

Contract Amendment # 1162-21693-04

**Intergovernmental Agreement, Temporary Assistance for Needy Families Between
The Nooksack Indian Tribe &
Washington State Department of Social & Health Services**

Intergovernmental TANF Agreement (IGA) # 1162-21693, entered into by the Nooksack Indian Tribe and the Department of Social & Health Services (Department), is amended as follows:

Consistent with the terms of the July 5, 2018 letter from the DHHS, Administration for Children & Families, the period of performance is extended through April 30, 2020.

Exhibit B-3 of the IGA is replaced by the attached Exhibit B-4 "State MOE Payment Schedule," of this IGA Amendment.

Section 4, subsection 2 is replaced by: "The Parties agree to follow the process and reporting established in the current STATE-TRIBAL TANF PLAN Guidelines published by the Department."

Section 4, subsection 3 is removed since the attached Exhibit A-4 to this IGA Amendment provides this information.

Section 5, subsection 1 is replaced by "the Nooksack Tribe submitted the revised content needed for the Temporary Assistance for Needy Families (TANF) 3 year renewal plan dated May 1, 2017. The Nooksack Tribe's request to continue administration of a Tribal Family Assistance Plan for an additional three years has been provided FULL approval by the Secretary under the TANF program authorized by the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and implemented by the Tribal TANF regulations at 45 CFR Part 286.

In addition to the revised information, the submitted plan was reviewed and confirms the Nooksack Tribe intends to continue their TANF program with the same service area and service population. The plan is not substantially different from the Tribe's currently approved plan, and no issues were found that would prohibit approval.

Within the Department's statutory authority regarding the TANF program, the Secretary has found that the Nooksack Tribe submitted a plan that includes the necessary elements listed in section 412(b) of the Social Security Act, as amended and exercises his authority under section 412(b) (2) to approve the plan for an additional three-year period, beginning May 1, 2017."

Section 6, subsection 2 is replaced by: "Subject to availability of State MOE funds, and the provisions of Section 6, subsection 8, of the IGA, the Department agrees to transfer to the Tribe for the period May 01, 2018 to August 01, 2018, up to the amount of \$140,726 in State MOE funds. Payments will be made in accordance with the attached, Exhibit B-3: State MOE Payment Schedule, of this IGA Amendment."

Section 7, subsection 8 is removed.

ALL OTHER TERMS AND CONDITIONS OF THIS CONTRACT REMAIN IN FULL FORCE AND EFFECT.

By: Ross Cline, Sr.
Title: Chairman, Nooksack Tribal Council

Signature:

Ross Cline Sr

Date:

9/11/18

By: Heidi Davis
Title: Social Services Director, Nooksack Indian Tribe

Signature:  _____

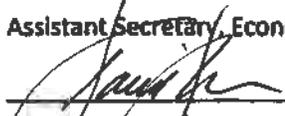
Date: 9/12/18

By: Cheryl Strange
Title: Secretary, Department of Social and Health Services

Signature:  _____

Date: 10/18/2018

By: David Stillman
Title: Assistant Secretary, Economic Services Administration

Signature:  _____

Date: 10/8/2018

Nooksack Indian Tribe – DSHS Tribal TANF IGA 1162-21693-04

Exhibit A-4

Plan (IGA Budget & Tribal Family Assistance Plan)

Nooksack Indian Tribal TANF

NOOKSACK INDIAN TRIBE Temporary Assistance for Needy Families Program Plan

Section 1: General Provisions

Nooksack Indian Tribal TANF Statutory Authority: Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) authorizes Indian Tribes to manage, administer and operate Temporary Assistance for Needy Families (TANF) program, formerly Aid for Family Dependent Children (AFDC). The Nooksack Tribal Council is the recognized governing body of the Nooksack Indian Tribe under the authority of the Nooksack Indian Tribe's constitution adopted by the General Council on July 27, 1973 as approved by the Deputy Assistant Secretary of the Interior on February 14, 1973. The Nooksack Indian Tribal Council adopted the Nooksack Indian Tribal TANF Plan by Resolution # 14-53, dated April 17, 2014.

