

**ONEIDA NATION OF WISCONSIN
TRIBAL TANF PLAN**

**For grant period
May 1, 2021 through April 30, 2024**



MISSION STATEMENT

The Oneida Nation TANF program's mission is to promote work and personal responsibility to strengthen Oneida and other enrolled Native American families. We will work together with the customers and other community resources to promote program goals in a comprehensive manner while respecting individual dignity, culture, and self-worth.

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Definitions & Acronyms

AODA: Alcohol or Other Drug Abuse

ASE: Automotive Service Excellence

Caretaker: Relative 18 years of age or older caring for a dependent child(ren) for whom they are not legally responsible for

Case Manager: the Economic Support Specialist worker assigned to handle the TANF case

Child Care related service: Direct care for a child while a parent/caretaker is involved in an approved activity, to include registration fee, transportation fee, activity fee and this list is not all inclusive

Crisis: a temporary interruption of income or loss of earned/unearned income, job loss or layoff of working family member, major appliance repair or replacement, illness of more than 5 consecutive days from employment, vehicle repairs that exceed \$100.00, major home repair (furnace), or emergency medical travel-of more than 100 miles

Crisis Assistance: a non-recurring benefit that assists with rent/security deposit or utility disconnection

Culturally relevant activities: Native American ceremonies, events or meetings

Cultural/Spiritual Advisor: Person/s recognized within the Native American community, i.e. Longhouse such as a Chief, Faith keeper, Clan mother, Seer; Native American Church Leader

Custodial Parent: A biological parent who has physical placement of their minor dependent child/ren

Dependent child(ren): 45 CFR (Code of Federal Regulations) 286.5 Minor child is (1) an individual who has not attained 18 years of age; or (2) has not attained 19 years of age and is a full-time student in a high school.

Diversion: A component of the TANF program that provides support services to families as an alternative to applying for cash assistance and to promote employment retention

Earned income : is defined as, but is not limited to, wages from employment

Education Review Team (ERT): Three (3) TANF case management staff not currently managing the case. This excludes staff if they are an immediate relative to the family member. In this situation, an alternate of the agency who is knowledgeable of the TANF program will be requested. The ERT meets to approve or deny a post-secondary education student for cash payment assistance based on financial aid resources and other factors according to the post-secondary policy and procedure

Exemption: verified conditions that exist which inhibit an ability to participate

Extenuating Circumstances: Unforeseen circumstances and/or conditions that affect the stability of a family's ability to become and maintain self-sufficiency as determined by the TANF Review team

Extreme weather: treacherous, hazardous road/travel conditions, dangerous temperatures, severe thunderstorm, snow or tornado watch or warning

Family: Social group consisting of parents/caretakers and their minor dependent children

FPL: Federal Poverty Level

Incentive: A monetary reward for employment retention for adults and students, students achieving good grades, an action which motivates effort toward success

Immediate Family Member: Husband, wife, mother-in-law, father-in-law, mother, father, son, daughter, brother, sister, grandparent, grandchildren, great grandparents, great-grandchildren, spouse's great grandparents, spouse's grand-parents, son-in-law, daughter-in-law, brother-in-law,

sister-in-law. Immediate family member also includes legally recognized family members that establish the following relationships, such as stepparent, step-grandparent, step-great grandparents/grandchildren adopted child, foster child, and guardian.

Medical related needs: lodging expenses and fuel assistance for family group member that need to stay for overnight hospitalization for serious medical diagnosed conditions

Non-Custodial Parent: The biological parent as established through paternity by Child Support agency records or voluntary paternity acknowledgement form, who is not residing in the home with the child/ren.

Per capita payments: payments made to enrolled tribal members from gaming revenue or other natural resources

Qualified health professional: State Certified Counselor, Psychotherapist, Psychologist, Social Worker, Physician, or Physician Assistant

Self-Sufficiency: The state of providing for oneself without the help of others; independent

Serious illness or injury: communicable/contagious medical condition, physical injury resulting from accident or traumatic situation

Short-term education/training: education courses/training less than one year in duration from an accredited institution of higher learning

Social Security Administration benefits: Federal Supplemental Security Income, Surviving Spouse or Child Benefits, Social Security Disability Income, Social Security Retirement, Social Security Spouse, Social Security Disabled Widow or Widower, Social Security Supplemental Income Exceptional (Special Needs person), State Supplemental Security Income and Caretaker Supplement Benefits income for child/ren of disabled parent(s)

Support Services: Assistance identified specifically to assist a family in addressing barriers to self-

sufficiency

TANF: Temporary Assistance for Needy Families

TANF Review Committee: Community Economic Support Director (or designee), and two other TANF case managers.

