K-12)
- Faith-Based Organizations
- Coal Mines
- Power Plants
- Economic Development Projects
- Businesses, both on- and off-reservation
- Colleges, Universities, and technical and vocational schools

The DSR will increase involvement of elected leaders and public and private sector employers to identify strategies for economic development and job creation so that DSR Customers can access employment opportunities. Examples of coordination and collaboration include:

- Coordinate with the Navajo Nation government and other entities to assess current and future economic conditions and identify opportunities for economic development and job creation within the Navajo Nation and near-by labor markets;
- Solicit the assistance of elected leadership and Navajo Nation administration to increase public awareness of economic development and to make informed decisions for present and future creation and expansion of employment opportunities for the Navajo Nation; and
- Develop and maintain partnerships with the Navajo Nation government and other entities to advocate for training and education; work experience, and employment opportunities for DSR Customers.

B. Collaboration and Outreach

It is necessary that the DSR collaborates and coordinates with other entities to assist Customers and their families to gain skills, education, opportunities, and employment to become self-reliant. Such collaboration and coordination includes cross-training of staff; convening meetings and work sessions to achieve desirable outcomes for Customers and program successes; and other activities that will promote, establish, and improve processes for service delivery to Customers and their families.

Currently, Memoranda of Agreement (MOA) and Memoranda of Understanding (MOU), along with procedural protocol where necessary, are established with the Navajo Department of Workforce Development, Navajo Department of Child Support Enforcement and the Navajo Child Care Development Program. If necessary, the DSR will proceed with establishing an MOU or MOA with additional entities. In the interim, the DSR will continue to collaborate, coordinate, and conduct outreach with other tribal and non-tribal entities such as, but not limited to:



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- Elected state, tribal, federal, and local officials
- State and other Tribal TANF programs
- Social services including child welfare, child protective services, family services
- Judicial system
- Youth Programs
- Legal services
- Housing Programs
- Federal, State, tribal, and private programs serving disabled persons
- Counseling programs
- Mental and behavioral health service providers
- Fatherhood organizations and programs promoting stable families
- Child care programs
- Education and training programs
- Public safety programs
- Colleges, universities, and programs offering financial aid for education
- Border towns and their Chambers of Commerce and businesses
- Faith-based organizations
- Thrift stores, food pantries, and charity organizations
- Financial institutions and entities providing financial management
- Schools (K-12)
- Programs for the Elderly/Grandparents
- Philanthropists
- Non-profit organizations
- Programs providing transportation services
- Emergency Management programs
- Livestock and Agricultural Programs
- Intervention and prevention programs
- Domestic violence and other emergency shelters and programs
- Traditional Practitioners
- Hospitals, clinics and health/wellness programs

V. SERVICE AREA AND POPULATION

The DSR will provide assistance and services to the following areas and populations (See Exhibit "A" for a map and Exhibit "D" for a list of near-reservation communities.):

- A. All eligible families living within the exterior boundaries of the Navajo Nation, including Trust lands and the satellite communities of Alamo, Tohajiilee, and Ramah.
- B. Eligible families, including child-only cases, living within the city limits of a designated Near Reservation community, where the identified head of household has a Navajo Census Number.



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The DSR recognizes the existing “near reservation” communities listed at: Federal Register Vol. 44 No.9, Dated Friday, January 12, 1979, pp. 2093-4 as the official “near reservation” communities for the DSR. The list of designated “near reservation” communities within the DSR Services Delivery Area is attached as Exhibit “E”.

Approved Program Customers who temporarily relocate to another community within the states of Arizona, New Mexico, or Utah, for the purpose of receiving medical/non-medical treatment, education, or training, will be considered domiciled at their permanent residence and may continue to receive assistance for the duration of their treatment, education, or training, based on the following conditions:

- They intend to return to their permanent residence, or a community within the DSR’s Service Delivery Area, upon completion of their treatment, education, or training.
- If relocating for the purpose of receiving medical or non-medical treatment, they must comply with their treatment plan, as prescribed or outlined by a certified and/or licensed physician, counselor or therapist.
- If relocating for the purpose of gaining education, training, or on-the-job training, they must remain enrolled and make satisfactory progress in the educational/training program; and the entire benefit group must relocate.

