



SOKAOGON CHIPPEWA COMMUNITY
TRIBAL TANF PLAN
October 1, 2021 to September 30, 2024

TRIBAL INFORMATION

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PART I - INTRODUCTION

BACKGROUND

On August 22, 1996, President Clinton signed Public Law 104-193, the 'Personal Responsibility and Work Opportunity Reconciliation Act of 1996'. Public Law 104-193 contains nine (9) titles and is comprehensive in its effect on federal programs. Title I amends Title IV-A of the Social Security Act (the Act) and creates the Temporary Assistance for Needy Families (TANF) program. Title II creates revised eligibility standards for Supplemental Security Income (SSI). Title III makes changes to Title IV-D of the Act to increase child support requirements on States and recipients and make direct funding available to Indian tribes. Title IV establishes new restrictions on receipt of welfare and public benefits for non-citizens. Title V retains current law for Titles IV-E and IV-B 1 of the Act. Title VI consolidates the funding of the Title IV-A childcare programs with the Child Care Development Block Grant (CCDBG) into the Child Care Development Fund (CCDF). Title VII restructures several provisions of the School Nutrition Program. Title VIII retains the open flexibility and adds new work requirements. Title IX contains several miscellaneous provisions.

TANF PROGRAM

Title I of pub. 104-193 amends part A of Title IV of the Social Security Act by replacing the Aid to Families with Dependent Children (AFDC) program, the Job Opportunities and Basic Skills Training (JOBS) program, and the Emergency Assistance (EA) program with the Temporary Assistance for Needy Families (TANF) program. Under the new part A of Title IV of the Social Security Act, open ended funding and guaranteed individual entitlement to public assistance have been repealed. TANF gives both state and federally recognized Indian tribe new flexibility in the design of welfare programs, which promote work and responsibility and strengthen families. The purpose of the new law is to support programs designed to provide assistance to needy families, so that children may be cared for in their own homes or in the homes of relatives; reduce dependency on public benefits by promoting job preparation, work, and marriage; prevent and reduce the incidence of out-of-wedlock pregnancies; and encourage the formation and maintenance of two-parent families. Thus, the new legislation provides both challenges and opportunities to help needy families.

TRIBAL TANF ELIGIBILITY

Federally recognized Indian tribes are eligible to apply for funding under section 412 of the Social Security Act, as amended by Public 104-193 to administer and operate their own TANF programs. Implementation of a Tribal TANF program may begin not earlier than July 1, 1997, and requires that eligible Indian tribes submit a three (3) year Tribal TANF plan to the Secretary of the Department of Health and Human Services (HHS) through the Administration for Children and Families (ACF) for review and approval.

PART II - THE SOKAOGON CHIPPEWA TRIBAL TANF PLAN APPROACH TO PROVISION OF WELFARE - RELATED SERVICES

TRIBAL TANF GOALS

The intent of the Sokaogon Chippewa Tribal TANF Program is to provide services to needy (Indian) families with a child(ren) (or expecting children) in need of temporary appropriate aid or services. The Sokaogon Chippewa Economic Support Agency will operate the Tribal TANF Program. The Tribal TANF Program will provide parent(s) with job preparation, work, and supportive services to enable them to leave the program and become self-sufficient. The Tribal TANF program may provide funds and /or services to families at risk of welfare dependency. The Sokaogon Chippewa Tribal TANF Program will comply with all federal mandates of "Public Law 104-193". It is the intent of the Sokaogon Chippewa Tribe that assistance shall be provided promptly with due regard for the preservation of Indian family life.