TANF Child Only Grant: Payment for child/ren being cared for by a relative caregiver

TANF Manager: The Economic Support Program Manager

Temporary Absence: When a parent/caretaker is out of the home for a defined period of time

Transportation assistance: Vehicle repair and/or replacement, bus pass, fuel assistance, towing, diagnostic testing, interlock ignition installation costs and/or fees

Unearned income: is defined as, but is not limited to, unemployment compensation benefits, social security (retirement, survivor and disability) benefits, child support, tribal per capita, veterans benefits

W.I.O.A.: Workforce Innovation Opportunity Act

Work Activity: An allowable activity designed to promote family wellness and self-sufficiency

Disclaimer

All forms of monetary assistance described in this plan, are subject to funding availability. All crisis and diversion support services require may require 10% customer contribution.

I. TRIBAL TANF GOALS

The TANF Program will promote work and personal responsibility to strengthen families. The Program will 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 (unplanned) pregnancies; and encourage the formation and maintenance of two-parent families. The goals of the program are:

- A. To provide comprehensive services to TANF eligible Native American families with children (or expecting a child), in need of temporary assistance.
- B. To provide parent(s) or caretaker(s) with employment preparation and/or supportive services that promotes self-sufficiency and responsibility to strengthen families and to decrease the need for public assistance.
- C. To provide essential assistance for the preservation of Native American family life and culture.
- D. To collaborate with the Pregnancy Prevention and other programs in the community in an

effort to educate customers on personal responsibility and prevention of out-of-wedlock births.

- E. To assist non-custodial parents with support services to obtain or maintain employment allowing for monetary support for their child/ren, where no other resources exist.
- F. The TANF program will provide training opportunities for TANF relevant training for staff (such as Case Management, TAS-Eaglesun Data Collection training, etc.).
- G. The Nation is committed to meeting a 35% work participation rate.

II. DESIGNATED AGENCY

The Oneida Nation's Oneida Economic Support Services is the authorized agency responsible for the administration of the TANF program for the Oneida Nation and will be responsible for the delivery of TANF services to eligible enrolled Native Americans residing within Brown and Outagamie counties in the State of Wisconsin. The agency is located at 2640 West Point Road in Green Bay, Wisconsin 54313.

III. PERIOD COVERED BY ONEIDA TRIBAL TANF PLAN

The Oneida Nation intends to operate a Tribal TANF Program for a three (3) year period beginning May 1, 2021 through April 30, 2024.

IV. SERVICE DELIVERY AREA

The program may serve TANF eligible families defined as enrolled members of the Oneida Nation residing within Brown or Outagamie counties, or other income-eligible family consisting of enrolled members of a federally recognized Indian tribe/nation residing within the Oneida Nation reservation

boundaries.

V. SERVICE POPULATION

The program may serve only enrolled members of federally recognized Indian Tribes. The Oneida Nation TANF reflects a total population of approximately, 7,575 Native Americans. The program defines needy families as those meeting the service population description that have a family income equal or less than 185% of the Federal Poverty Level (FPL). Families are defined as:

- A. Custodial parent(s) eighteen (18) years of age or older with dependent child/ren
- B. Stepparent eighteen (18) years of age or older with dependent child/ren
- C. Legal guardian eighteen (18) years of age or older with dependent child/ren
- D. Enrolled Native American pregnant (with first born child) woman eighteen (18) years of age or older, in 3rd trimester (at least seven (7) months)
- E. Caretaker relative eighteen (18) years of age or older, of dependent enrolled Native American child/ren
- F. Enrolled Native American caretaker eighteen (18) years of age or older, of dependent child(ren)

Note: Dependent child according to 45 CFR 286.5, Minor child is one (1) an individual who has not attained eighteen (18) years of age; or two (2) has not attained nineteen (19) years of age and is enrolled as a full-time high school student and regularly attending classes.

