

INTERGOVERNMENTAL AGREEMENT
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)
BETWEEN
THE TULALIP TRIBES AND THE
WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

1. AUTHORITY

THIS AGREEMENT is entered into between the Tulalip Tribes (hereinafter the Tribes) and the Washington State Department of Social and Health Services (hereinafter the Department), pursuant to their respective governmental authorities. The Tribes are authorized to enter into this Agreement under the Tribe's Constitution. The Interlocal Cooperation Act, RCW 39.34, permits any State agency to enter into a cooperative agreement with an Indian tribe for their mutual advantage and cooperation. RCW 74.08A.040 requires the Department to coordinate and cooperate with eligible Indian tribes that elect to operate a Tribal Temporary Assistance for Needy Families (TANF) Program as provided for in Public Law 104-193 and 109-171 and to transfer a fair and equitable share of Maintenance of Effort funds (MOE) to the eligible Indian tribe. The Department and the Tribes desire to enter into this Agreement pursuant to their respective authorities, which include financial assistance and employment and training services to eligible, needy families in order to fulfill the purpose set out herein. It is the intention of the parties that this Agreement be liberally construed to effectuate its intent and purposes.

The Department and the Tribes each have jurisdiction over domestic relations, including providing comprehensive welfare reform services and additional supportive services.

The Department and the Tribes recognize that the Tribes have a compelling interest as a sovereign nation in promoting and maintaining the governmental and cultural integrity of the Tribes. The parties recognize their respective sovereignty and enter into this Agreement consistent with the government-to-government relationships affirmed by the Centennial Accord of 1989 and RCW 43.376.

Section 412 of the Social Security Act requires payment of federal TANF funds to Indian tribes with approved TANF plans. The Tribes will provide services under their approved TANF plan in a manner that best serves the needs of their service area and population.

2. PURPOSE

It is the intention of the parties that this Agreement be liberally construed to effectuate its intent and purposes. The Department and the Tribes enter into this Agreement to transfer a fair and equitable amount of state maintenance of effort funds (MOE funds) to the Tribes and to work in partnership to coordinate state and tribal benefits and

services. This Agreement is consistent with, and is intended to further, the declared national policy of helping needy families achieve self-sufficiency. At the same time, this Agreement also protects the best interest of families and children by providing an effective and efficient way by which these families and children receive resources available to both the Department and the Tribes.

This agreement honors the Tribes' inherent right to design and operate culturally relevant and appropriate programs on behalf of the population served.

TANF programs help needy families achieve self-sufficiency. Families will be given access and input into all programs and services needed to reach the goal of self-sufficiency. During the transition from TANF to work, the personal dignity, pride and cultural identity of recipients will be protected through their opportunity to make life-changing choices.

3. DEFINITIONS

The Department and the Tribes agree for the purposes of this Agreement to the following definitions:

1. Federal and State MOE Requirements (MOE Requirement): All federal and state laws and regulations that pertain to a State's ability to classify funds as Maintenance of Effort (MOE). These requirements include, but are not limited to: 42 USC 601(a), 45 CFR 260.20, 42 USC 609(a)(7), 45 CFR 263, RCW 74.08A.040, WAC 388-315, OMB Circulars A-87 and A-133, and 45 CFR 92.
2. IGA: Intergovernmental Agreement
3. Retrocession: The process by which an Indian tribe or a state voluntarily terminates and cedes back (or returns) a TANF program to the other, consistent with federal regulations. Retrocession includes the voluntary relinquishment of the authority to obligate or spend previously awarded state and federal funds before that authority otherwise expires.
4. State Maintenance of Effort Funds (MOE): Per WAC 388-315-1050, state maintenance of effort is a federal TANF requirement that a state shall spend at least a specified amount, as required by 45 CFR 263.1, of state funds for benefits and services for members of needy families each year. A broad, but not unlimited, array of benefits and services for low-income families with children can count toward satisfying a state's maintenance of effort obligation
5. Temporary Assistance for Needy Families (TANF): A program authorized by the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) (Pub. L. 104-193), reauthorized under the Deficit Reduction Act of 2005 (DRA) (Pub. L. 109-171), and codified in title IV-A of the Social Security Act, operated by states and Indian tribes to provide financial assistance and employment and training services to eligible, needy families.

6. TFAP (Tribal Family Assistance Plan): The plan for implementation of the Tribal TANF program under Section 412(b) of the Social Security Act.
7. Tribal TANF Program: A TANF program developed by an eligible Indian tribe, or consortium of tribes, and approved by the Administration for Children and Families under Section 412 of the Social Security Act.
8. WorkFirst: The state's welfare reform program which provides support services and activities to TANF recipients and low-income families so they can find jobs, keep jobs, and become self-sufficient.
9. Annual Report: A report consisting of all information, including operational and financial information, required by federal and/or state law for the contracted services and funds included in this Agreement or in subsequent amendments to this Agreement.
10. Single Point of Contact: The DSHS office designated by the Department and the tribal office designated by the Tribes to facilitate the flow of operational information, about this Agreement, between the Tribes and the Department.

4. THE DEPARTMENT AND THE TRIBES AGREE TO THE FOLLOWING

The Department and the Tribes engaged in negotiations to determine the:

1. Amount of State MOE funds and other monetary and non-monetary enhancement that would be provided by the Department to assist the Tribes' TANF program.
2. Requirements for the use and reporting on state MOE funds, terms of a data share agreement, and measures of success for the Tribes' TANF program.
3. IGA Amendment Form (See attached and incorporated Exhibit E): A tribe must provide detailed information to the DSHS Economic Services Administration (ESA) for each statutory or regulatory waiver it seeks. This includes the exact citation, the reason for the waiver request, and a detailed description of the Tribes' proposed alternative to the statute or regulation.
 - a. Federal Waivers
DSHS will support a tribe in its efforts to petition the federal government to waive program requirements a tribe finds burdensome, unless DSHS finds that such a waiver is in direct conflict with federal statutes or inconsistent with the purposes of the program or the statute from which the program derives its authority. See 45 CFR 95, Subtitle A, Subchapter A and 25 CFR 900 Chapter V, Subpart K, Waiver Procedures, for guidance.
 - b. State Amendments
DSHS will support a tribe in its efforts to petition the state legislature to amend

statutory provisions that a tribe finds burdensome unless DSHS finds that the provisions are inconsistent with the purposes of the program, or in conflict with program goals.

c. State Waivers

DSHS will support a tribe in its efforts to obtain waivers to departmental regulations in accordance with WAC 388-440-0001. See Exhibit E.

- i. To petition for a regulatory waiver, the Tribes will submit a written waiver request to the DSHS Economic Services Administration (ESA). The request must identify the regulation to be waived and the basis for the request. The request must explain the intended effect of the waiver, the impact upon the Tribes if the waiver is not granted, and the specific programs(s) to which the waiver will apply. It must also describe the policy, if any, the Tribes will adopt to replace the specific regulation to be waived.
- ii. The Secretary of DSHS or designee will make the final decision on all requests for exceptions to rules within ninety (90) days after the Secretary receives a written waiver request. The Secretary's decision will be in writing. Appeals may be conducted through the dispute mechanism in effect between the Tribes and DSHS.

d. Single Point of Contact:

Krisan Fryberg
477/TANF Program
6406 Marine Drive
Tulalip, WA 98271
(360) 716-4704
krisanfryberg@tulaliptribes-nsn.gov

TBD
Tribal Relations -TANF
DSHS –ESA
Community Services Division
PO BOX 45857
Olympia, WA 98504-5857
(360) 725-4656, Email TBD

- e. Technical Assistance: ESA and the Office of Indian Policy (OIP) are responsible for providing technical assistance to tribes relating to the elements included in this agreement. Routine program related communications may continue among DSHS and tribal program staff and need not go through OIP; however, it is advisable to inform OIP of significant issues, should they arise.