1. Increase the number of participants with completion of a high school education or GED/HSED
2. Increase the employability rate within the tribal community
3. Decrease welfare dependency in the tribal community by providing educational classes and supportive services to help them become more self –sufficient
4. Strengthen family bonds in the tribal community

OUTCOMES/MEASURES OF GOALS

- To provide clients with the opportunity to take part in educational related activities/classes such as job search, resume building, job applications and GED/HSED classes, with the goal of promoting self-sufficiency and having a success rate of at least 25% of the TANF caseload
- To provide TANF participants with current job postings within the Sokaogon Chippewa reservations and provide application assistance as needed, with a goal of obtaining employment of 25% of the TANF caseload.
- To provide assistance to TANF participants by offering an interview skills workshop and also provide assistance for work clothing if the participant should become employed with a goal of 25% of the TANF caseload.
- To provide participants and families an opportunity to attend classes for Healthy Relationships and Positive Indian Parenting and cultural activities held on the reservation, with a success rate of at least 25% of the TANF caseload

The Tribe will measure progress and outcomes of the Tribal TANF program by, collecting data from the average number of cash assistance families per month and collecting attendance sheets that will be provided at each activity/class held

REVIEW AND COMMENT ON TRIBAL TANF PLAN

The Sokaogon Chippewa Community has provided an opportunity to Tribal members and others 45 days to review and comment on the Tribal TANF Plan.

TRIBAL TANF PLAN RELEASED FOR PUBLIC REVIEW

The TRIBAL TANF PLAN will be linked to the tribal website www.sokaogonchippewa.com . At this time the Public Review of the Sokaogon Chippewa Tribal TANF plan may be accessible to all Sokaogon Chippewa Community members and give them an opportunity review and comment on the Tribal TANF Plan.

ELIGIBILITY FOR TANF AS RELATED TO THE PURPOSES OF TANF

Only needy families, as defined in the TANF plan, may receive: (a) any form of federal 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 (if applicable) criteria established in the TANF plan by the Tribe to receive the particular "assistance," benefit or service.

The Tribe may use segregated Federal TANF funds to provide services (and related activities) that do not constitute "assistance" (as defined in 45 CFR 286.10) to individuals and family members who are not financially deprived but who need the kind of services that meet TANF purposes 3 or 4. Objective criteria will be established for participation in these programs.

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

Cooperation with child support is required, unless good cause has been determined.

TRIBAL TANF ASSISTANCE AND SERVICES

The Sokaogon Chippewa Tribal TANF program will provide monthly cash assistance for shelter, clothing other basic needs.

Cash assistance and other assistance shall be provided as follows:

Assistance

- a. Cash assistance or assistance through a voucher system
Including rent/housing, heating/cooling costs.
Based on funding availability the tribe will serve on a first come first serve basis.

Supportive Services

- a. Educational activities designed to increase self-sufficiency, job training and work, excluding any expenditure for public education:
 - GED classes
 - HSED classes
 - Computer classes
 - TRANS classes
 - Higher education courses
- b. Required work activities expenditures with no other funding source available.
- c. Assistance or services for families at risk of dependency:

- Job placement
- Initial screening for qualifications for other related programs and services, i.e. NEW, Food Share, GA, etc.
- Referral Service

Job Readiness/motivational Activities

- a. Help prepare a participant for work by learning general workplace attitudes, expectations, and behaviors necessary to successfully complete in the labor market. These activities help the participant build self-esteem and increase self-confidence. Activities include but are not limited to:
 - Communication styles/personality types
 - Communication skills/image
 - Identify and develop plans for short term and long-term goals
 - Identify barriers to employment
 - Career exploration and vocational area identification
 - Career decision making skills
 - Evaluate work patterns, skills, and abilities
 - Mentoring, encouragement, and support

- b. Employment Counseling:
 - Provide guidance in career decision making skills
 - Career exploration
 - Vocational area identification
 - Training information
 - Job seeking skills
 - Expectations of the work environment
 - Ability to relate to others

- c. Job Seeking Skills Training:
 - Resume creation, preparation, development and updating
 - Job application completion
 - Dissemination of labor market data
 - Labor market forecasting
 - Interview techniques including role playing, videotaping, and critiquing interview skills marketing
 - Appropriate personal grooming/dressing
 - Employment counseling
 - Assertiveness