VI. REVIEW AND COMMENT ON ONEIDA TRIBAL TANF PLAN

The Oneida Nation Economic Support Services administers the TANF Program under Oneida Nation's tribal Resolution #02-14-18-A which supports implementation of the Oneida Tribal TANF Plan. Opportunity for public comment has been provided through two (2) community meetings held

February 10th , 2021 at 12:00 p.m. and at 4:30 p.m. The proposed plan was available to the public for 45 days prior to the submission of the plan to Administration for Children & Families.

VII. INDIAN FAMILIES RELOCATING INTO SERVICE DELIVERY AREA

Families moving into the service delivery area will be required to verify the following information:

- A. A minimum of 30 days of residency in service delivery area and;
- B. Tribal enrollment for at least one (1) member of the family group and;
- C. If applicant was a former TANF customer, verification of case closure from previous county/state/ tribal agency is required.

VIII. TANF ASSISTANCE AND SERVICES DESCRIPTION

With the exception of Crisis and Diversion Assistance, which has its own eligibility criteria, all other services and assistance are limited to families that meet the Nation's definition of needy. The program may provide assistance as follows:

- A. Cash assistance
- B. Childcare related services
- C. Crisis support services
- D. Diversion, Support, Non-custodial and Caretaker Relative services
- E. Pregnancy prevention and educational services
- F. Life skills training
- G. Youth employment

IX. TANF SUPPORTIVE SERVICES

The program may assist TANF cash payment, caretaker relative, and non-custodial parent(s) of

TANF eligible child/ren with the following supportive services to obtain or maintain employment, **disregarding a 20% deduction off earned income to determine eligibility:**

- A. Short-term vocational education to promote job training and employability
- B. Required work activity expenses not covered by any other resource
- C. Childcare transportation costs, a portion of parent payment, or registration fee unable to be met by the parent(s) not otherwise allowed by other childcare resources
- D. A partial rent payment as a support services for cash payment CNB or CSJ households for each month they remain eligible for cash payment (CNB and CSJ.**
- E. Caretaker Relative households may be eligible for the following support services upon placement of children:**
 - a. clothing allowance per child with documentation of placement**
 - b. support services for a caretaker relative may include purchase of; bedding, clothing, diapers, wipes, formula, school supplies, etc.**
- F. Crisis rent for the non-custodial parent if shared equal physical placement exists in the court Order and the NCP is exercising their court ordered placement schedule.**
- G. Employment related or educational supportive expenses required for TANF work participation or employment/training including but not limited to:
 - a. Uniforms/work clothing, shoes, safety shoes
 - b. Safety glasses, work tools
 - c. Books and tuition (not covered by any other resource)
 - d. Professional license or certification fees
- H. Transportation assistance to include:

- a. **Fuel** assistance, transit pass, **bus pass** and/or cab fare (where no other resources are available)
 - b. Auto repair
 - c. Drivers' license exam, reinstatement, **auto registration**, Drivers safety course (Group Dynamics classes) and/or Driving Instruction Course for adults and/or **youth under 19 years of age still in high school.**
 - d. Auto insurance
 - e. AODA assessment fee
 - f. Interlock **Ignition device installation fees**
 - g. Occupational driver's license fees (SR22 & license)
 - h. Traffic fines needed to get driver license for adult member in the family group**
- I. Vehicle replacement for employed applicant
- J. Incentives:
- a. Education **achievements for adults achieving GED, HSED, Associates Degree, Bachelor's Degree**
 - b. **Student in grades K-12 for good grades and good attendance per each semester of school year**
 - c. Successful completion of Employability plan requirements **at agency established benchmarks**
 - d. Employment retention **at agency established benchmarks**
 - e. Savings account match
 - f. Marriage - Healthy relationships **or other denominational groups, upon completion certificate**
- K. School preparation assistance (supplies and/or clothing)

- L. Life skills training, i.e. computer classes, parenting, **financial budgeting**
- M. Cultural and Educational outreach activities & cultural family activities
- N. Household supplies/personal hygiene, diapers, wipes, baby formula, etc.
- O. Assist family group with purchase of birth certificates and/or tribal enrollment for children/parents
- P. AODA or Mental Health Treatment Services where no other resources exist