5. TFAP AND SERVICE POPULATION

The Tribes have a United States Health and Human Services approved Tribal Family Assistance Plan (TFAP), which is incorporated by reference. The TFAP is effective from April 1, 2020 through March 31, 2023.

There have been no changes in the Tribes' service area and the scope of the TANF plan will not be substantially changed in its TFAP. The effective date of the Tribe's TFAP is April 1, 2020. Consistent with its federally approved TFAP, the Tribes agree to continue to serve all Indian families residing on the Tulalip reservation (in Zip Code 98271), and only tribal members residing in North Snohomish County in the following zip codes: 98271, 98270, 98259, 98206, 98287, 98201, 98292, 98223, 98258, 98205, 98207, 98203, 98291, 98204, 98208, 98290, 98296, 98272, and 98252.

The Department and the Tribes determined that there were 270 tribal families receiving public assistance benefits in 1994, based on the Tribes' identified service population as identified in their TFAP.

The Tribes have received federal approval of their TFAP indicating that they have complied with the requirements of the federal policy (TANF-ACF-PI-2018-02, December 21, 2018 Program Instruction) relating to serving Indian families on or near the reservation service areas, including the policy provisions relating to notification of other tribes with overlapping near-reservation areas. If there is a change to the Tribes' service population under their federal TFAP and associated federal funding, the Tribes will notify the Department. The Department will adjust the State funds and the Intergovernmental Agreement with the Tribes accordingly to reflect these changes.

6. TRANSFER OF STATE FUNDING

- 1) For purposes of this Agreement, the state fiscal year (SFY) is July 1 to June 30.
- 2) Subject to availability of State MOE funds, and the provision of subsection 6 below, the Department agrees to transfer to the Tribes for the period April 1, 2020 to March 31, 2023, up to the amount of \$1,896,833 in State MOE funds. Payments will be made in accordance with the State MOE Payment Schedule, Exhibit "B", attached hereto and incorporated herein.
- 3) The Department agrees to pay the annual MOE amounts to the Tribes in State Fiscal Year lump sum annual payments, after the receipt and acceptance by the Department of the completed A 19-1A Invoice Voucher and receipt and acceptance of the reports required under Section 8 of the IGA. Payment shall be considered timely if made by the Department within thirty (30) calendar days after receipt of properly completed A 19-1A and reports.

- 4) The Department agrees to review submitted reports within twenty (20) days and immediately contact the Tribes regarding any missing information or documentation.
- 5) For each SFY's payment, the Tribes may submit an A 19-1A invoice voucher and required reports as early as July 1 of the SFY for which the Tribes is requesting payment. However, each annual A 19-1A must be submitted to the State TANF point of contact no later than thirty (30) days after the end of the requested reimbursement state fiscal year. Annual A 19-1As submitted to the Department after these dates shall not be paid, unless authorized by the Secretary of the Department.
- 6) For each State Fiscal Year (SFY), if the Tribes do not spend MOE funds in an amount equal to the MOE funding awarded under this IGA for this annual period, the difference between the amount awarded and the amount spent will be subtracted from the MOE funding awarded to the Tribes for the next SFY.
- 7) If there are any legislative changes impacting either Party, each reserves the right to renegotiate this Agreement.
- 8) Payments are subject to availability of state legislatively appropriated funds.
- 9) In addition to formal Tribal consultation, the Department will notify the Tribes of any projected or anticipated budget increase or decrease that affects any program or service contained in its TFAP as soon as they are informed of the projected or anticipated change. This includes one-time surplus funding that could be obligated for unmet needs in services and program development.
- 10) The Tribes will not charge the Department for services if the Tribes have charged or will charge the State of Washington or any other party, under any other contract or agreement, for the same services.

7. EXPENDITURE OF STATE MOE FUNDS

The Tribes agree to spend all funds received under this Agreement consistent with federal and state MOE requirements. The Tribes shall comply with all applicable federal and state laws and regulations and OMB circulars governing the use of state MOE funds. MOE funds must be spent on eligible families and for the four (4) allowable TANF purposes. The four (4) TANF purposes are listed in law at 42 USC 601(a) and regulation at 45 CFR 260.20. The law and regulations defining federal and state MOE requirements are 42 USC Section 609(a)(7), 45 CFR 263, RCW 74.08A.040, and WAC 388-315. In addition to following these provisions, the Tribes must also comply with the federal Office of Management and Budget (OMB) Circulars A-87, A-133 and 45 CFR 92.

8. REPORTING ON THE USE OF STATE MOE FUNDS AND CASELOAD

The Tribes agree to provide quarterly reports to the Department, which are mandatory to meet State reporting requirements regarding the use of State MOE funds, as outlined and incorporated by reference in the November 27, 2000 TANF Policy Announcement (TANF-ACF-PA-2000-04) issued by the United States HHS and WAC 388-315-3000.

To report the State MOE funds expended and the number of families served, as well as performance measure data and fiscal data, the Tribes will complete and submit to the Department the following reports by the following dates:

1. Caseload & Expenditure Report (Exhibit C, Page 1) and Performance Measure Report (Exhibit C, Page 2): Must be received by the State TANF contact no later than forty (40) days from the end of the quarter (Due dates: September 9th, December 10th, March 12th and June 9th).
2. Fiscal Report (Exhibit D): The Tribes will report on only State MOE funds utilizing the ACF-196T Tribal TANF Financial Report Form. This form is due to the State TANF contact at the same time as required by ACF: within 45 days after the end of each quarter of the federal fiscal year (Due dates: February 14th, May 15th, August 14th and November 14th).

Any funds received by the Tribes under this Agreement shall remain subject to the reporting requirements of this section at all times, notwithstanding the termination or conclusion of the funding period provided under this Agreement. To the extent that the Tribes retain and spend any funds subsequent to the termination or conclusion of the funding period under this Agreement, the Tribes shall submit all required reports no later than forty (40) days after the end of the calendar quarter in which State MOE funds are expended.

9. INCORPORATION OF GENERAL TERMS AND CONDITIONS

This Agreement incorporates the current and future [Indian Tribe and DSHS Agreement on General Terms and Conditions](#) entered into by the Department and the Tribes by reference. To the extent that this Agreement may conflict with the terms contained within the Indian Nation and DSHS Agreement on General Terms and Conditions, the terms contained within this Agreement control.

10. COMPLIANCE AND AUDITS

The Tribes shall comply with all applicable federal and state laws and regulations governing the use of federal and state MOE funds and document and report that MOE funds are spent appropriately. The Tribes shall provide TANF services as described in its federally approved TFAP.

The Department and the Tribes agree the Tribes will provide a copy of the Tribal TANF Program's section of the most recent federally-required Single Audit Report to the Department, within thirty (30) calendar days of the Tribes' submission of the report to the federal government.

11. SERVICES PROVIDED UNDER THE PLAN (TFAP)

Consistent with its federally approved TFAP, the Tribes shall make the final determination of tribal membership of families applying for Tribal TANF services. The Tribes shall also determine whether such families meet the eligibility criteria for Tribal TANF services.

Included in the TFAP, the Tribes shall provide the Department with a list and description of the current eligibility criteria for Tribal TANF services. If and when changes or revisions of such eligibility occur, the Tribes shall promptly inform the Department of these changes or revisions.

If the Tribes request an amendment to their TFAP which would have a significant financial impact on the Department, the Tribes shall also notify the Department of such request and provide a copy of the proposed amendment. The Department and the Tribes shall negotiate and reach agreement regarding any amendments to the TFAP which would have an impact on this Agreement before the Tribes implement the amendment. The Tribes agree to give the Department notice when such amendments are approved.