- Networking skills
 - How to conduct a job search?
 - Identifying jobs available and that may become available in the community
 - Participate in completing 12 job searches per month
- d. Individual Job Search: One - on - one highly structured job search designed specifically for the participant who may not be appropriate for group job search. Some participants do not function well in-groups for a variety of reasons. Others have completed training or have outstanding skills and qualifications and do not need the structure of a group. Some participants have specific instructional need levels.
- e. Job Survival/Retention:
- Rules and expectations of employers
 - Qualities employers desire in an employee
 - Punctuality
 - Attendance
 - Following directions
 - Teamwork
 - Getting along with others
 - Planning for emergencies
 - Time management
 - Reasons individuals lose jobs
 - Dependability
 - Mentoring/job coaching opportunities
- f. Job Development: Agency directed activity concentrating on soliciting job openings, marketing participants for employers and securing job interviews for participants. Job development expands the area and number of potential places participants may apply.
- g. Life skills Training: The following types of life skills will assist the participant in understanding and managing daily pressures outside of the workplace environment allowing them to succeed in the workplace:
- Understanding and accepting parental responsibilities
 - Strengthening parenting skills
 - Understanding relationship
 - Family budgets
 - Anger management
 - Interpersonal skills and relationship management
 - Family nutrition
 - Problem solving

- Time management
- Family resource centers.
- Household management
- Treaty Rights

EMERGENCY BENEFIT

Emergency Benefits that:

- Are designed to deal with a specific crisis or episode of need.
- Are not intended to meet ongoing needs.
- A once in a lifetime Emergency Benefit to be given to TANF eligible families in the maximum amount of \$300.00

PAYMENT STANDARD FOR FAMILIES

All needy family income will be counted toward the Sokaogon Chippewa Tribal TANF Program set grant amount. The monthly grant amount will be based on the number of hours per month of Tribal TANF program participation times \$5.15, not to exceed \$618.00 per month, and \$7,416.00 per year. The total earned income shall not exceed this amount. Child support payments will be passed through with disregard. There are no incentive payments for clients.

The Tribal TANF program will exclude from the resources limit, vehicles. Any resource beyond this limit shall be considered available income to the needy family.

DRUG FELONS

As a condition of continuing eligibility, a participant who reports that he or she has been convicted of a drug-related felon, under the state or federal law for an offense that has occurred within five years of applying for Tribal TANF. But not before 8/22/1996, must submit to a test for use of controlled substance, including, but not limited to, amphetamines, cannabinoids, cocaine, opiates, and PCP (angel dust). If cooperation by the participant is not complete, the case will be closed, and services will be denied.

The Tribal TANF program will promote a drug rehabilitation process and will require an individual who has a positive drug test to participate in a drug abuse evaluation, assessment, and treatment program to meet his or her employability plan.

NEEDY FAMILIES MOVING INTO SERVICE AREA

Needy Indian families moving into the Sokaogon Chippewa Tribe TANF service area must reapply for Tribal TANF services at the

new Tribal TANF Agency. The Agency from which the participant is transferring must terminate the participant. The new Agency must treat the individual as a new applicant for purposes of determining Tribal TANF services. The participant will receive the same amount of cash assistance that they received from the previous State or Tribal TANF program for the first month of residency in the Sokaogon Chippewa Tribal TANF service area.

TRANSITIONAL FAMILY SERVICES

The Sokaogon Chippewa Tribal TANF Agency will not continue cash assistance to working families who are no longer eligible due to income (earned and unearned income). The income is counted in the month it is received. However, the Tribal TANF program will continue supportive services for a maximum of 60 days.

CONFIDENTIALITY

The Sokaogon Chippewa Tribal TANF Agency will adhere to the Federal Privacy Act, 5 U.S.C. 552 (a) Sect.7 (a). The Tribal TANF Agency will ensure that reasonable and prudent procedures are in place to control access to information to ensure the privacy of our participants and to protect the staff from potential sanctions under the confidentiality laws.