X. TANF DIVERSION SERVICES

Diversion services **provide support services to a family as an alternative from them** having to apply for TANF cash payment assistance. Eligibility for diversion will be determined using up to 200% of the Federal Poverty Level (FPL) **and disregarding 20% deduction off the family's earned income when determining eligibility**. Services available may include but are not limited to:

- A. Domestic Violence counseling **and support services through referral to Tribal Domestic Violence program**
- B. Assist family group with the purchase of birth certificates and/or tribal enrollment for child/ren or parents
- C. Culturally relevant support services that promote wellness
- D. Child care transportation costs, a portion of parent payment, or registration fee unable to be met by the parent(s) not otherwise allowed by other child care resources **or when needed to obtain child care services in order to work**
- E. Household/personal hygiene supplies, diapers, wipes, baby formula, etc.
- F. Interlock ignition device installation

- G. Occupational license fees (SR22 & license fee)
- H. Medical related needs for member/s of family group that is hospitalized, and family member needs to stay at medical facility
- I. AODA/ Mental Health Counseling/Treatment services where no other resources exist
- J. Relocation expenses related to secured employment
- K. Short-term accredited education
- L. Transportation assistance
- M. Driving course for adults and/or minors under 19 years of age still in high school
- N. Employment expenses
- O. Vehicle repair/replacement
- P. Life skills training
- Q. Outpatient Services for AODA and/or Mental Health where no resources exist

XI. EARNED AND UNEARNED INCOME

A 20% deduction of the family groups earned income will be disregarded, when determining TANF eligibility for Diversion and Support services. The program will disregard child support being deducted from current employment pay stubs for child/ren not residing in the household. The program will disregard any minor dependent's trust funds or earned income up to age 19 if still attending high school.

All unearned income will be counted as available income in determining a TANF grant amount. Exceptions to this are the program will disregard the first \$200.00 of child support received, and the program will disregard SSI income of a child, a portion of Kinship, Foster Care, Guardianship and Adoption assistance.

EXCLUSIONS:

The program will exclude all Indian Judgment funds, other disbursements that are excluded under Federal Law, and a percentage of tribal per capita payment(s).

XII. RESOURCES AND ASSETS

One automobile per TANF eligible adult can be excluded from the asset limit of \$2,500.00. Any additional vehicles (including recreational vehicles) will be counted toward the asset limit using value listed in the NADA or Kelly Blue book. All other assets, i.e., property (other than primary residence), mineral rights, stocks/bonds, Individual Retirement Accounts, Certificates of Deposits, Savings or Checking Accounts, will be considered as available assets, if they can be converted to cash in excess of the asset limit.

XIII. ELIGIBILITY AS RELATED TO THE PURPOSES OF TANF

Eligibility for TANF assistance and services is as established in the Oneida Nation's approved TANF Plan. Only needy families, as defined in the TANF Plan, may receive: (a) any form of Federally or State MOE funded "assistance" (as defined in 45 CFR 286.10); or (b) any benefits or services pursuant to TANF purposes 1 or 2. "Needy" means financially deprived, according to income and resource (if applicable) criteria established in the TANF plan by the Oneida Nation to receive the particular "assistance," benefit or service. The Nation 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.

XIV. COORDINATION/COLLABORATION WITH OTHER PROGRAMS

The program will collaborate with other Tribal, State and Federal service providers to assist applicants with obtaining comprehensive services. Team case management may be conducted with **other** behavioral health professionals in an effort to holistically address identified barriers to employment. The Program will collaborate with local school systems, daycare providers, Head Start & Early Head Start programs, Fatherhood Initiatives, Juvenile Diversion, Parenting, Pregnancy Prevention, Indian Child Welfare (ICW), Arts and other Cultural programs, Domestic Violence program and Child Support programs to promote healthy families.

The Oneida Economic Support Services administers numerous public programs, including State Food Share and Medicaid programs, State and Federally funded childcare subsidy programs, tribal **Workforce Innovation Opportunity Act (WIOA)**, Energy Assistance, Job Center Services, etc. The Economic Support Services department has a drop-in, on-site daycare for customer convenience.