VI. ELIGIBILITY FOR DSR ASSISTANCE AND SERVICES

Eligibility for DSR assistance and services is as established in this approved Tribal Family Assistance Plan. Only needy families, as defined in this 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. “Needy” means financially deprived, according to income and resource criteria established in this plan 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 services and activities.

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. Objective criteria will be established for participation in these activities.



A. Needy Family

DSR defines a “*family*” as consisting of at least one (1) minor child who lives with their parent(s) or related/unrelated caretaker(s).

The DSR defines a “*needy family*” as a family, which includes at least one (1) minor child, whose monthly gross income does not exceed 150% of the federal poverty guideline for the applicable family size.

Needy families eligible for assistance may include:

1. Minor child(ren) and their legal parent(s), including teen parent(s) who is/are emancipated;
2. Minor child(ren) and their legal parent and a step-parent by legal marriage;
3. Minor child(ren) who live(s) with an adult caretaker, where only the children receive assistance (child-only).

A custodial legal parent must be included as a mandatory member of the needy family unless excluded due to receipt of Supplemental Security Income (SSI) or disability benefits; disqualified due to an unfavorable background check; or disqualified due to one of the reasons listed at Part VII. DISQUALIFICATION FROM RECEIPT OF ASSISTANCE AND SERVICES in this plan.

B. Eligibility for “Assistance”

In addition to being a needy family, the following eligibility criteria must be verified each month, utilizing the Monthly Update Report form, as a condition of processing the benefit group’s next monthly payment:

1. Deprivation

Unless an exemption has been granted, all minor child(ren) in the needy family must be deprived of financial support due to the continued absence, disability, or death of a legal parent(s); or, in Two-Parent Families, the minor child(ren) must be deprived of financial support due to the unemployment or underemployment of both parents.

2. Residency

In order to receive assistance, an individual must have resided within the DSR’s SDA, as defined in Section IV. SERVICE AREA AND POPULATION of this plan and in the Pathway to Self Reliance Manual, and must have resided with the head of household for at least thirty (30) consecutive days at the time of application. (See Exhibits “A” for a map and “D” for a list of near-reservation communities.)



3. Income

The benefit group must meet the following Gross Monthly Income and Net Monthly Income thresholds:

- a. The benefit group's Monthly Gross Income must not exceed 150% of the current federal poverty guideline for the applicable benefit group size; and
- b. The benefit group's Monthly Net Countable Income must not exceed the current DSR Payment Standard for the applicable benefit group size.

All earned and unearned income of benefit group members shall be counted toward the Monthly Gross Income and Monthly Net Countable Income thresholds, unless disregarded. The types of Earned and Unearned Income which are countable and the types of income which are disregarded are listed in the *DSR Pathway to Self Reliance Manual*.

4. Assets

The total assets of benefit group members, including a step-parent by legal marriage, will be counted in determining eligibility for DSR assistance and shall not exceed \$3,000.00.

The types of assets which are countable and the types of assets which are disregarded are listed in the *DSR Pathway to Self Reliance Manual*.

5. Child Support Requirements

Unless the Customer meets an exemption or exclusion criteria, all Customers must cooperate with the Navajo Department of Child Support Enforcement (NDCSE) by completing an application and maintaining compliance with the requirements of the NDCSE. The DSR is in compliance with the provision at 45 CFR 286.155.

6. Citizenship

All filing unit members must be citizens of the United States.

7. Background Check

All adult applicants and adult filing unit members shall be required to complete a background check to obtain clearance they:

- a. Have not been convicted of one of the felonies identified in the *Pathway to Self Reliance Manual* which disqualifies them from receiving DSR assistance; or
- b. Do not currently reside outside of the DSR Service Delivery Area

Background checks disclosing a residence(s) other than, or in addition to, the residence the Customer provided on the application will require verification of the Customer's current residence.



Customers found to currently reside outside of the DSR's Service Delivery Area will be ineligible to receive assistance and may be subject to disqualification for DSR assistance due to committing an Intentional Program Violation.

8. Time Limit

An individual applying for DSR assistance must not have met the DSR's Time Limit of sixty (60) countable months of assistance.

9. Minor Child

All benefit groups must include at least one (1) eligible minor child.

10. Supplemental Criteria

In addition to the meeting the nine (9) eligibility criteria above, applications submitted by Two Parent families, Minor Parents and Legal Guardians applying on behalf of a minor child(ren), must meet supplemental eligibility criteria identified in the *DSR Pathway to Self Reliance Manual*.