All sensitive and confidential information obtained regarding a client will be maintained in a secure confidential manner. This can be accomplished by placing the documentation into a file that is under lock and key and away from areas frequented by persons who would not normally need to view such information as part of their job.

Any information received or reviewed regarding participants can only be obtained and used to administer the programs which you are contracted to provide under the Tribal TANF plan. Any other unauthorized use or disclosure of information and all other materials received could result in prosecution under the law.

PART III - TRIBAL TANF PLAN CONTENT AND PROCESS

ADMINISTRATIVE STRUCTURE FOLLOWED BY THE SOKAOGON CHIPPEWA TRIBAL TANF AGENCY

The primary role of the Tribal TANF Program is the TANF Caseworker. The TANF Caseworker duties include initial and ongoing eligibility of applicants. Provides advisory and advocacy services to support the academic, personal and social development of clients. The position provides multiple public assistance determining eligibility, performing case work management to assist native individuals and families to achieve self-sufficiency and stability.

The TANF Caseworker is under the supervision of the Economic Support Supervisor. This Supervisor position provides on-going support, guidance and direction to staff members who have direct responsibility for case management and related activities designed to assist TANF clients in becoming self-reliant. This includes, but is not limited to and determine initial and ongoing eligibility, development of client case plans and coordination of client services. This may be through direct intervention, referrals to partner agencies or the provision of support services that enhance academic achievement, provide job training, improve basic life skills, or lead to personal and cultural growth and development.

Both the TANF Caseworker and Economic Support Supervisor are guided by the Family Services Director. The Director ensures that all goals are being met and provides assistance as needed.

SERVICES PROVIDED DIRECTLY BY THE SOKAOGON CHIPPEWA TRIBAL TANF AGENCY

The primary purpose of the Tribal TANF Program is to prepare eligible parents who are not job ready for unsubsidized employment. Supportive services to participants that will be offered that will include transportation, emergency assistance, case management, job search assistance and/or basic training and educational services.

The Tribal TANF Program will refer and coordinate with various programs including Food Share, Medical Assistance, Child Care, JTPA (Job Partnership Training Act), Education, Headstart, NEW (Native Employment Works), Department of Vocational Rehabilitation, Social Security, Sokaogon Chippewa Health Clinic, Family Violence Prevention Program, Human Services, Indian Child Welfare, Kinship Care, Commodities, VOCA Services and AODA, to help the Tribal TANF family obtain employment and remain self-sufficient.

- a. Needy custodial parents of minor children may access all Tribal TANF services.
Parents may be eligible if they meet the financial and non-financial eligibility requirements.
Both single and married parents may be eligible.
Parent(s) may be eligible to still receive services while a child(ren) is temporary absence/removed from the home.
The parent(s) must have a re-unification plan in place to remain eligible.
- b. Pregnant woman entering their third trimester may receive services.
Pregnant women in their third trimester, with no other custodial children may be eligible for services if non-financial and financial tests are met. Pregnant women are eligible to meet with a case manager for services and assistance in seeking unsubsidized employment. Assuming they meet other basic eligibility criteria for the TANF program.
- c. All minor parents are eligible to receive Tribal TANF services.
All minors with children regardless of their parent's income are eligible for services, however they will have to reside with their parents, or a court ordered guardian to receive Tribal TANF benefits. Assuming they meet other basic eligibility criteria for the TANF program.

TRIBAL POPULATION AND SERVICE AREA

- a. Service Area
The tribal service area shall be composed of all tribal enrolled Sokaogon Chippewa families living in Forest County including the Sokaogon Chippewa Reservation.
- b. Service Population
 - Sokaogon Chippewa Tribal enrolled families as follows:
 - On reservation - any families (with at least one minor dependent child) that contain a Sokaogon Chippewa Tribal member.