XV. CHILD SUPPORT ENFORCEMENT

The Oneida Tribal TANF Program will work collaboratively with the Oneida Nation Child Support Enforcement Program whose purpose is to establish paternity, locate and enforce child support orders and work with the absent parent(s) in financially providing support for their child/ren. Non-cooperation with child support agency will result in the denial of cash assistance eligibility until compliance is verified. In accordance with the provisions set forth in 45 C.F.R., section 286.75(8), the TANF agency will require cooperation with child support agencies, except when good cause is verified and approved. Any child support collections will be passed through to the family or caretaker of the dependent(s).

XVI. CHILD CARE PROVISIONS

Child Care Services Program will be responsible for resources to cover expenses associated with child care needs for TANF eligible families. The Child Care Services Program administers various grant-funded programs to assist with child care subsidies for low-income families and families experiencing a need for respite child care. **Paid** providers of the program are licensed daycare facilities, certified providers, or provisionally-certified family care-givers.

XVII. EMPLOYMENT OPPORTUNITIES

Employment opportunities are accessible by private vehicle, Oneida Public Transit, Green Bay Metro and the Fox Valley Transit systems. The Oneida Nation is one of the largest employers in northeast Wisconsin, with opportunities available in areas including; gaming, health care, retail, social services, education, hospitality, recreation, agriculture, and the business entities of the organization. The TANF program also provides funding for youth employment. The Green Bay and Appleton areas provide employment opportunities in the areas of manufacturing, retail, hospitality/restaurants and other businesses.

XVIII. TRIBAL TANF WORK ACTIVITIES/PARTICIPATION

The following is a list of acceptable, but not all-inclusive work activities:

- A. Work supplementation
- B. Subsidized employment
- C. Work experience
- D. Work search/job readiness
- E. Education/Vocational training

- F. Job skills, life-skills classes/training
- G. Individual or group counseling
- H. Other- barrier related appointments, medical, physical therapy, counseling, groups such as domestic violence classes, children IEP meetings, parent-teacher conferences and home visits, children's medical and/or counseling, physical therapy appointments and other therapeutic appointments, providing constant care of severely ill child/**handicapped** or other immediate family member and self-care when medical limitations exist due to illness or injury, **virtual learning with students as required during a National Health Crisis/Pandemic**
- I. Small business, entrepreneurial training
- J. Culturally relevant work activities

XIX. MANDATORY WORK REQUIREMENTS

The Oneida Nation TANF program participation rates are:

Work Participation Rates

Population: All families (except non-needy caretaker)

Minimum participation rate for year one = 35%

Minimum participation rate for year two = 35%

Minimum participation rate for year three = 35%

Weekly Work Hour Requirements

Population: All families (except TANF Child Only) will be required to participate in the following work hours to maintain eligibility for TANF assistance unless medically exempt as verified by a physician statement:

FY2021 (May 2021 through April 2022) minimum 32 hours

FY2022 (May 2022 through April 2023) minimum 32 hours

FY2023 (May 2023 through April 2024) minimum 32 hours

Work participation rates will be determined based on the employment opportunities and available resources within the community. The case manager reserves the right to determine whether one or both parents are required to participate to meet the minimum work hour requirements.

XX. LIMITATIONS AND SPECIAL RULES

An individual shall be considered engaged in a work activity by participating in any work activity specified in this plan. If placing a customer in job search and job readiness assistance, as the sole work activity, this can only count for six (6) weeks in any fiscal year. To comply with 45CFR 286.105 (b) and (c) if job search/job readiness is an ancillary part of other activities, there is no limitation for time (weeks) spent in job search/readiness. If the Oneida Nation's unemployment rate in the TANF service delivery 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 activities only can be counted for up to twelve (12) weeks in that fiscal year. Caretaker of Newborn (CNB) cash payment assistance may be available for single or two parent **family** until the child reaches the age of twelve (12) weeks.

No penalty will be assessed for a parent caring for a child under the age of six (6) years that cannot complete their work activities for the following verified reasons:

- Unavailability of "appropriate childcare", within a reasonable distance from the participant's home or work site; or unavailability of appropriate and affordable child care in certain circumstances such as third shift employment. "Appropriate child care" is defined as a