12. IMPLEMENTATION AGREEMENTS

For new Tribal TANF programs, the Department and the Tribes shall update an Operating Agreement describing the working relationship between the Department's local Region and the Tribes, including procedures for the effective transfer of cases and coordination of services that shall be performed by each party. This Operating Agreement shall also include provisions to ensure that a family receiving assistance under the Tribes' plan may not receive assistance from other state or Tribal TANF programs.

The Department shall work in cooperation with the Tribes to provide Tribal TANF recipients with access to Basic Food and Medical Assistance.

The Tribes have their own Title IV-D child support program.

As a condition of receiving State MOE funds under this Agreement, and to provide for the transfer of information on Tribal TANF cases and for the ongoing coordination of services for these families, the Department and the Tribes will ensure that a current data share agreement is in place.

13. LIABILITY OF THE TRIBES FOR FAILURE TO COMPLY WITH FEDERAL AND STATE MOE REQUIREMENTS

Where the Tribes expend funds in a manner inconsistent with federal and state MOE requirements or cannot demonstrate that it spent funds consistent with State MOE requirements, the Tribes shall be liable to the Department in an amount equal to such funds as were improperly expended or are unaccounted for.

14. FUNDING REMEDIES

The Department may withhold funding under this Agreement for any of the following reasons:

1. The Tribes do not provide the Department with reports required under this Agreement by their respective due dates.
2. Reports provided by the Tribes lack required information.
3. The Department has a credible basis to believe that the Tribes are spending or has spent funds provided under this Agreement inconsistent with federal and state MOE requirements. Prior to withholding funding, the Department shall provide the Tribes with forty-five (45) days advance written notice.
4. The Tribes are unable to timely demonstrate that it spent funds under this agreement consistent with federal and state MOE requirements.
5. A Single Audit Report or federal site visit concludes that the Tribes are either misusing federal funds, cannot properly document that expenditures were proper, or is out of compliance with federal TANF requirements.
6. The Tribes otherwise do not comply with the terms and conditions of this Agreement.

The Department must first notify the Tribes in writing of the compliance issue and give the Tribes ninety (90) days in which to cure the noncompliance.

In the event that the dispute is not resolved, the Tribes may utilize the dispute resolution process described in Section 15. Action taken under this section shall be suspended pending the outcome of any dispute resolution process.

15. DISPUTE RESOLUTION

The Department and the Tribes agree to resolve disputes that arise as follows:

1. The Department and the Tribes shall first attempt to resolve the matter through informal discussions and negotiations.

2. If informal discussions prove unsuccessful, the Department and the Tribes agree to refer the matter to non-binding mediation. Either party may request that a matter be submitted to a mediator to assist in resolving a dispute. The mediator shall be jointly selected and shall be approved by the Department and the Tribes. The cost shall be born equally by the Department and the Tribes.
3. If mediation does not resolve the dispute, then the parties agree to submit their dispute to arbitration before a Dispute Resolution Board. The Dispute Resolution Board shall consist of three (3) individuals, one (1) selected by the Department, one (1) selected by the Tribes and a third party to be chosen by the first two. The Dispute Resolution Board shall review all issues, concerns and conflicts with a goal to determine acceptable solutions for both parties. The decisions of the Dispute Resolution Board shall be final and binding on both parties.
4. Nothing in this section is, or shall be deemed to be, a waiver of the Tribes' sovereignty immunity to an action in any administrative or legal forum or to the payment to the state of any funds owned, held, or administered by the Tribes, other than State MOE funds transferred under this agreement.

16. AMENDMENT, WAIVER AND TERMINATION

This Agreement or any provision may be altered, amended, or waived by written agreement signed by both parties. The parties may use the amendment form attached as Exhibit "E".

The funding under this Agreement is for the period outlined in Section 18, but is subject to any additional restrictions, limitations, or conditions imposed by state or federal laws or regulations during this time. Payments are subject to the availability of adequate federal and state MOE funds.

If there are changes to the federal or state TANF legislation, regulation, or funding structure that impacts either party, each reserves the right to terminate the funding and renegotiate this Agreement. The Department agrees to notify the Tribes in writing as early as possible of any potential funding or other issues that may require termination of this Agreement.

Either party may terminate the Agreement by giving the other party forty-five (45) calendar days' written notice.

Termination under this Agreement is the termination of funding, which means the Department's obligation to provide future payments of state MOE funds under Exhibit B ends, as does the Tribes' obligation to provide services with the future MOE funds.

This Agreement shall remain enforceable until the last Single Audit Report of the funding provided under this Agreement either has no findings or all findings are satisfactorily resolved.

17. RETROCESSION

If the Tribes choose to retrocede their Tribal TANF program prior to the end of their three-year plan, it agrees to provide the Department with notification at the same time that it notifies the Secretary of HHS. All future scheduled State funded payments shall be discontinued and any State MOE funds not expended or obligated on Tribal TANF activities as of the retrocession date shall be returned to the Department within forty-five (45) calendar days of the retrocession date.

18. PERIOD OF FUNDING AND ENFORCEMENT

The funding period under this Agreement shall be from April 1, 2020 to March 31, 2023 unless otherwise extended or terminated under this Agreement.

20. EXECUTION

The following in their representative capacities hereby approve this Agreement.



Grants & Self-Governance Dept. Manager
Tulalip Tribes

Date 4/17/2020



Secretary
Department of Social & Health Services

Date 5/7/2020



Assistant Secretary
Economic Services Administration

Date 5/6/2020

Exhibits:

A –Tulalip Tribes Tribal TANF Plan

B - State MOE Payment Schedule

C - Tribal TANF Caseload and Expenditure Report and Performance Measure Report

D - ACF 196T Tribal TANF Financial Report

E – IGA Amendment

Exhibit A

IGA Performance Plan & Budget or Tulalip Tribes Tribal TANF Plan



The Tulalip Tribes of Washington

Temporary Assistance for Needy Families Plan

April 1, 2020 to March 31, 2023

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Section 1: General Provisions

A. Introduction

Personal Responsibility and Work Reconciliation Act of 1996, Public Law of 1996 provided Indian Tribes the authority to operate their own tribal TANF programs. Under (PROWRA) federally recognized Indian tribes are eligible to apply for funding under section 416 of the Social Security Act.

B. Mission Statement

Guided by a cultural focus on values, accountability and education we strive to inspire and serve individuals and families by delivering self-sufficiency tools to our clients.

C. Purpose

(Four Purposes of TANF; according to the Administration for Children and Families)

1. Provide assistance to needy families so that children can be cared for in their own homes.
2. Reduce the dependency of needy parents by promoting job preparation, work and marriage.
3. Prevent and reduce the incidence of out-of-wedlock pregnancies.
4. Provide assistance to tribal member children whom are considered Youth In Need of Care (YINC); and/or have been removed from their home.

D. Program Goals

The Tulalip Tribal TANF Program strives to assist families in becoming self-sufficient. The following principals and strategies will guide The Tulalip Tribes towards achieving this goal.

1. Emphasize Work

The Tulalip Tribes is committed to the development of a viable entry level and skilled workforce that will create a sound economic base for clients that are making efforts to secure opportunities for paid employment.

2. Education

Increasing education level through encouraging participants to enroll in higher education completion through collaboration with Tribal Employment Rights Office (TERO), Tulalip Higher Education department, any other Tribal entities and Human Service Agencies.

3. Self Sufficiency

Provide opportunities for participants to obtain education, work experience, job opportunities and livable wages.

E. Scope of Services

The Scope of Services for this program are to provide financial assistance through a monthly cash grant for both low-income families and individuals caring for placement children. TANF also provides training programs to prepare low-income parents for work and support services to aid in the transition to work.

F. Authority

The Personal Responsibility and Work Reconciliation Act of 1996, Public Law 104-193 signed into law by President Clinton on August 22, 1996. This law is commonly referred to as the “Welfare Reform Act.” The Welfare Reform Act ends the Aid to Families with Dependent Children (AFDC) and creates block grants to states and tribes to provide Temporary Assistance to Needy Families (TANF).