- Off reservation: all families (with at least one minor dependent child) that contain a parent or two parents with minor child (ren) in which at least one adult member is a Sokaogon Chippewa Tribal member.

NEEDY FAMILY

The Tribe defines a needy family as families that are below 150% of the Federal Poverty Level and to include the following:

- a. Indian single parent with child(ren) or expecting (individuals will become eligible for Tribal TANF services in the third trimester month of pregnancy).
- b. Indian two-parent families with child(ren).
- c. Indian needy or non-needy caretaker relative with child(ren) must be related by blood or related Tribal culture on a case by case determination; May include Indian extended family members (list extended family members: grandmother, aunt, brother etc.). Assuming they meet other basic eligibility criteria for the TANF program.

DUPLICATION OF SERVICES

The Sokaogon Chippewa Tribal TANF program will ensure that duplication of services will not occur. Clients currently living on the reservation applying for client benefits will be monitored through the State of Wisconsin network system called CARES (Client Assistance for Re-employment and Economic Support) to compare status utilizing the Program Integrity verification program. Clients who have relocated back to the reservation and established residency shall file with the Sokaogon Chippewa Tribal TANF a release form addressed to the former economic support provider.

FRAUD PREVENTION

The Tribal TANF program is responsible for ensuring the integrity of the program it administers. To accomplish this responsibility, the Tribal TANF program must operate a prevention process identifying and preventing errors/fraud at application and investigate possible fraudulent committed by participants. Fraud is defined as anyone who, with knowledge and purpose, makes false statements, suppresses facts, and misrepresents circumstances to obtain or maintain eligibility for any services/benefits.

The prevention process is appropriate for applicants who have not yet been determined eligible for the Tribal TANF program. Its purpose is to prevent fraud, waste, duplication of services and abuse in the Tribal TANF program by verifying ineligibility before services are lost due to false reporting. The Tribal TANF program is responsible for ensuring that enhanced verification is conducted, when information supplied by the applicant is questionable or error prone characteristics are present. The Tribal TANF program will have staff assigned to prevent fraudulent activities.

Intentional Program Violations:

Any person who intentionally breaks any of the program requirements for the purpose of getting on/or to stay eligible for TANF or to increasing the amount of TANF payment to the family, can cause a reduction or termination of TANF services. If found to have made fraudulent statements or representation about (identity or residents) to receive multiple payments at the same time. Fleeing felons and probation/parole violators are ineligible for the program. After three (3) intentional Program

Violations occur, the entire TANF group will be permanently barred from the TANF program. They may also be prosecuted for fraud if they make false statements to receive payments, including forgery.

EMPLOYMENT OPPORTUNITIES ON/OR NEAR RESERVATION

The NEW (Native Employment Works) program will coordinate private and public employment opportunities on the Sokaogon Chippewa reservation. Off reservation employment opportunities will be accessed through the JOB NET Statewide employment service. The Tribal TANF Program also works with the economic development office to enhance outside employment for the participant of the Sokaogon Chippewa TANF program.

Available employment resources within the community include the: Casino, Bingo Hall, C-Store, Mole Lake Lodge, Café Manoomin, EPA (Environmental Protection Agency), Tribal Government Offices, Sokaogon Health Clinic, Family Services and Tribal Housing Authority. The Agency is responsible for identifying, creating, and managing available job positions.

Management of job positions includes:

- Obtaining new employer sites
- Maintaining relations with existing employers
- Promoting entrepreneurial activities
- Providing special or additional supervision of employees at the employer's worksite when necessary
- Acting as a liaison between employer and participants
- Maintaining and updating an inventory of job positions
- Ensuring that several job positions exist

FISCAL DETERMINATION BY FINANCE DEPARTMENT

During each fiscal year in which the Sokaogon Chippewa Tribe receives or expends TANF funds, the tribe will comply with the fiscal accountability provision of section 5(f) (1) of the Indian self-determination and Education Assistance Act (25U.S.C. 450c (f) (1), relating to the submission of a single-agency report required by chapter 75 of title 31, United States Code and meet all required accountability provisions.