- Formal or informal child care arrangement. Formal child care means at least one licensed or certified child care facility. If formal child care is unavailable within a reasonable distance from the parent(s) home or work site no penalty will be assessed. “Informal child care” is defined as an arrangement in which the child care provider is neither licensed nor certified (family or relative care). Participants who use this type of arrangement are not eligible for TANF child care assistance and other resources will be sought to assist a family.
- “Reasonable distance” is defined as child care within one hour (one-way), commuting, using available transportation, from parent(s) home to the child care provider’s location to the parent(s) work activity site. Travel time may be extended on a case by case basis.
- “Unsuitability of informal child care”, because a TANF participant cannot be required to use informal child care, the participant will be allowed to determine whether informal child care is unsuitable. The Nation’s CCDF program guides the participant in selecting child care.
- “Affordable child care” is care that is not above the State of Wisconsin’s Shares Child Care Subsidy program rates for licensed and certified child care. A TANF participant who has formal (i.e., licensed or certified) care available within a reasonable distance (as defined in policy) is deemed to have access to affordable child care arrangements.

A teen parent (age 18) who has not graduated high school or obtained their GED/HSED may be considered for a TANF grant with satisfactory attendance as their only required activity, attending school for a minimum of four (4) hours per day to meet the minimum work requirements. When school is not in session for summer months, the teen parent(s) must fully engage in work participation activities. Sanctions may be imposed for failure to participate.

Upon verification from a certified/licensed counselor/caseworker, or cultural advisor(s) that a

customer is actively and successfully participating in an AODA/Mental Health inpatient treatment, the hours will count toward work participation. Outpatient customers will be required to complete the required **thirty two (32)** hours of work participation per week which includes the scheduled outpatient hours. Failure to successfully participate will result in sanction or suspension from the program.

XXI. DOMESTIC VIOLENCE OPTION

The Program elects to support the Domestic Violence Resolution as certified by the Oneida Business Committee 6-27-01-H. Verification from a domestic violence program that the participant is currently attending scheduled appointments is required. Domestic violence victims may be exempt from full work participation, not to exceed three (3) months, with verification from a current police report and a certified/licensed counselor or cultural/spiritual advisor. Individual and group counseling sessions will count towards meeting the thirty-two (32) hour/week work participation requirements according to federal regulations. The Oneida Domestic Violence program provides an intensive case management program that includes a women's and men's support group and other follow-up services. The program certifies assurance of compliance to CFR 286.140 regarding special provisions applied to victims of domestic violence. Support service assistance may be available to TANF eligible families who are victims of domestic violence where no other resources exist and as verified by a current police report and domestic violence program. Services can include lodging, food, clothing/footwear, school supplies, transportation, storage costs, shelter costs. Collaboration between the TANF and Domestic Violence programs will occur prior to the above services being rendered to avoid duplication.

XXII. TIME LIMITS

The Oneida Nation establishes a sixty (60) month cumulative (whether consecutive or not) lifetime limit for Oneida Nation TANF recipients to receive TANF cash payment assistance. The agency believes the time limits are sufficient with the economic conditions and resources of the Nation. The Oneida Nation reserves the right to request an extension beyond the sixty (60) month time limit for federally funded cash assistance based on case documentation. Such requests shall be routed through both the Regional ACF Office (Chicago) and Federal ACF Office (Washington, D.C.) authorizing agencies, prior to implementation. The Nation will count prior months of assistance from any State or Nation funded with TANF grant funds, except for any month that was exempt or disregarded by statute, regulations, under any experimental pilot, or demonstration project approved under Section 1115 of the Social Security Act.

Oneida Nation TANF will not count benefits received by another Tribal/State TANF program if the applicant lived on an Indian reservation that had 50% unemployment rate or higher, during the time of eligibility for assistance. In addition, the Nation will not count time for any months in which there is not adult head of household or the adult lived in Indian Country in which 50% of the adults were not employed.

When the TANF family reaches the sixty (60) month time limit, cash assistance will end if there are no extenuating circumstances that indicate a request for an extension should be made. Child only grants are exempt from the 60-month time limit.

XXIII. HARDSHIP EXEMPTIONS

Hardship exemptions are defined as verified conditions that exist which inhibit an ability to participate in work activities. The program may consider the following categories as exemptions

from the sixty (60) month time limit on a case-by-case joint consultation between the case manager, other qualified health care professionals:

- A. Individual unable to maintain gainful employment as verified by physician and/or other qualified health care professional
- B. A participant caring for an immediate family member age fifty-five (55) and older, a disabled immediate family member, or dependent child in need of medical care
- C. An individual that is temporarily absent from the family assistance group

NOTE: The Oneida Nation TANF program affirms it will not exempt more than 20% of total caseload without an ACF-approved plan amendment.