VII. DISQUALIFICATION FROM RECEIPT OF ASSISTANCE AND SERVICES

The following shall be ineligible to receive DSR assistance:

- A. An individual who is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or an attempt to commit a crime, which is a felony under federal or state law. (*P.L. 104-193, Title I, Part A, Section 408 Prohibitions; Requirements (a)(9)(A)(i)*)
- B. An individual who is violating a condition of probation or parole imposed under Federal or State law. (*P.L. 104-193, Title I, Part A, Section 408 Prohibitions; Requirements (a)(9)(A)(ii)*)
- C. A Customer and all members of their benefit group, when a determination is made by the DSR Fraud Investigation that the Customer committed an Intentional Program Violation, for a period determined by the Program.
- D. An individual who physically assaults, or threatens the safety of, a DSR employee(s) shall be ineligible to receive DSR assistance for a period of six (6) months for the first incident. A second incident shall result in permanent disqualification. The assault(s) and/or threat(s) must be substantiated by a police report(s).
- E. An individual whose Background Check result is Unfavorable.
- F. A Customer and all members of their benefit group who are in a disqualification period as a result of the imposition of a fourth level penalty.



VIII. WORK PARTICIPATION

All adults receiving assistance and minor parents receiving assistance as the spouse of an adult head of household will be required to engage in authorized work participation activities the month following the implementation of their Personal Responsibility Plan.

A. Minimum Work Participation Rates

The Navajo Nation’s Minimum Work Participation Rate for each year is:

- Fiscal Year 2016 30%
- Fiscal Year 2017 30%
- Fiscal Year 2018 30%

B. Minimum Weekly Work Participation (WP) Hours

All adults receiving assistance and minor parents receiving assistance as the spouse of an adult head of household must participate in work activities, which are pre-authorized and/or authorized in their PRP, for at least twenty-four (24) hours per week, on average, during the reporting month. Otherwise, they may be subject to penalty.

1. A Customer will be deemed as meeting the Minimum Weekly WP Hours requirement if they are:
 - a. A parent with a child under age 6 who is the only caretaker in the family, and participated in an authorized work activity for at least an average of 20 hours per week during the reporting month; or
 - b. Eighteen (18) or nineteen (19) years of age, or a married teen parent, and is a full-time student in secondary school.
2. When a Customer’s worksite is closed due to a federal, state, or tribal holiday, or for authorized closures, the Customer will be given credit for the hours they were scheduled to participate in authorized work activities on that day.

C. Work Participation Activities

Adults receiving assistance and minor parents receiving assistance as the spouse of an adult head of household will be required to engage in authorized Work Participation Activities that are productive and constructive and moves them toward managing or removing barriers, attaining education, employment, and/or economic self-sufficiency.

1. Primary Work Participation Activities

Primary Work Participation Activities (PWPA) are activities which are directly related to providing adult benefit group members with education, training, experience directly related to their chosen career goal.



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Unless justified, all Personal Responsibility Plans for adult benefit group members must include at least one (1) PWPA and at least seventy-five percent (75%) of the total weekly work participation hours authorized must be for PWPA. The following are the Primary Work Participation Activities (PWPA) which may be authorized for Customers.

- a. Work Experience
- b. On-the-job training leading to employment
- c. Job skills training directly related to employment.
- d. Participation in educational courses which are directly related to the preparation of individuals for employment in current or emerging occupations requiring other than a baccalaureate or advanced degree (e.g. health care, computer technology, office management and skilled trades).
- e. Participation in education directly related to employment, if the participant has not received a high school diploma or GED certificate.
This includes cultural education as a Navajo Medicine Man apprentice; assisting with cultural ceremonies; learning to speak other languages for the purpose of job readiness; learning traditional stories to become storytellers; and other cultural education that leads to becoming self-sufficient, productive and contributing members of the community.
- f. Participation in education, other than post-secondary, directly related to employment, in the case of a participant who has a high school diploma or GED certificate.
This includes cultural education as a Navajo Medicine Man apprentice; assisting with cultural ceremonies; learning to speak other languages for the purpose of job readiness; learning traditional stories to become storytellers; and other cultural education that leads to becoming self-sufficient, productive and contributing members of the community.
- g. Satisfactory attendance at secondary school or course of studies leading to a GED certificate.
- h. Satisfactory attendance at secondary school or course of studies leading to a High School Diploma.
- i. Participation in adult basic education, pre-GED or remedial courses.
- j. Post-secondary education at a college or university.
Participating in educational courses provided at an institution of higher learning that offers undergraduate (bachelor's degree in the arts or sciences) or postgraduate programs.
- k. Unsubsidized employment. Subsidized private sector employment



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m. Subsidized public sector employment2. Secondary Work Participation Activities

Secondary Work Participation Activities (SWPA) are activities which supplement authorized Primary Work Activities.