WORK PARTICIPATION RATES AND WORK REQUIREMENT

Sokaogon Chippewa Community Mole Lake Band of Lake Superior Chippewa is a sovereign nation chartered by the Bureau of Indian Affairs and is recognized federally as a Native American Tribal Nation and operates under a ratified constitution. The Sokaogon Chippewa Band has approximately 1,377 tribal members, one-third (or nearly 500) live on the Mole Lake Reservation. SCC is overwhelmingly low-income. Median family income for Forest County is \$56,000 (HUD). The median SCC household income is less than half that at \$21,111 (ACS). Additionally, the percentage of all SCC families living below the poverty line is 48.5%; and the numbers for households with children is even higher, at 61%. Before the COVID-19 pandemic struck, the unemployment rate for the Sokaogon Chippewa Community was estimated to be 27% (Census). The total

unemployment rate for the State of Wisconsin as of July 2020—in the midst of the pandemic—was only 7% (BLS). The shuttering of the community’s largest employer and biggest source of revenue to the Tribe, the Mole Lake Casino, has resulted in over \$3 million dollars in lost income and 70 temporarily terminated jobs, ballooning of the community’s unemployment. The work participation rates are low due to the limited number of jobs in our area, including the reservation, where opportunities are inadequate. The next closest job market being 10 miles away where transportation is the largest obstacle. After this distance, the next closest jobs would be in Antigo or Rhinelander which are approximately a 45-minute drive from the reservation.

Total:

WORK PARTICIPATION RATE

Fiscal Year	Rate
2022	30%
2023	30%
2024	30%

Work-eligible Individuals:

WORK HOURS REQUIRED

Fiscal Year	Ave/hrs/wk
2022	22
2023	22
2024	22

Two-parent families: (may be performed by one individual or divided between the two parents)

WORK HOURS REQUIRED

40 hours per week

- a. Allowable work activities as:
 - Unsubsidized or subsidized employment
 - Work experience of employment is not available
 - On the job training

- b. Job search and job readiness assistance activities may include but not limited to the following activities as per 45 CFR 286.105 (b) and (c):
 - Community service programs
 - Providing childcare for participants engaged in community services
 - Vocational training for no more than 12 cumulative months

- Job skills training directly related to employment
- Education directly related to employment for those who have not received a high school diploma or GED
- High school or equivalency for those 17 years or younger.

(Obtaining high school diploma or GED is mandatory for participants within a 1-year period; if more than three classes are missed the case will be closed.)

c. There are two limitations concerning job search and job readiness:

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

EXEMPTIONS TO WORK PARTICIPATION REQUIREMENTS

- When a Tribal TANF participant is the custodial parent of a child 6 months old or less and receives payments as a custodial parent of an infant, the Tribal TANF family is exempt from the work participation.
- The adult Tribal TANF member is unable to work because of personal disability or incapacitation determined by a licensed physician.
- Single custodial parents with children under the age of six who refuse to engage in work activities because of inability to obtain child care may not be penalized if he/she demonstrates the inability is due to unavailable appropriate child care within a reasonable distance from the home or work site (286.135(a)(2). Define (286.150):

_____ Appropriate childcare

_____ Unsuitability of informal care

_____ Reasonable distance

_____ Affordable childcare arrangement.

TIME LIMITS

Time limits on client benefits shall not exceed 60 months in a lifetime (whether consecutive). The Tribe will count all previous prior months of TANF assistance by another State or Tribe funded with TANF block grant funds, 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 Tribe will not count any month of assistance received in which the adult was living in Indian county or an Alaska native village in which 50% or more of the adults were not employed. Due to the poor economic conditions of the service area, the tribe allows for the full extent of the statutes 60-month limit.