XXIV. PENALTIES/SANCTIONS

If a participant in a family receiving TANF cash assistance refuses to comply with the employability plan, without good cause, the program can reduce or terminate the TANF grant. Work participation hours missed will be sanctioned **by either reduction and/or termination of the TANF grant.** Any TANF adult(s) in non-compliance with Child Support will not be eligible for TANF assistance until the program has been notified by the Child Support Agency that compliance has been met.

XXV. GOOD CAUSE FOR EXEMPTION

The program may exempt a participant from work requirement penalties (sanctions) for good cause, defined as but not limited to the following:

- A. Serious illness or injury limiting participation
- B. Extreme weather conditions
- C. Family crisis

D. In the event of a National Health Crisis/Pandemic, participants may be limited to participation activities and will be given good cause as determined by the TANF case manager assessing activities that are available to be completed

XXVI. APPEAL RIGHTS AND PROCESS

The following appeal process shall apply to all customers of the program:

- A. During the application process and when action is taken on a case, customers will be advised **in writing** of their right to appeal.
- B. Customers at risk of losing benefits will be mailed written notice of action to be taken on their case, within **five (5) business** days prior to the action being taken.
- C. An initial appeal to the decision of a case manager can be filed with the TANF program manager who will respond within ten (10) business days of receiving the appeal.
- D. An appeal of the TANF Program manager's decision can be made to the TANF Review Committee who will respond within ten (10) business days of receiving the appeal.
- E. The decision of the TANF Review Committee is final and may not be appealed to the Oneida Nation Judicial system or any other entity.

NOTE: TANF Review Committee will be composed Community Economic Support Director (or designee) and two other TANF case managers. All members of the review committee will have a designee appointed in their absence.

XXVII. TRIBAL OPTIONS

- A. Child Only grants may not exceed the monthly State Kinship Care rate per child.
- B. The TANF program may provide support for a Youth Work Experience Program administered by Oneida Nation TANF program, subject to funding availability.

- C. All school-age children will be required to attend school full-time in accordance with current State requirement **as verified by case manager for each school semester.**
- D. The program will institute and enforce a maximum of twelve (12) months denial of TANF assistance to customer determined to have collected TANF benefits fraudulently.
- E. Drug testing is required for TANF all cash payment eligibility **with the exception of the Child Only applicants as the agency follows State guidelines for kinship care certification.**
- F. **The TANF program will collaborate with other program events in the community that provide education and awareness to families, may assist in funding or co-sponsoring family events that focus and promote family formation of two parent families.**

XXVIII. CONFIDENTIALITY

All program staff, contractors and subcontractors are required to sign a Confidentiality Statement prohibiting the disclosure of any information relevant to any customer or their family, and that they also understand any violation of the right of the customers' confidentiality may result in immediate termination.

XXIX. NON-DUPLICATION OF SERVICES

All customers are required to sign the Tribal TANF application certifying that family members are not receiving assistance from any other Tribal TANF or State TANF (W-2) program. Case eligibility information may be exchanged with other Tribal TANF and State agencies to ensure non-duplication of TANF/W-2 benefits and/or services.

XXX. FAIR AND EQUITABLE SERVICES

The program will provide assistance and/or benefits to eligible Native Americans that meet all

program requirements, in an equitable and fair method, according to custom, tradition and federal requirements.

XXXI. FISCAL ACCOUNTABILITY

The Oneida Nation will comply with the Fiscal Accountability provision of Section 5(F)(1) of the Indian Self-Determination and Education Assistance Act (U.S.C. 450c(f)(1), relating to the submission of a single-agency report required by Chapter 75 of Title 31, U S Code.

XXXII. DATA COLLECTION AND REPORTING

The Oneida Nation will comply with all the regulatory and statutory TANF reporting requirements.

XXXIII. RETROCESSION

Should the Oneida Nation of Indians of Wisconsin ever need to retrocede back to the State of Wisconsin, the Nation shall adhere to all required regulations and related laws.

Signatures:

Tehassi Hill Tribal Chairman

Date

Delia Smith, Community ES Director

Date

Barbara Metoxen, Economic Support Program Manager

Date