Under the Welfare Reform Act, federally recognized Indian tribes are eligible to apply for and receive funding under section 412 of the Social Security Act, as amended by P.L. 104-193 to administer and operate their own TANF programs.

The Board of Directors is the recognized governing body of The Tulalip Tribes under the Constitution and Bylaws approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936.

This Plan shall be made available to any client upon request for review. This Plan shall be considered a Public Document, and all clients shall be made aware of their right of appeal and the scope of services available through all programs operated from this office.

G. Time Frame and Effective Date

The Tulalip Tribes has been administering Tribal TANF since March 1, 2005. This TANF Plan time frame will be April 1, 2020 to March 31, 2023. The Tulalip Tribes administer their TANF program under a P.L. 102-477 Indian employment, Training and related services Demonstration Act of 1992. The effective period of the Tribe's current P.L. 102-477 Plan is April 1, 2020 to March 31, 2023.

The Tulalip Tribes Family Advocacy Division will have overall administrative authority over the Tulalip Tribes TANF Program. Day to day program management responsibility will be delegated to the Tulalip Tribes 477 Manager.

H. Service Area / Population

The Tulalip TANF program will serve all Indian member families living within the borders of the Tulalip Tribes' Reservation (in zip code 98271).

- An "Indian member family" in which any member of the assistance unit is enrolled in a federally recognized Indian Tribe (hereafter to include Native Alaskan Tribes).

The Tulalip TANF Program will serve all Tulalip Tribal Member families living in the area of northern Snohomish County, in the following zip codes: 98271, 98270, 98252, 98258, 98259, 98206, 98201, 98287, 98292, 98223, 98205, 98207, 98203, 98291, 98204, 98208, 98290, 98296, and 98272.

- A "Tribal member family" is one in which at least one member of the assistance unit is an enrolled member of the Tulalip Tribes.

I. Eligibility as Related to the Purposes of TANF

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

Only needy families, as defined herein, may receive any form of Federal or State MOE funded "assistance" (as defined in 45 CFR 286.10).

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.

J. Non-Duplication of benefits

The Tribal TANF Program will work with other TANF programs to protect the integrity of resources. Individuals cannot receive TANF benefits from the Tulalip Tribal TANF program and any other state or tribal TANF program in the same month funded under Part A, of Title 1 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The Tulalip Tribal TANF program will verify TANF applicants/participants are not receiving TANF benefits from any other state or tribal TANF program.

Section 2: Cash Assistance

A. TANF Cash Assistance Eligibility

A family must meet the needy family criteria. A needy family is one whose income falls at or below 200% of the Federal Poverty Level.

When a client reaches an income level that exceeds TANF eligibility requirements, the cash grant will be reduced based upon the income received.

A TANF assistance unit includes:

1. Parents of dependent children (hereafter to include children age 18 whom is a full time student in secondary school).
2. Caretaker / relative of dependent children.
3. Mother of an unborn child who has reached the third trimester or a medically verified high-risk pregnancy. In these cases, the assistance unit is considered to be the mother and unborn child only. If the father is in the household, he is added to the grant the month after the child's birth.
4. A family includes both (2) parents and dependent children, when all family members live in the same household. All adults living in the household must be documented on the application, their income must be verified, and their relationship to the applicant must be disclosed.
5. The following children may be excluded from the application:
 - I. A sibling of a dependent child, if the sibling is receiving any other sources of income and counting the sibling's income reduces the filing unit's benefits.
 - II. Dependent children who have been or will be receiving foster care payments for more than 30 days.

Minor Head of Household

A Minor Head of Household must live with a parent, legal guardian, adult relative, or approved adult caretaker. A minor parent may alternatively live in a TANF approved adult supervised living arrangement if necessary. A minor head of household will include any minor under the age of 18 that has legal custody of their child. This will include a minor mother pregnant in her 3rd trimester.

B. Child Only Non-Needy Cash Assistance Eligibility

Individuals caring for placement children may receive cash assistance to aid in the support of children for whom they are legally responsible and who reside in their home.

C. Countable Income

All earned and unearned income is counted in determining eligibility and grant amount, unless specifically excluded by rule. The total countable income shall not exceed the set grant amount. All income resources must be verified.

1. Earned Income
 - Wages earned from employment will be budgeted at 50% against the grant standard.
2. Unearned Income, including but not limited to:
 - Unemployment benefits
 - Workers compensation.
 - Child Support payments received by the participant, in excess of \$300 per child, no maximum.
 - Alimony received
 - Other income
 - Social Security payments for both adult and children
 - Tribal per capita payments for all household members, which are not received from Tulalip.

D. Excluded Income

1. Retroactive TANF grant correction payments will not be counted when calculating payment
2. Work related reimbursements
3. Earned income of a dependent child
4. Monetary gifts, up to one hundred dollars (\$100) per person per event, for celebrations typically recognized with an exchange of gifts
5. Traditional gifts
6. Interest posted to a bank account
7. Earned income tax credit payments
8. Income derived from harvesting of fish/shellfish
9. Taxable and Non-Taxable per capita received by Tulalip Tribal Members
10. Social Security Benefits

E. Allowable Resources

Allowing substantial resource values will contribute to self-sufficiency and economic independence.

1. Resources

The applicant's financial status will be determined after a review of all the client's available resources. Resources are considered available to the client, unless specifically excluded by federal statute or listed under exempt resources.

2. Resource Limit

The applicant may retain a resource limit of \$2,500.00 per Family Unit household. All resources exceeding this amount will be counted as income for determining eligibility.

3. Exempt Resources

As a condition of eligibility, clients shall not be required to dispose of the following resources, nor shall these resources be counted against the resource limit:

1. Any resource used in the production of income for self-employment.

2. Home in which the family is living
3. Personal belongings.
4. Insurance policies.
5. One vehicle per adult in the assistance unit not to exceed \$8,000.00.
6. One vehicle per High School students, 16+ with a valid driver's license, not to exceed \$8,000.00
7. Equipment utilized to exercise Treaty Rights.

F. Cash Grants

Cash assistance in the form of TANF grants is based upon the eligibility criteria of the preceding month. Grants will be paid on the 1st of each month or the next business day if the 1st falls on a Saturday, Sunday or Holiday.

Grant payment amounts will be calculated as follows:

<u>Number of placements in a home</u>	<u>TANF Grant</u>
1 placement	\$ 350
2 placements	\$ 700
3 placements	\$ 1050
4 placements	\$ 1400
5 placements	\$1500
Maximum Grant	\$ 1500

Section 3: Support Services

Support Services are provided to help clients fulfill their participation requirements, and obtain or maintain employment. Support services are limited to \$1500.00 per household, per year in the needy family.

Eligible support may include goods or services provided to eligible parents to help them prepare for employment, begin employment, and/or maintain employment.

A. Support Services Eligibility (not to exceed \$1,500.00 per year)

To be eligible for support services, the client must be in compliance with all participation requirements of the TANF program and have two (2) weeks of active participation or demonstrate an emergent need. All other sources of support must be explored before TANF support services are granted.

B. Family Reunification/Child Safety Net Support Services

Parents of children in the process of transitioning from the caretaker's household towards family reunification may utilize the TANF Support Services. Upon regaining full custody Parents will no longer be eligible under this section, but have the ability to become regular TANF clients.

C. Work Experience Eligibility

Clients who meet all TANF eligibility requirements and are in compliance with work participation may be offered work experience opportunities, not to exceed 24 hours per week. Work experience opportunities may be available at tribal and non-tribal worksites. Clients will be allowed up to six months or 720 hours of work experience hours.

D. Transitional Services (not to exceed \$1,500 per year)

Transitional Services are support services which are available to TANF clients transitioning off TANF to aid the successful transition to employment and self-sufficiency.