The Sokaogon Chippewa Community is overwhelmingly low-income. Family median income for Forest County, according to HUD, is \$56,000. The median household income of SCC, according to the US Census Bureau, is \$21,111. The percentage of all SCC families living below the poverty line is 48.5%; and the numbers for households with children is even higher. Families with “related children of the householder under 18 years” living below the poverty line is 61%. There are infinitesimal opportunities offered by the Tribe for members who do not possess the education and/or experience required in the qualifications. This predicament causes members to look outside of the reservation, where the nearest town is 10 miles away with the average median drive of 13 minutes, where jobs are scarce. The prime option is to travel 45 minutes to the nearest city to obtain employment but that continues to be a daunting task as tribal members face difficulties with transportation. The sole transportation assistance available for the Sokaogon Chippewa Community is exclusively accessible to tribal elders and/or for medical related appointments. In addition, the nearest facility for continuing education requires commuting prolonged distances and is stalemated by the obstacle of having reliable transportation. The average mean of high school graduation for the Sokaogon Chippewa Tribe is 79%, where Forest County is 90%, and 1.3% have obtained a Bachelor’s degree higher.

HARDSHIP

20% of the caseload may be exempted due to hardship. There are limited opportunities for extensions or three categories of applicants (custodial parents, pregnant women, and minor children) may be eligible for agency assistance.

- a. The adult member is unable to work because of personal disability or incapacitation, determined by a licensed physician.
- b. The adult agency member is needed in the home as determined by the agency to care full time for another member of the agency group who has an incapacity of such severity that with out constant home care the incapacitated member's health and well being would be significantly affected; determined by a licensed physician and must provide a written doctors note signed by a licensed physician.
- c. The adult agency member has significant limitations to employment such as:
 - Learning disability of emotional problems of such severity that they prevent the participant from obtaining or retaining unsubsidized employment, but not sufficient to meet Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) requirements or
 - Family problems of such severity that they prevent the agency group member from obtaining or retaining unsubsidized employment.
- d. One parent household with child(ren) under the age of 6 who refuse to engage in work activities because of inability to obtain childcare may be exempt from the work requirement of 128 hours per month reduced to 52 hours per month. That is after all resources have been explored with the case worker assistance and documentation of unavailability of childcare services.

PENALTIES/SANCTIONS

Individuals found to be in non-compliance with specific activities as outlined and required in the case management plan, without

exhibiting good cause, will have a reduction or termination of TANF benefits by applying the following sanctions:

- SANCTION 1: A verbal warning
- SANCTION 2: A 25% reduction of the monthly benefit
- SANCTION 3: A 50% reduction of the monthly benefit
- SANCTION 4: Termination from the TANF program for 60 days

GOOD CAUSE FOR NON-COMPLIANCE

The Tribal TANF caseworker shall determine if a Tribal TANF participant had a good cause for not complying with the Tribal TANF participation requirements. In making such a determination, the Tribal TANF caseworker may require that the Tribal TANF participant provide written documentation that good cause existed. Good cause shall not exist unless the participant provides timely notification of the good cause reason to the Tribal TANF caseworker. Good Cause for failing to comply with the Tribal TANF caseworker employment participation requirements shall be any of the following circumstances:

- a. A required court appearance, which must include a required court appearance for a victim.
- b. Other circumstances beyond the control of the participant, but only as determined by the Tribal TANF administer.

APPEAL PROCEDURE/CLIENTS RIGHTS

All applicants have the right to request an administrative fair hearing if they do not agree with any action taken concerning their application by taking the following actions:

- a. Any applicant or recipient of financial assistance under this part who is dissatisfied with any decision or action concerning eligibility for or receipt of financial assistance may request a hearing before the Tribal administrator or the designated representative within 20 days after the date of the mailing or delivery of the written notice of the proposed decision.
- b. The Tribal administrator or designated representative shall set a date for the hearing within 10 days of the date of request for a hearing, at a location convenient to both parties, and give a written notice to the applicant or recipient.
- c. The written notice of hearing date and location shall include:
 - A statement of issue
 - The applicant recipient's right to be heard in person, or to be represented by an authorized representative at no expense to the Tribal administrator
 - The applicant or recipient's right to present both oral and written evidence and written statements prior to or during the hearing.
 - The applicant or recipients right to confront and cross – examine witnesses at the hearing.