There was a 45 day period of opportunity for the public to submit comments regarding the new draft of the Plan. Copies of the proposed plan were made available to all individuals, upon request, at the Nooksack TANF office and at the 2013, December's Nooksack Tribal Community quarterly breakfast. Any comments or suggestions that an individual wanted to make were accepted in written form, or transcribed by staff for those who were unable to write. At the end of the review and comment period the Social Services Director, TANF Manager and Program Staff met to review the comments and created responses and made appropriate edits to the Plan.

Nooksack Indian Tribal TANF Purpose: The purpose of the Nooksack Indian Tribal TANF Program is to provide assistance for needy families with children. It is to provide parents or adult caregivers with job preparation, work and work experience, and support services. The Program is intended to assist needy families in becoming economically self-sufficient and not dependent upon Nooksack Indian Tribal TANF Program for assistance.

Administration:

The Nooksack Social Services Department will be responsible for administering all TANF services. The Social Services Department also administers the Emergency Food Assistance Program (EFAP), Low Income Housing Energy Assistance Program (LIHEAP), Community Service Block Grant (CSBG) General Assistance through the BIA, Native Employment Works (NEW) Program, Elder's Title VI program through AoA, Domestic Violence Programs. The Nooksack Tribe also has a commodity foods program through STOWW. The Director of the Social Services Department oversees all program implementation and staff.

Nooksack Indian Tribal TANF Time Frame & Effective Date: The Nooksack Indian Tribe, in accordance with Section 412 of PRWORA, implemented a Tribal TANF Program on May 1, 2005, in accordance with the

Nooksack Tribal TANF Plan. The Nooksack Indian Tribe submits this Nooksack Tribal TANF Program PLAN 2014 to begin on May 1, 2014 and end on April 30, 2017.

Nooksack Indian Tribal TANF Service Area: For the purposes of the Nooksack Indian Tribal TANF Program, the service area of the Nooksack Indian Tribal TANF program will be Whatcom County and Skagit County located in the near reservation designated area in Northwestern Washington State.

Nooksack Indian Reservation and Territory: The Reservation and territory of the Nooksack Tribe shall be that which is articulated in the Constitution of the Nooksack Indian Tribe that states:

“The jurisdiction of the Nooksack Indian Tribe shall extend to all lands now held in the name of the tribe or which hereafter may be acquired for or by and held in the name of the Nooksack Indian Tribe. The Nooksack Indian Tribe may exercise its jurisdiction to the fullest extent of the law.”

Nooksack Indian Tribal TANF Service Population:

The Nooksack Indian Tribal TANF program will serve the following:

1. All Nooksack Families in Whatcom County, except for those on the Lummi Reservation. All American Indians/Alaska Natives (AI/AN families in Whatcom County east of the Guide Meridian from the Canadian Border, South to the intersection of the Guide Meridian and Interstate 5 (I5) in the City of Bellingham, and east of I5. .
2. Any eligible Indian family unit living in Skagit County, with the exception and exclusion of any enrolled member and families of enrolled members of the Upper Skagit Indian Tribe, Swinomish Tribe, and Sauk Suiattle Tribe, residing both on and off their respective reservations in this County.

Nooksack Indian Tribal TANF Goals:

The Tribe’s goal in operating a Tribal Temporary Assistance to Needy Families Program is to provide culturally appropriate services to eligible Native families and facilitate their movement toward and delivery of services to families with that goal. Regular contact by case managers will be used to develop a supportive relationship that builds on each family’s strengths and the available resources within the community. The Tribe’s measurement of success will be the percentage of families assisted in overcoming barriers and moving off of assistance. These will include families who leave assistance through employment, changes in family structure, full access of allowable child support assistance, education resulting in employability, successful completion of substance abuse treatment, and access to social security or other services for those with disabilities or other circumstances that make them eligible for other services.