Examples of Transitional Services include:

1. Transportation assistance, including bus passes, gas vouchers, car pool or van pool costs
2. Cost and dues necessary to retain employment
3. Drivers relicensing
4. Repair of vehicle
5. Educational expenses
6. Short term child care (Limit 30 Days)
7. Other emergent needs may be approved by the 477/TANF Manager.

E. Transitional Services Eligibility

All clients exiting from the TANF program who are over income from employment are eligible for transitional services for up to 1 year after exiting TANF.

F. TANF – Child Only Support Services

TANF- Child Only support services not to exceed \$1500.00 per placement / per year. Child only support services shall be utilized to benefit the child in placement's care.

Service Definition	Limit	Activity	Notes
Clothing Necessary for school or enrichment activities	\$150.00 Per Quarter	School, Enrichment activities	<ul style="list-style-type: none"> ○ Clothing and Shoes ○ Safety/Protective Gear/Attire ○ Other Apparel as deemed necessary
Diapers/Daycare Supplies Per Child	\$75 Per Child Per Month	Licensed Daycare attendance	Examples: Diapers, wipes, bottles, sippy cups, blankets, etc.
Hygiene-hair	\$75 Per child Per Program Year	Health and Safety	May include a hair-cut, return hair to natural color, or to purchase lice treatment products
Personal Hygiene	\$50 Per child Per Quarter	Health and Safety	This is for items that are reasonably needed by the client such as: Soap, shampoo, toothpaste, mouthwash, deodorant, shaving supplies, feminine hygiene supplies, makeup, hair dryer, barrettes, hair brush, and laundry detergent.
Food Vouchers	\$100 per request / per child, not to exceed \$600 per year	Health & Safety	This is for items that are reasonably needed by the client. Should not include the following: Alcohol, tobacco, soda, energy drinks, candy, chips, and/or food that may be considered unhealthy.
Transportation Allotment	\$25 gas voucher twice a month	School, counseling or Enrichment activities	Used to provide transportation of child placement to school, counseling, enrichment activities, etc.
Food/Hygiene/Clothing Emergency Sustenance	\$100.00 per person in TANF family unit per emergency event	Emergency sustenance	Use only if no other source for sustenance is available or circumstances unbeknownst to the client that have made this necessary. (for ex. Power outage due to natural unavoidable circumstances, house fire, natural disaster, etc.) Not to exceed 3 events per program year This service will be excluded from the \$1,500.00 per year support services.
Short-term Child Care To be used while approval for Working Connections Childcare is pending.	\$ 200 per month per child 30 day Limit Per Program Year	Childcare attendance	Use only if no other source for childcare is available. Limited to one-month extensions approved by TANF Manager. -Refer client to a licensed provider whenever possible . Client MUST apply for and/or show proof of denial for CCDF grant.
Student Incentives For grades K-12	\$100 twice per school year	Other	Perfect Attendance, 3.0+ Grade Point Average, Improved Failing Grades. TANF staff shall provide specified Criteria.

School Activities Fund	\$500 per program year	School and Enrichment activities	Utilized for school pictures, dances, yearbooks, ASB Cards, instrument rentals, items associated to sports Tribal Members shall utilize funding provided through Tulalip Youth and Family Enrichment prior to receiving support services listed in this area.
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G. TANF – Family Grant Support Services

Temporary Assistance for Needy Families – Family Grant not to exceed \$1500.00 per household per year.

Service Definition	Limit	Activity	Notes
Car Repair Repair of vehicle (registered to participant or other parent in household) necessary to return the vehicle to operable condition, such as minor repairs	\$500 One time Only	Work, TANF participation, Safety	Necessary to work or participate in TANF activity: · All work and replacement of parts must be performed by a licensed business except for battery replacement · May include charges for repair estimates.
Clothing For Employment Necessary to seek, accept and maintain employment or participate in work participation activity	\$300.00 Per Program Year	Work	· Uniforms · Clothing and shoes appropriate for position. · Safety/Protective Gear/Attire
Diapers/Daycare Supplies Per Child Diapers for child to attend licensed daycare permitting the participant to seek, accept or maintain employment or participate in a work participation activity	\$75 Per Child Per Month	Work	This service may be utilized for no more than three continuous months after beginning employment. Examples: Diapers, wipes, bottles, sippy cups, blankets, etc.
Educational Expenses All expenses related to training or education	\$500 Per Program Year	Other	Must be an approved activity in the Self Sufficiency Plan (SSP). Other sources of payment should be exhausted such as: <ul style="list-style-type: none"> • Pell grants, SEOG(supplemental education opportunity grant), or Work Based Tuition Assistance. • Education and training offered free through the tribe, community college, and technical colleges. • High schools, community colleges, and community-based organizations (CBOs) may provide no-cost tutoring for students. These resources shall be explored and utilized prior. Covers: Tuition· Books· General Equivalence Diploma (GED) tests, Uniforms· Tutoring · Specialized clothing
License/Fees May include; but is not limited to driver's licenses Restricted to adults or Teen head of households	\$200 Per Program Year Per Person	Work, TANF participation, Safety	Needed to accept employment or to participate in work participation activities: Fees for license reestablishment course work <ul style="list-style-type: none"> • Reestablishment fees for driver's license • Title Transfer • Emissions Testing • All costs necessary to license a vehicle • Liability Insurance Costs not allowed under TANF rules: <ul style="list-style-type: none"> · Legal Fees associated to criminal violations. · No taxes or fees associated to purchase a vehicle
Medical Exams/Services Necessary to accept employment or participate in TANF activities	\$300 Per Program Year Per Assistance Unit	Work Safety Other	Services beyond a physical not paid for by medical insurance or available in free clinics and/or North Inter-Tribal Vocational Rehabilitation Program (NIVRP); may include but is not limited to diagnostics to identify medical/psychological barriers. May include standard fees charged for medical records/reports.
Hygiene-hair	\$75 Per Child Per Program Year	Health and Safety	May include a hair-cut, return hair to natural color, or to purchase lice treatment products

Personal Hygiene Items needed to maintain personal appearance and grooming in order to participate in work participation activities or accept employment.	\$50 Per person Per Quarter	Work	This is for items that are reasonably needed by the client such as: Soap, shampoo, toothpaste, mouthwash, deodorant, shaving supplies, feminine hygiene supplies, makeup, hair dryer, barrettes, hair brush, and laundry detergent.
Professional, Trade, Association, Union, Bonds, Certification Costs, Licenses and Fees Union dues, and Related Fees, Drug Screening, and Background Checks if required by law and not paid for by employer to accept or maintain employment or participate in a TANF activity. Also includes but is not limited to, commercial and business licenses appropriate to participant's employment.	\$300 One Time Only	Work	Union dues are paid for the first month of employment after successfully exiting from the TANF Program. Testing necessary to acquire license or certification not included in license fee. Example: Boilermaker certification Card dealers license, food handlers card, tips card (Bartender requirement), nursing licenses and renewals, etc. Clients who successfully complete the work participation program and have gone on to further their education can receive help within two years of being off the program.
Public Transportation	\$130 Per Month Per Adult	Work Safety Other	For work participation and/or employment. Includes bus, van pool, train, ferry, etc.
Housing and/or Move In Cost 1 st and Last months rent or eviction notice	Up to \$1500 per program year	Work Safety Other	Requirements: Provide lease agreement, clients must show just cause and exhaust all other resources. Services will be counted towards each adults' (Household) annual services. Clients must sign new SSP with Case Manager. Cost Not Allowed Move in deposit.
Food Vouchers	\$100 per person, per request not to exceed \$500 per program year.	Other	This is for items that are reasonably needed by the client. Should not include the following: Alcohol, tobacco, soda, energy drinks, candy, chips, and/or food that may be considered unhealthy.
Transportation Allotment	\$25 gas voucher twice a month	Work Safety	Used to provide transportation to TANF participation activities.
Tools Tools or equipment required by an employer or institutional training program. Must have employer statement of tools required.	\$500 One Time Only	Work	Requirements: · Part of an approved TANF training or educational activity · To accept a bona fide offer of employment · Maintain employment to participate in TANF activity · All other employees or students must have the same requirement for tools.
Food/Hygiene/Clothing Emergency Sustenance	\$100.00 per person in TANF family unit per emergency event	TANF participation	Use only if no other source for sustenance is available or circumstances unbeknownst to the client that have made this necessary. (for ex. Power outage due to natural unavoidable circumstances, natural disaster, house fire, etc.) Not to exceed 3 events per program year This service will be excluded from the \$1,500.00 per year support services.
Short-term Child Care	\$ 200 per month per child 30 day Limit Per Program Year	TANF participation	Use only if no other source for childcare is available. Refer client to a licensed provider whenever possible. . Client MUST apply for and/or show proof of denial for CCDF grant.