Unless justified, an SWPA cannot be authorized as the only work participation activity for an adult benefit group member and the number of work participation hours authorized for SWPA must not exceed twenty-five (25%) of the total weekly hours authorized. The following are the Secondary Work Participation Activities (PWPA) which may be authorized for Customers.

a. Job Search

Activities or training that provides one with skills in identifying a career and searching for a job including, but not limited to, finding job vacancies; making job contacts; understanding the labor market; resume preparation; marketing your strengths and talents; completion of employment applications; and successful participation in interviews. The DSR will adhere to the limitation on the number of countable weeks for Job Search, as stated at 45 CFR, Part 286, Section 105 (b) and (c).

b. Job Readiness

Activities or training that provide the knowledge and skills necessary to obtain and keep a job, including, but not limited to, attendance; punctuality; appropriate appearance; appropriate and positive attitude and behavior skills; building and demonstrating skills in relationships; and completing tasks effectively. The DSR will adhere to the limitation on the number of countable weeks for Job Readiness, as stated at 45 CFR, Part 286, Section 105 (b) and (c).

c. Community Service

An activity or service which benefits the community as a whole, but may not directly improve the employability of the Customer. This activity must be done in combination with other work activities that supports the Customer's progression toward attainment of education, work preparation skills, and employment. Over time, the number of hours authorized for community services should be reduced as the Customer approaches their career goal. Customers with knowledge in Navajo culture and teachings are strongly encouraged to provide their knowledge to the community where needed.



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- d. Provision of childcare services to another DSR Customer who is participating in authorized work activities.
- This activity cannot be authorized for a Customer to care for their own child(ren) and must be supplemented by other work activities which assist the DSR Customer in progressing toward their career goal or expanding their knowledge in child development.
- e. Self-employment (e.g., rug weaving, silversmith, childcare services, etc.)
- f. Constructive Living and Success Skills Training
- Participation in activities, including cultural activities, that provides the participant with skills necessary to manage daily personal affairs and challenges, such as, but not limited to: decision-making, problem-solving, time management, money management, and planning.
- g. Participation in an Assessment, as part of case management services, which is conducted by the DSR or other programs.
- h. Participation in an Orientation Session provided by the DSR or other programs.
- i. Time spent in substance abuse and drug intervention counseling; behavioral and mental health services; domestic violence intervention and counseling; including being a patient of cultural traditional ceremonies.
- j. Participation and education in prevention, intervention, or treatment of physical health-related illnesses.
- k. Providing care to an immediate relative with a verified disability.
- This activity may be authorized in accordance with limitations and criteria specified in applicable Program Procedures Manuals.
- l. Study Time for Customers participating in an authorized education related work activity.
- m. Addressing barriers to work participation
- Activities which address removing a barrier to work participation (e.g. child care, transportation, driver's license, housing, etc.). This activity may be authorized in accordance with limitations and criteria specified in the DSR Pathway to Self Reliance and/or applicable Procedures Manuals.



n. Reasonable Transportation Time:

Due to the remoteness and isolated conditions of the Navajo reservation; many miles of unpaved roads; and lack of, or limited, public transportation; on a case-by-case basis, “reasonable” transportation time to, and from, an approved work participation activity site may be authorized and counted toward the minimum work participation hours requirement.

Reasonable transportation time is defined as the average amount of time for a person to drive to a destination and return.

| Mileage (One Way) | Reasonable Time (one way) |
|--|----------------------------------|
| 0 – 50 | 1 hour |
| Over 50 | 2 hours |
| Remote, unpaved road, no public transportation | Negotiable up to 2 hours |

Transportation time is not a Customer entitlement and will be authorized on a case-by case basis. The number of hours authorized may be reduced over time. The intent is to dissuade the Customer from continual use of transportation time toward the minimum work hours so that more time can be authorized for education and career advancement.