- The applicant or recipient shall have the right of one continuance of not more than 10 Days with respect to the date of hearing.
 - The applicant or recipient's right to examine and copy, at a reasonable time before and during the hearing, his/her case record as it relates to the proposed action being contested.
- d. The Tribal administrator or designated representative shall conduct the hearing in an informal but orderly manner record the hearing and provide the applicant or recipient with a transcript of the hearing upon request.
- e. The Tribal administrator or designated representative shall render a written decision within 10 days of the completion of the hearing. All decisions by the Tribal administrator shall be final. The written decision shall consist of the following:
- A written statement covering the evidence relied upon and reasons for the decision.
 - A decision on if the actions were correct or incorrect
 - A decision if the applicant will be barred or sanctioned from the TANF program, including the time frames.
 - A decision on retro pay to compensate the TANF participant.

The fact-finding must compile a fact-finding file. The petitioner may bring someone to assist with presenting why s/he is not satisfied with the agency's action. A complete and thorough written record of the review must be completed by the fact finder. The record must include the details as to who were present, what agency action was contested, and the information presented by both parties and the fact-finding decision.

The petitioner or a representative acting on the petitioners' behalf must attend the fact-finding review. If the petitioner fails to attend the hearing without good cause, the request for review is considered abandoned. The Tribal TANF Agency worker who made the decision should attend the review to present the program case as to why the action was appropriate. The Tribal TANF program may designate a representative to present information at the fact-finding review in lieu of the Tribal TANF program caseworker. The fact finder must allow for both sides to be heard. However, the process must provide for flexibility.

PART IV - PROGRAM INFORMATION AND CONSIDERATIONS

DATA COLLECTION AND REPORTING REQUIREMENTS

Client data will be collected utilizing the standard Tribal Assistance Intake form. This data will be compiled into the Tribal TANF reporting program (installed in the hard drive of the Tribal TANF program computer). Each month the data will be entered in the Tribal TANF reporting system and each quarter the information will be extracted by copying the data onto a disc, the disc will then

be mail to appropriate federal personnel. The Tribal TANF program director shall conduct a review of random cases sampling on a quarterly basis, to ensure program integrity.

The Sokaogon Chippewa Tribe will comply with all statutory and regulatory requirements pertaining to the TANF program.

COORDINATION WITH THE STATE AND OTHER INDIAN TRIBES

The Sokaogon Chippewa Tribal TANF shall coordinate with the State of Wisconsin to facilitate other financial support services, such as food share, childcare, medical assistance, Badger Care, child support, WIC Family Services, Elderly, etc. Coordination with other Tribes and States shall be conducted specifically for persons relocating to the reservation from another TANF services area.

NON-DISCRIMINATION PROVISIONS

Section 408 (c) of the Act, as amended, states that the following provisions of law apply to any program or activity funded with Federal TANF funds:

- The Age Discrimination Act of 1975.
- Section 504 of the Rehabilitation Act of 1973.
- The Americans with Disabilities Act of 1990.
- Title VI of the Civil Rights Act of 1964.

If the Tribes decides to retrocede the program back to the state of Wisconsin, the Tribes will comply with all applicable TANF regulations and related laws as specified in 45 CFR 286.30 related to retrocession.

SINGLE AUDIT

The Sokaogon Chippewa Community will comply with the Single Audit provision in CFR 458 286.75 (h)

RETROCESSION

Should the Sokaogon Chippewa Tribe elect to retrocede its TANF program to the State, it will comply with all statutory and regulatory requirements pertaining to retrocession.

CERTIFICATIONS ATTACHMENTS

- A. NON-CONSTRUCTION
- B. TRIBAL RESOLUTION