Section 4: Diversion Services

Diversion services or diversion benefits are considered support services. This is normally associated with providing benefits and services to prevent families from becoming TANF clients.

A. Diversion Services Eligibility

The following criteria must be met:

1. Meet all TANF program eligibility requirements and whose income falls within or below the 200% Federal Poverty Guidelines.
2. Are not currently TANF recipients or receiving TANF Transitional Services
3. Are in need of one-time or limited benefit(s) to help them avoid dependency on TANF
4. Who do not need or want, (by their or the program's determination) to become a "regular" TANF client (an assistance unit receiving monthly cash assistance, requiring ongoing support services and necessitating the adult members of the family to engage in work participation activities.)

B. Diversion Benefits

1. Payments made directly to the vendors,
2. No cash payments will be received by the clients.
3. Payments and/or vouchers may be utilized for Rent, Utilities, food/hygiene etc.

C. Diversion Service limitations

1. The maximum amount (per family) of Diversion Services is \$1500. If a bona fide need is less than \$1500 the lesser amount will be authorized.
2. This is a one-time service that can be utilized once every 60 months.
3. The diversion service payment will be paid directly to the service provider(s).
4. No reimbursements will be provided.

D. Application for TANF within 12 months of Diversion

If a Diversion Services recipient applies for a TANF grant within 12 months of receiving Diversion, the recipient will be not be eligible for TANF family grant support services for 12 calendar months following the utilization of Diversion Services.

Section 5: Time Limits

State months of assistance shall be waived prior to the inception of the Tulalip Tribes 477/TANF program. The Tulalip Tribes will comply with Regulation 286.115 and will not use Federal funds to provide assistance to any family which includes an adult who has received assistance for 60 months (whether or not consecutive) except as provided in this section.

The Tulalip TANF program will impose a 60 month lifetime limit for receiving cash grants. As provided in 45 CFR 286.125, the Tulalip Tribes must count all prior months of TANF assistance funded with TANF block grant funds by any State or other Tribe, except for any month that was exempt, or disregarded by statute, regulation, or under any experimental, pilot or demonstration project approved under section 1115 of the Act.

The 60 month time limit applies only to those adults receiving TANF cash assistance. A month does not count toward the 60 month limitation when any of the following are true:

1. The TANF assistance unit contains only children;

2. A family that does not include a pregnant minor head of household, minor parent head of household, or spouse of such a head of household; or
3. Any month of receipt of assistance by an adult during which the adult lived in Indian Country or in an Alaskan Native Village in which at least 50 percent of the adults were not employed. The Tulalip Tribes will use the Bureau of Indian Affairs Labor Force Reports.

Additionally, no more than 20% of the caseload may be exempted from time limits for the following reasons:

1. A member of the family has to care for a family member with a serious health problem (this exclusion is limited to six cumulative months in a 24 consecutive month period) Documentation will be required monthly.
2. Both parents are disabled or one parent has to care for the other disabled parent and they do not qualify for any disability program. (this exclusion is limited to six cumulative months in a 24 consecutive month period) Documentation will be required monthly.
3. Hardship in family. When a family is suffering from a hardship where loss of TANF benefits would result in conditions that threaten the health or safety of the family and circumstances outside the family's control which prevent the family from reaching self-sufficiency. Cases in this Category shall be approved on a case-by-case basis. Each request for a Hardship Exemption will be reviewed and approved by the TANF Manager.
4. Victims of Domestic Violence

Section 6: Family Violence Option

Pursuant to 45 CFR Section 286.140 the Tulalip Tribe hereby elects the Family Violence Option (FVO) as a part of its TANF Plan. The Family Violence Option may result in the exemption from the time limits of the individuals receiving FVO Waivers.

Any Adult, who is a victim of domestic violence during the intake process, will be screened and the TANF employee will identify individuals receiving TANF assistance with a history of domestic violence, while maintaining the confidentiality of such individuals. Clients without documentation but identified by TANF Manager will be granted a 3-month waiver and referred to our domestic violence advocate department Tulalip Legacy of Healing, Behavior Health, Children's Advocacy Center; or any Domestic Violence Agency located within Snohomish County.

A. Waivers

These clients will be granted waivers for:

1. TANF time limits,
2. Work participation requirements
3. Child support assignments/establishing paternity in cases where compliance would make it more difficult for such individuals to escape domestic violence, unfairly penalize those who are or have been victimized by domestic violence, or put the individual at risk of further domestic violence.

The Tulalip Tribes will not put a limit on the length of time a participant may be granted a waiver under the FVO, however a redetermination will be done every 3 months.

To document an individual's request for a waiver due to the effects of domestic violence, the program will accept, without further investigation, a written statement from a medical or mental health professional, a domestic violence counselor, or a representative of a child protection enforcement agency. Documentation needs to be provided every three (3) months.

1. The statement must indicate that the family is currently experiencing domestic violence, and that it prevents the individual from working, participating in work activities, or otherwise make progress toward self-sufficiency.

2. Only families that meet one of the following criteria will be considered for FVO
 - a. Physical abuse
 - b. Sexual abuse
 - c. Threats of or attempted physical or sexual abuse
 - d. Mental abuse
 - e. Neglect or Deprivation of Medical Care

Self-sufficiency plans (SSP), within the scope of FVO, will be determined with input from a domestic violence advocate (Someone who has training in working with victims of domestic violence). The SSP will be designed to help individuals escape from domestic violence as well as gain skills that will lead to employment in the future.

Section 7: Work Participation

All adult members of the household receiving a TANF grant will be required to participate in job preparation, work, and/or barrier removal activities for at least 20 hours per week. For two-parent households, each adult is required to participate in a minimum of 20 hours. All children of the household receiving a TANF grant must be enrolled in and actively attending school.

A. Participation Rates

Work Participation Rate Standards the Tulalip Tribes have had a long history of high unemployment and underemployment. The following participation rate scale represents fair and appropriate standards.

All Families Participation Rates	
FY 2020	37%
FY 2021	38%
FY 2022	39%
FY 2023	40%

Presently, the State of Washington ranks with one of the highest unemployment rates in the Nation, impacting the above work participation rates. These rates reflect the reality of the current and expected economic conditions with the Tulalip TANF service area. The area is currently economically depressed, with a high unemployment rate, and there is no evidence available that this situation will improve in the immediate or foreseeable future.

B. Work Participation Activities

Activities that count toward a Tribe's participation rate may include, but are not limited to, the following:

1. Unsubsidized employment
2. Subsidized private sector employment
3. Subsidized public sector employment
4. Work experience
5. On-the-job training (OJT)
6. Job search and job readiness assistance (see 286.105)
7. Community service programs
8. Vocational educational training (see 286.105)
9. Job skills training directly related to employment
10. Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency
11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, if a recipient has not completed secondary school or received such a certificate
12. Travel to and from work participation activities as cited in 45 CFR 286.80(b)(2)(i).