VIII. PENALTIES

A. Customers will be subject to penalty for non-compliance with the following Program Requirements:

1. Minimum Work Participation Hours Requirement; and/or
2. Developing and implementing a Personal Responsibility Plan within the established timeline
3. Adhering to the requirements identified/agreed to in their Personal Responsibility Plan.

B. Penalties will be imposed by reducing the Benefit Group’s calculated monthly benefit amount in part, or in full, in accordance with the following:

- First Occurrence: Twenty-five percent (25%) Reduction.
- Second Occurrence: Fifty percent (50%) Reduction.
- Third Occurrence: Seventy-five (75%) Reduction.
- Fourth Occurrence: One hundred percent (100%) Reduction and ineligibility for assistance for the next twelve (12) months.



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C. Exemption from penalty

1. Customers approved for the first time, or approved after a break in service of more than six (6) months, will not be subject to penalty for not meeting the Minimum Weekly Work Participation Hours requirement until the month after their Personal Responsibility Plan (PRP) has been developed and implemented. Since a PRP must be developed and implemented by no later than forty-five (45) working days after approval, a Customer may be exempt from penalty for up to three (3) months after their date of approval.
2. A Customer will not be penalized based on his/her refusal to engage in work requirements only if he/she is a single custodial parent caring for a child under age six (6) and demonstrates an inability to obtain needed child care for one or more of the following reasons:
 - a. Appropriate child care is not available within a reasonable distance from the Customer's home or work site;
 - b. Informal child care by a relative or under other arrangements is unavailable or unsuitable; or
 - c. Appropriate and affordable formal child care arrangements are unavailable.

Refusal to work when acceptable, appropriate and affordable child care is available shall not be protected from penalty.
3. Good-cause exemptions from penalties may be granted, on a limited and case-by-case basis, under circumstances including, but not limited to:
 - a. Death of an immediate family member.
 - b. Hospitalization of self.
 - c. Hospitalization of an immediate family member which requires the Customer's continuous presence.
 - d. Unforeseen short-term disability.
 - e. Natural disaster.
4. Exemption of a Customer from penalties will be re-evaluated on a monthly basis.



IX. TIME LIMITS

A. Rationale for Time Limits

The Navajo Nation elects to utilize the maximum number of months allowed to work with Customers to prepare them for self-sufficiency because the majority of needy families are typically “hard to serve”, reside in remote areas of the reservation with limited economic and employment opportunities; and most families are single parents who require a longer time period to gain the education or skills necessary to become self-reliant.

B. The Time Limit for an adult to receive DSR assistance is sixty (60) countable months, whether or not consecutive.

C. The months of TANF assistance received by a minor parent who is the spouse of an adult head of the household will be counted toward the established time limit. Otherwise, the time limit does not apply to minor children.

D. Any and all prior months of TANF assistance received from a State or other Tribal TANF Program will count towards the Navajo Nation’s time limit, except for any month that was exempt or disregarded by statute or regulation (*45 CFR Part 286, Section 125*).

E. Exemptions to Time Limit.

A month of TANF assistance will not be counted toward an adult’s sixty (60)-month time limit if:

1. The adult is not included in the benefit group, due to receipt of disability benefits or being a Third Party Custodian, and the benefit group only includes minor children.
2. The adult, or minor who is the spouse of an adult head of household, received assistance while residing in Indian Country where the official not-employed rate, for the month they received assistance, is greater than 50 percent (50%). For the DSR, the exterior boundaries of the Navajo Reservation, including Trust lands and the satellite communities of Alamo, Ramah, and Tohajilee, is considered as Indian Country.

An adult, or minor parent who is the spouse of an adult head of household, receiving DSR assistance and residing on the Navajo Nation at the time they temporarily relocate to a near-reservation or off-reservation community within the states of Arizona, New Mexico, or Utah, for the purpose of education, training, or receiving medical or non-medical treatment, shall not have their months of assistance count toward the time limit during the duration of their education, training or treatment, as long as they comply with established requirements.

The DSR does not currently exempt individuals from the established time limit due to Hardship.



XI. ASSISTANCE, SERVICES AND ACTIVITIES

The DSR may provide the following assistance, services and activities subject to availability of funds. Minor variations in services may exist within the Service Delivery Area depending upon availability of resources located in near-reservation border-towns and within the reservation boundaries.