During the transition from welfare to work, the personal dignity, pride and cultural identity of recipients will be protected through their opportunity to make life-changing choices.

Nooksack Tribal TANF Program Services: The Nooksack Tribal TANF program will provide eligible recipients with services designed to assist them and their families in achieving self-sufficiency. Services for eligible recipients will be provided in a coordinated and comprehensive manner.

The State of Washington will continue to provide eligible recipients with Child Care, Medicaid and Food Stamps. The Nooksack Indian Tribe will coordinate with the State of Washington for those services.

The Nooksack Indian Tribe developed agreements with the Lummi Nation, a neighboring tribe within Whatcom County and other tribes and the State of Washington to ensure that Nooksack Tribal TANF recipients do not receive duplicate services from more than one provider.

Section 2: Other Program Services

Nooksack Indian Tribal Programs: The following other services may be available to eligible recipients:

Nooksack Health and Social Services (NHSS):

- Youth and Family Services (Indian Child Welfare)
- Social Services and GA
- Domestic Violence Prevention & Counseling
- Nooksack Mental Health Program
- **Genesis II**
 - ◆ Chemical Abuse Intensive Outpatient Center
 - ◆ Mental Health Counseling

- **Nooksack Tribal Health And Dental Clinic**
 - ◆ Women, Infants and Children
 - ◆ Mental Health, Individual, Parent/Child, Family, Group Counseling
 - ◆ Maternal Child Health Care
 - ◆ Public Health Nursing
 - ◆ Teen Age Pregnancy Prevention (TAPP)
 - ◆ Community Health Representative (CHR)
 - ◆ Physicians Care and Referrals
- **Skagit County Health Services Available**
 - ◆ Samish Family Counseling and Substance Abuse
 - ◆ Swinomish Dental Clinic
 - ◆ Swinomish Health Clinic
 - ◆ SEAMAR Clinic
 - ◆ Phoenix Abuse Recovery

Education

- High School Coordination for College Preparation
- High School career programs and Technical Education
- Indian Language specialists
- JOM tutors for education success

Personnel:

- Western Washington Indian Employment and Training Program (WWIETP)
- Welfare To Work (WTW)
- Job Training and Partnership Act (JTPA)
- Summer Youth Employment Program
- Native Employment Works (NEW)
- Career Development

Nooksack Indian Housing Authority:

- Special Youth Activity Programs
- Home keeping training and budgeting
- Volunteer training

Skagit Housing:

- Samish Housing Assistance
- Skagit County Housing Authority
- Opportunity Council

State Programs:

- Child Care Assistance
- Food Stamps
- Teen Age Pregnancy Prevention (TAPP)
- Medicaid

Section 3: Employment Opportunities

Employment Overview: The Nooksack Indian Tribe's reservation (2.2 acres) and trust lands are located in Northern Whatcom County, surrounding by farms, mountains, open country and the Nooksack River Valley. Due to the small land base acquired by the tribe after its federal recognition in 1973, the Nooksack Indian Tribe further established a territory in its constitution. It is located 20 miles from Bellingham, the largest community nearby with a population of 67,171 (U.S. Census 2000). Employment opportunities are limited and competitive. Members of the Nooksack Indian Tribe have not been successful in becoming even a significant minority in the employment pool.

Nooksack Indian Tribal Employment Opportunities: The Nooksack Indian Tribe has suffered unemployment rates of over 73%. The tribes' primary source of employment is provided by:

1. The tribal government and administration.
2. The Nooksack River Casino
3. The Nooksack Northwood Crossing Casino
4. The Nooksack Market Center

The Nooksack Tribal Social Services Department including TANF, works closely with outside agencies & participants to enhance employment opportunities agencies such as:

1. Work source of Whatcom & Skagit County
2. WWITIP
3. Salvation Army
4. On-line

Off-Reservation (Trust Lands) Employment: Other employers located 20-40 miles from the Nooksack Indian Reservation include:

EMPLOYER

1. Peace Health (St. Joseph Hospital)
2. Western Washington University
3. Bellingham School District
4. Haggen Retail
5. Whatcom County Government

6. City of Bellingham Government
7. BP Cherry Point Refinery
8. Ferndale School District
9. Lummi Tribal Office
10. Sterling Health
11. Sodexo Services
12. Silver Reef Casino
13. Fred Meyer Retail
14. Matrix Service Inc.
15. Alcoa Intalco
16. The Markets LLC
17. Lynden School District
18. Heath Tecna
19. T-Mobile
20. Anvil Corp
21. Whatcom Community College
22. Wal-Mart Retail
23. Bellingham Technical College
24. Costco
25. Mt. Baker School District

Training Opportunities: The Nooksack Indian Tribal TANF program will work with entities, including but not limited to the following, for the purpose of providing training opportunities:

1. Whatcom Community College
2. Western Washington University
3. Skagit Valley College
4. Samish Vocational Rehab Program
5. Northwest Indian College
6. Bellingham Technical College
7. Faith Based Colleges and Schools
8. Highline Community College (Seattle)
9. Whatcom County Hotels and Motels
10. Nooksack River Casino (Tribal)
11. Nooksack Indian Education Dept.
12. Nooksack Indian Human Resources Dept.
13. Nooksack Indian Health and Social Service (Medical, Treatment, Family services)
14. Nooksack Indian Dept. of Natural Resources (Forestry, Fisheries, Ecology)
15. Nooksack Indian Tribal Works (Construction)
16. Nooksack Indian Economic Development
17. Nooksack Indian Law Enforcement
18. BIA General Assistance Program
19. State of Washington (Employment Security Dept., Dept. of Social and Health Services, and others)
20. Nooksack Indian Tribal Employment Rights Ordinance (TERO)
21. Governmental and Private Non-Profit Agencies

Section 4: Transportation Issues

Public Transportation: Whatcom: The Nooksack Indian Tribe has a very small reservation land base consisting of 2.2 acres of land. Tribal lands consist of Trust lands on which several housing sites are situated, Nooksack Indian Tribe – DSHS Tribal TANF IGA 1162-21693-04

with other homes developed on "scattered" sites that mostly belong to Tribal individuals as allotted land. While the Tribe seeks full reservation status of its other lands, the constitution, approved by the Secretary of interior, includes the definition:

"The jurisdiction of the Nooksack Indian Tribe shall extend to all lands now held in the name of the tribe or which hereafter may be acquired for or by and held in the name of the Nooksack Indian Tribe. The Nooksack Indian Tribe may exercise its jurisdiction to the fullest extent of the law."

The tribal center, housing the government and administration offices are located a minimum of five miles from all the housing sites. The center is also located 7 miles from the Clinic and Treatment centers as well as the community hall. There is no public transportation in the areas of housing and the tribal center. Nooksack Indian Tribal TANF is coordinating plans with all tribal departments and the Nooksack River Casino that utilize van and other public transportation to develop plans that include providing transportation for Nooksack Indian Tribal TANF recipients in the tribal area of Whatcom County. For those other eligible recipients served through the Nooksack Indian Tribal TANF Office in Bellingham, Washington, public transportation is available from several key points in the County.

SKAGIT TRANSPORTATION: Skagit County is predominantly a rural county. Public Transportation is provided by Skagit Area Transit with limited service to outlying areas. Distances between cities and communities require clients to have reliable private transportation. For example, the town of Concrete (where several of our clients live) is located 35 miles from the Nooksack Tribal TANF Skagit Satellite at Mt. Vernon, Washington. The city of Anacortes is 20 miles from the Mt. Vernon Office. The Samish Tribal Headquarters is 20 miles distant. Skagit County presents challenges in transportation for our clients.

Personal and Tribal Transportation: A priority of the Nooksack Indian Tribal TANF program will be to provide subsidies for personal and tribal transportation in both counties.