- I. Reasonable transportation time will be included in the clients SSP in accordance with 45 CFR 286.80.
 - II. Reasonable time is defined as the length of time it takes an individual to travel from their home to their work site, including stops necessary such as child care, school, etc.
 - III. Clients who are utilizing public transportation may be given extra time on a case-by-case basis.
13. Tribal Culture and Religious activities may be approved on a case-by-case basis.
 14. Treatment activities i.e.: IOPT, Mental Health counseling, anger management, etc. On a case-by-case basis with 477/TANF Manager approval.
 15. Other activities that will help families achieve self-sufficiency.

C. Work Participation Exemptions

The Tulalip TANF program expects all adult and minor head of household participants to engage in activities intended to lead them towards self-sufficiency. The program recognizes individual unique conditions and circumstances that may prevent or limit persons from participating in activities to the extent expected for all participants. Documentation must be provided for all exemptions.

Clients exempt from participating in work participation activities include:

1. Seniors and Elders ages 50+
2. Expectant mothers, 18 years or older who are in their last trimester of pregnancy or determined by a physician is experiencing medical complications due to the pregnancy which prevents active participation.
3. All mothers following the birth of their child (ren), for the first three months after the birth of the child. This can be extended due to medical circumstances, on a case-by-case basis.
4. Medical conditions as defined and verified by a physician, to be reevaluated every 3 months. On a case-by-case basis, approved by the 477/TANF Manager.

D. Non-Cooperation

Clients who fail to comply with the work participation activities contained in their Self-Sufficiency Plan (SSP) will be subject to sanctions as identified in the Tulalip Tribes TANF Plan, unless good cause is shown and verified by the Tulalip 477/TANF Case Manager and approved by the 477/TANF Manager.

E. Good Cause Criteria for Non-Cooperation

The following circumstances may constitute “good cause”:

1. Inadequate or complete unavailability of child care services for:
 - I. Child(ren) with special needs if in a single parent home.
 - II. Inadequate or unavailability of transportation no longer than 3 months.
2. A family with a single custodial parent with child(ren) under the age of 6 who cannot obtain child care for the following reasons:
 - I. Appropriate childcare within a reasonable distance from the home or work site is unavailable.
 - II. Informal child care by a relative or under other arrangements is unavailable/unsuitable, or
 - III. Appropriate and affordable childcare arrangements are unavailable. The following terms are defined as:
 - a) “affordable” is considered child care which offer rates at or below the State of Washington child care rates.
 - b) “appropriate” is child care facilities and homes licensed by the State of Washington or approved by Washington CCDF Child Care Program.
 - c) “reasonable distance” should be no more than 15 miles from work or home.
 - d) “suitable informal care” is in home providers approved by the Washington CCDF Child Care Program.

3. Behavioral health, mental health, or substance abuse (with time limit of 6 months to show adequate progress towards resolving the issue) including counseling or treatment.
4. Schedule conflicts with required court appearances (with time limit of 3 months to show adequate progress towards resolving the issue).
5. Inclement weather conditions prohibiting safe travel.
6. A sudden and temporary situation beyond the control of the family affecting the health of a member within the family unit or ability to comply, including family illness, death or tragedies
7. The job is vacant due to lock out or other labor disputes.
8. Misunderstanding of Self Sufficiently Plan requirements (one time only).
9. The working conditions adversely affect the person's health as determined by a qualified health professional.
10. The work site violated federal or tribal ADA, health and safety standards.
11. Required hours to work are in excess of what is customary of the job.
12. The program participant quit the job without clear and concise understanding of the TANF program penalty for terminating employment (one time only).

All Good Cause criteria for Non-cooperation with verification must be approved by the 477/TANF Manager.

Section 8: Sanctions, Terminations, Displacements and Fraud

A. Sanctions for Non-Participation

Each month, on the 20th, clients must submit a Monthly Eligibility Report, which includes documentation of work participation hours, and any other income received.

The review period for the Monthly Eligibility Report will be from the 21st of the previous month to the 20th of the current month

For a detailed explanation of this sanction process, see the Tulalip Tribes TANF Sanction Policy, which includes reduction amounts to the grant, up to termination of cash assistance.

B. Termination of TANF Grant

A TANF cash grant will be terminated if any of the following is true:

1. Income from other source exceeds TANF eligibility requirements.
2. All dependent children leave the household.
3. Participants who refuse to participate and/or communicate with Case Manager for their monthly self-sufficiency plan meeting.
4. Participants fail to supply income verifications, medical records, birth certificates, and/or other needed documentation by the 20th of each month.
5. The participant voluntarily closes the grant. In this case, the participant cannot re-apply for TANF for 45 calendar days. If a client is in an active level of sanction at the time of voluntary termination, the client will return to the sanction level that their case was closed.
6. A participant who has been convicted of committing fraud against the TANF program.

C. Reapplication following Termination of Grant

1. If for any reason, a Client is terminated from the 477/TANF Program they will need to wait 60 days before they can reapply.
2. If a client is terminated from the 477/TANF Program for a second time they will need to wait 6 months to reapply.

3. If a client is terminated from a TANF Grant a third time they will need to wait 1 year to reapply.
4. Clients who have been terminated from the 477/TANF program must have one month (30 calendar days) of compliance to be eligible for funds disbursement and/or Support Services.
5. If a client is terminated while in Sanction, they will return to the same sanction level; unless a time lapse of three (3) or more years has occurred.
6. Each client is permitted six (6) Sanctions per year before they are terminated from the program.

D. Displacements

The Tulalip Tribes 477 program follows and is in accordance with 45 CFR 286.110(a) An adult or minor head of household taking part in a work activity outlined in 286.100 cannot fill a vacant employment position if:

1. Any other individual is on layoff from the same or equivalent job
2. The employer has terminated the employment of any regular employee or otherwise caused a voluntary reduction in its workforce in order to fill a vacancy with the TANF participant.

The Tulalip Tribal Employee Handbook is utilized by the Tulalip 477 program to resolve complaints of alleged violation of this displacement rule.

E. Fraud

Committing fraud to obtain a TANF grant will result in a termination of all TANF funded services for 5 years and possibly prosecution under Tribal Code Title 3, to include but not limited to the following charges: False Claims to a Tribal Agency, Un-Sworn Falsification, False Swearing, Deceptive Practices, Theft of Services, and Theft. Fraud that results in a client receiving cash or services in an amount over \$500.00 will be turned over to the Tulalip Tribes Prosecuting attorney for prosecution.

Section 9: Exceptions to Policy

All requests for an exception to any part of the policy must be presented in writing or through electronic data from the client's assigned Case Manager to the TANF Manager. The Manager's denial or acceptance of the exception to this policy will be put in writing within five (5) business days of the request. A copy will be placed in the client's file and a copy given to the client. No exceptions may be granted that is contrary to the federal TANF regulations. All Exceptions to Policy will be sent to the Executive Director of Family Advocacy for Final Approval.

Section 10: Grievance Procedures

A client presenting an appeal or grievance must discuss their concern(s) with the staff member and/or supervisor providing service within five (5) business days following the situation being appealed or grieved. Unresolved grievances must be appealed first to the 477 Case Manager, then to the 477 Manager, and finally the Executive Director of Family Advocacy. Each appeal must be submitted to the appropriate person(s) within five (5) business days of the previous resolution attempt. Grievances must be in writing, describe the concern, include descriptions of previous resolution attempts, include the desired resolution and be signed and dated. The decision of the Executive Director is the final authority of the Tulalip TANF Client Appeal and Grievance Process.