A. Case Management

Of the many services the DSR provides to its Customers, case management is the most essential. Case management will be applied to all cases to help Customers increase their competence; enhance problem solving and coping abilities; help Customers obtain resources; and influence interactions between organizations and resources.

1. Intake/Eligibility Determination

Customers applying for DSR assistance will be interviewed to determine their eligibility for DSR assistance and need for services. Based on the initial assessment, if a short term, non-recurring barrier is preventing the Customer from attaining or maintaining employment, the Customer may be diverted toward immediate employment (see B. Diversion, under this section).

Customers determined to be ineligible for DSR assistance will be provided information on other available resources and, if necessary and appropriate, referred to area resources.

2. Assessment

All approved cases, including those in which minor children are the only recipients of DSR assistance, shall be assessed by DSR staff. Diagnostic assessments will be used to obtain important information about the Customer's current status and to identify pertinent issues. The information gathered includes, but is not limited to: household members; employment and educational history; future educational and career interests and expectations; family strengths, resources, and opportunities; identification of barriers or threats, including domestic violence, that may impede family progress; and other information that may benefit the progress of the family. When necessary, Customers will be referred to other resources for further screening and assessment.

3. Referral Services:

As a result of an assessment and a case plan, referrals to resources may become a necessity. DSR staff will refer Customers to various resources for services to address barriers and to begin implementation of educational, employment, and career goals. In addition, adult Customers may be referred to those resources which the Customer will use to complete work requirements and obtain education. Referrals will be continuous throughout the entire case management process.



4. Case Planning/Personal Responsibility Plan:

After analyzing and interpreting the assessment results, DSR staff shall develop a Personal Responsibility Plan (PRP) with each family approved for assistance. The PRP shall address the adult recipients' goals and the steps for career development and the family's progress toward self-sufficiency. The PRP shall include the specific tasks and timelines within which a Customer and their family should progress toward self-sufficiency; include other resources the Customer and family identify to promote their progression toward self-sufficiency; identify the approved work activities for each Adult Benefit Group member and the weekly hours authorized for each approved work activity; include actions for compliance with requirements of other programs and agencies; and actions to remove or manage barriers to education and employment. A specific training plan and/or employment plan shall be developed for Customers who are ready or approaching being ready for training and/or employment. A services plan shall be developed for victims of domestic violence that includes the means to gain work (*45 CFR, Part 286, Section 286.140*).5. Monitoring, Evaluation, and Re-assessment

The DSR staff shall monitor Personal Responsibility Plans by meeting with Customers to review their progress and achievement of established tasks, goals, and timelines; evaluate whether the types of assistance, services, and resources the family was referred for are still necessary and if they have been beneficial; and reassess the family and, as necessary and appropriate, revise the Customer's PRP to address new findings and to support the Customer's progress and accomplishments of goals.

6. Closure and Follow-up

Re-assessment of a Customer's continued eligibility for DSR assistance and services may result in case closure due to obtainment of long-term sustainable employment or child support, penalties for non-compliance with DSR requirements, lack of minor children, meeting the time limit, no longer meeting certain eligibility criteria, or attaining other means of economic self-sufficiency.

However, when a Customer obtains employment, DSR staff will not close the case. Instead, staff shall follow-up with Customers at regular intervals during the first year of employment to monitor the Customer's progress toward self-sufficiency. If necessary, support services may be provided to assist Customers to maintain and gain promotion in employment (See J. Transitional Support, under this section).



B. Diversion

Subject to availability of funds, the DSR may provide a one-time diversion benefit, as an alternative to monthly assistance, to families who are not “needy” (as defined in this plan), but who are at risk of becoming dependent on public assistance due to a barrier(s) to employment and self-sufficiency.

Eligibility criteria and assistance limits are identified in the *DSR Pathway to Self Reliance Manual*.

C. Monthly Assistance Payments

The DSR will provide eligible needy families with monthly assistance, as defined in 45 CFR 286.10, in accordance with the current DSR Payment Standard as identified in the DSR’s NITSÁHAKÉÉS (THINKING) Procedures Manual.

Families applying for assistance must meet non-financial, financial and applicable supplemental eligibility criteria, in accordance with the DSR’s Pathway to Self Reliance Manual. Customers receiving monthly assistance payments must verify their continued eligibility each month, unless an exception applies.

D. Career Mentoring and Guidance

Basic career mentoring and guidance will be provided to Customers to identify the customer’s interests; the customer’s skills, knowledge, and abilities will be assessed; and Customers will be referred to available resources.