Section 11: Confidentiality

A. Confidentiality

The Tulalip Tribes TANF program will follow the Federal Policy Act of 1974, 5 U.S.C. Section 552a, for the purposes of this agreement or unless otherwise inconsistent with Tulalip Tribal Law. All Tulalip Tribes 477

employees are required to sign a confidentiality form, which explicitly states they are to abide by federal and tribal 477 confidentiality law and requirements, in administering the Tribal 477 program.

B. Information Exchange

In accordance with agreements that may be entered into with the State of Washington or other states or tribes administering TANF programs, Tulalip Tribes TANF may exchange otherwise confidential information under such agreements to prevent receipt of duplicate benefits, to obtain verification of information provided by the applicant/participant, to assist the participant to obtain additional benefits. This also includes other Tribal programs and affiliate agencies to coordinate services and program requirements.

Section 12: Fiscal Accountability Assurance

For each fiscal year during which the Tulalip Tribes receives or expends funds pursuant to a block grant under section 412 of the Title IV-A of the Social Security Act, 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.

Section 13: Retrocession

If the Tulalip Tribes chooses to terminate or retrocede its Tribal 477 program prior to the end of its three-year plan, it agrees to provide the Department with notification at the same time that it notifies the Secretary of HHS. All future scheduled State funded payments shall be discontinued and any State MOE funds not expended or obligated on the Tribal 477 activities as of termination or retrocession date shall be returned to the Department within 45 days of the termination or retrocession date. The Tulalip Tribes agrees to follow the statutory and regulatory requirements pertaining to retrocession.

Section 14: Data Collection and Reporting

The Tulalip Tribes shall comply with all statutory and regulatory data collection and reporting requirements pertaining to Tribal TANF

Public Comment Period

Beginning in April 2020 the Tulalip tribes will hold a 45-day public comment period regarding 2020-2023 Tribal TANF plan.

Key Tribal Contacts:

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**Exhibit B
State MOE Payment Schedule***

State Fiscal Year July 1 – June 30	Tribal TANF funding period	MOE Funding
<u>2020</u>	4-01-2020 to 6-30-2020	\$158,069
<u>2021</u>	7-01-2020 to 6-30-2021	\$632,278
<u>2022</u>	7-01-21 to 6-30-2022	\$632,278
<u>2023</u>	7-01-2022 to 3-31-2023	\$474,208
<u>TOTAL 2020-2023</u>	4-01-2020 to 3-31-2023	<u>\$1,896,833</u>

* Subsequent to Sections 6 – 8 of this Agreement: Payment shall be considered timely if made by the Department within thirty (30) calendar days after receipt of properly completed A 19-1A and all reports. The Tribes must submit reports to the State TANF contact no later than forty (40) days from the end of each quarter.

Exhibit C
State of WA Tribal TANF Quarterly Report – Page 1 of 2

TRIBAL TANF
STATE OF WASHINGTON TRIBAL CASELOAD & EXPENDITURE
QUARTERLY REPORT

NAME OF TRIBE: Tulalip Tribes

CURRENT QUARTER ENDING DATE:

CASELOAD COUNT FOR THIS QUARTER:

	1 ST Month of the Quarter	2 ND Month of the Quarter	3 RD Month of the Quarter
All Cases: Unduplicated Case Count			
Child Only Cases: Unduplicated Case Count			
Single Parent Case: Unduplicated Case Count			
Two Parent Cases: Unduplicated Case Count			

STATE MOE EXPENDITURE DATA FOR THIS CURRENT QUARTER

State Funds Expended by Tribe: \$	
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SINCE INCEPTION OF THE TRIBAL TANF PROGRAM

Total Unspent State Funds: \$	
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THIS IS TO CERTIFY THAT THE INFORMATION REPORTED ON BOTH PAGES OF THESE FORMS IS ACCURATE & TRUE TO THE BEST OF MY KNOWLEDGE & BELIEF

SIGNATURE: TRIBAL OFFICIAL **TYPED NAME, TITLE**

DATE: **PHONE NUMBER:**

Exhibit C
State of WA Tribal TANF Quarterly Report – Page 2 of 2

TANF WA-TT-04 Performance Measure Report

TANF WA-TT-04 Performance Measure Report			
Reporting Year:	Reporting Quarter:		
	First Month of the Quarter	Second Month of the Quarter	Third Month of the Quarter
1. Work Participation: Monthly work participation percentage rate as references in the Tribal Family Assistance Plan TFAP.			
2. Work Experience and Subsidized Employment Participation: Percentage of clients required to work who are participating in the WEX or Subsidized Employment Programs.			
3. Engaged in TANF Employment & Training (E&T) Program: To include Job Readiness, On the Job Training, Classroom Training, and Life skill courses.			
4. Unsubsidized Employment Participation: Percentage of clients required to work who are employed in some capacity.			

Exhibit C
State of WA Tribal TANF Quarterly Report – Page 2 of 2

TANF WA-TT-04 Performance Measure Report

TANF WA-TT-04 Performance Measure Report			
Reporting Year:	Reporting Quarter:		
	First Month of the Quarter	Second Month of the Quarter	Third Month of the Quarter
1. Work Participation: Monthly work participation percentage rate as references in the Tribal Family Assistance Plan TFAP.			
2. Work Experience and Subsidized Employment Participation: Percentage of clients required to work who are participating in the WEX or Subsidized Employment Programs.			
3. Engaged in TANF Employment & Training (E&T) Program: To include Job Readiness, On the Job Training, Classroom Training, and Life skill courses.			
4. Unsubsidized Employment Participation: Percentage of clients required to work who are employed in some capacity.			

Exhibit D

U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES			
TRIBAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) ACF - 196T FINANCIAL REPORT			
TRIBE Name:	GRANT AWARD YEAR:	SUBMISSION:	
EMPLOYER ID NUMBER (EIN):	REPORT PERIOD: From:	ORIGINAL [] or REVISED []	
		QUARTERLY [] or FINAL []	
REPORTING ITEMS	COLUMN (A) FEDERAL TFAG FUNDS	COLUMN (B) STATE CONTRIBUTED MOE FUNDS	COLUMN (C) TRIBAL FUNDS
1. TOTAL FEDERAL FUNDS AWARDED	\$	\$	
EXPENDITURES ON ASSISTANCE			
2a. Cash Assistance Payments	\$	\$	
2b. Other Assistance Expenditures	\$	\$	
2c. TOTAL ASSISTANCE EXPENDITURES	\$	\$	
EXPENDITURES ON NON-ASSISTANCE			
3a. Administration	\$	\$	
3b. Systems	\$	\$	
3c. Other Non-Assistance Expenditures	\$	\$	
3d. TOTAL NON-ASSISTANCE EXPENDITURES	\$	\$	
TOTALS			
4. Total Expenditures	\$	\$	
5. Unliquidated Balance	\$		
6. Unobligated Balance	\$		
7. Tribal Replacement Funds	\$		\$
THIS IS TO CERTIFY THAT THE INFORMATION REPORTED ON ALL PARTS OF THIS FORM IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF			
SIGNATURE: TRIBAL OFFICIAL		TYPED NAME, TITLE	
DATE SUBMITTED:	CONTROL NO. 0970-0345	PHONE NUMBER:	
FORM ACF-196T PAGE 1 OF 1	EXPIRATION DATE: 02/29/2020	EMAIL ADDRESS:	

Exhibit E IGA Amendment Form

Intergovernmental TANF Agreement Amendment Form

Indian Nation:

Tribal Plan Contract Number:

Amendment Number:

ACD Amendment Number

Amending: (check all that apply)

IGA Plan Budget Other

Administration/Program and Page of agreement: See below

Reason for change:

Change:

By their signatures below, the parties agree to and certify that they are authorized, as representatives of their respective governments, to sign this Amendment regarding the TANF Intergovernmental Agreement and the Contract Consolidation Project.

_____ **Date:** _____
Tulalip Tribes

_____ **Date:** _____
Washington State Department of Social and Health Services