E. Supportive Services

Subject to availability of funds, support services may be provided to assist Customers in addressing a barrier(s) to their successful participation in an authorized work participation activity and to transition toward gaining and maintaining employment.

The types of support services that may be provided are identified in the *DSR Customer Incentives and Support Services Policies and Procedures Manual*.

F. Educational and Employment Incentives

Subject to availability of funds, incentives may be provided to Customers who meet established criteria to motivate and encourage adults and minor children to move toward self reliance.

The types of support services that may be provided are identified in the *DSR Customer Incentives and Support Services Policies and Procedures Manual*.



G. Customer Training

DSR staff will interpret assessment results so Customers gain an understanding of their grade equivalency, identified barriers, potential career path, and readiness for employment. Based upon the Customers' assessments, DSR may provide training to Customer. When necessary, the DSR will identify other training to be provided by external resources.

Training will be related to skills necessary for self-development, education, financial stabilization, employment search, and maintaining employment. In addition, Customers will be trained in being a smarter consumer of resources.

H. Job Coaching, Volunteer/Work Experience, and Employment Placements

DSR staff will be knowledgeable of employment opportunities and job requirements within and near the SDA. Members of the needy family who are assessed as prepared for work experience and/or employment, particularly those who have completed post-secondary education, may be provided job coaching, and placement for volunteer or work experience and employment.

The DSR staff will promote Customers to public and private sector employers; identify employment opportunities; participate in and transport Customers to job/careers fairs; and will plan and implement various activities to market Customers' skills and trades. Staff will assist Customers with job preparation, job training and/or employment and retention of employment.

I. Information and Referral Services

Customers will be referred to tribal, state, federal, and private resources, to receive necessary services and support as they move toward self-sufficiency

J. Transitional Support

Transitional support may be provided to families who are no longer eligible to receive monthly assistance payments due to securing employment. Although employed, they may still require support to meet necessary and appropriate costs as they "transition" toward self-sufficiency.

Eligibility criteria and assistance limits are identified in the *DSR Pathway to Self Reliance Manual*.

K. Services to Target Populations

1. Two Parent Families:

The DSR will support the formation and maintenance of two-parent families and healthy marriages by providing assistance and support services to two parent families, including those that include a step-parent by legal marriage.



Examples of support include, but are not limited to, assisting parents and step-parents to fulfill their traditional paternal role in rearing and educating their children; to provide information and referrals to adults who are interested in pursuing legal adoption of children; and on a limited basis, step-parents by legal marriage may be assisted with education and training, job search and job readiness, employment support costs, and other costs associated with gaining and retaining employment.

2. Grandparents and Caretakers:

The DSR is aware that an increasing number of children are raised by non-needy relative caretakers, typically grandparents, in a child-only case. Non-needy relative caretakers in a child-only benefit group are not required to participate in work activities, but may participate in trainings and activities to assist them in fulfilling their responsibilities as a caretaker.

3. Youth:

The DSR will promote the education of children by requiring all school-aged children to be enrolled in and attending school; assisting DSR children, on a limited and case-by-case basis, with educational expenses which are not covered or provided by other resources; promoting and rewarding academic accomplishments through incentives; and providing youth with information on post-secondary opportunities which are available.

In addition, the DSR will promote career exploration, employment preparation and attainment of work experience by coordinating and collaborating with other programs and resources to provide summer, winter and after-school employment opportunities for youth who are included in a DSR benefit group.

The DSR will improve and expand program youth services by involving youth, including those in DSR benefit groups, in the planning and development of program services.

XI. DATA COLLECTION AND REPORTING

The Navajo Nation will comply with all applicable statutory and regulatory reporting requirements pertaining to the TANF program.

XII. RETROCESSION

If the Navajo Nation chooses to retrocede the TANF program, it will comply with all the applicable statutory and regulatory requirements pertaining to retrocession.



XIII. APPENDIX

Exhibits:

- A. Navajo Nation Map
- B. Organizational Charts:
 - 1. Navajo Nation Government Executive Branch
 - 2. Navajo Division of Social Services
 - 3. Department for Self Reliance
- C. Legislative Approval: Health, Education and Human Services Committee of the Navajo Nation Council
- D. List of Designated Near Reservation Communities for the Department for Self Reliance
- E. Required Certifications

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