Section 5: Eligibility

Nooksack Indian Tribal TANF Program Eligibility: All applicants who are enrolled Nooksack Indian Tribal members or a child eligible to be enrolled in the Nooksack Tribe, and other Indians who meet the residency, relationship and financial eligibility requirements of this plan, will be eligible to receive assistance. Assistance will be provided equitably.

The following are eligible for Nooksack Indian Tribal TANF assistance:

- Any Nooksack Indian Family Unit within the service area. A Nooksack Indian Family Unit means households in which resides an enrolled member of the Nooksack Indian Tribe and consist of either: a married couple and its dependent child(ren); a couple residing as a married couple with a child in common, and their dependent child(ren); a single parent and his/her dependent child(ren); a dependent child living with a caretaker relative; or a pregnant woman in the third trimester of high risk pregnancy.
- All documented Indian Family Units residing within the boundaries of Whatcom County and Skagit County except for the exclusions noted in Section 1: General Provisions, Nooksack Indian Tribal TANF Service Population of this plan. Documented Indian Family Unit means a household where a child or a child(ren)'s adult caregiver has documented proof of enrollment with any federally recognized Indian Tribe or Alaska Native Tribe or Native Corporation.
- Child only cases are defined as cases where a child(ren) live with a non-needy caretaker relative or if parents are ineligible for TANF for certain reasons other than income in which assistance and supportive services are provided only for the benefit of the child(ren).

The following are not eligible for Nooksack Indian Tribal TANF assistance:

- Any minor or dependent child(ren) of an otherwise eligible family unit, who is absent from the household for a period longer than 30 days, unless attending a federally supported primary or secondary school.
- Teenage parents (17 years of age or younger) who do not attend high school or an approved training program.
- Teenage parents (17 years of age or younger) not living in adult supervised households an exception may be granted if there is not an appropriate guardian (section 408(a)(5)).
- Fugitive felons or persons who are not in compliance with any court ordered parole or probation.
- Any person who makes a fraudulent misrepresentation to obtain assistance from Nooksack Indian Tribal TANF.
- Persons residing in a household who are not a minor, not dependent child(ren); not the spouse; or not a person living as the spouse of the Family Unit's adult caregiver.

Cooperation with Child Support

Nooksack Indian Tribal TANF may deny services to families who do not cooperate in establishing paternity, obtain child support or assign child support rights to the Nooksack Indian Tribe. (Criteria for the denial of services will be contained in agreements negotiated separately from this Plan between the State of Washington and/or the Nooksack Child Support Program and the Nooksack Indian Tribe).

- The Nooksack Tribal TANF Program requires cooperation with child support enforcement agencies as a condition of eligibility for TANF assistance. Good Cause and other exceptions to cooperation shall be defined in the Nooksack Tribal TANF Policy and Procedures.
- As part of the Nooksack Tribal TANF Program Application, the Child Support Assignment Form completion is a condition of eligibility. The Nooksack TANF Program staff will work closely with the Nooksack Child Support Program staff to ensure that any child support collection in excess of the amount of the TANF assistance received by the family will not be retained by the tribe. When a TANF case is closed the assignment of child support returns to the Nooksack Child Support Program. Any child support payments received by the Nooksack TANF Program in excess of the amount of the TANF assistance will be distributed to the family.
- Any child support revenue generated under an assignment and retained by the tribe will be used for purposes and activities consistent with §286.45(f).

Nooksack Indian Tribal TANF Financial Eligibility: The Nooksack Indian Tribal TANF Program will use an income threshold standards for eligibility of a Family Unit at 100% of the Federal Poverty Level. If, at the time of application, the Family Unit does not meet the requirements of the regulations, the Family Unit will not be eligible for benefits.

Nooksack Indian Tribal TANF Resource Limitations: The Nooksack Indian Tribal TANF regulations for determining resource limitation standards for eligibility of a Family Unit is attached hereto as Table 4. The resource limit is \$5,000. If an applicant's combined resources (minus exempt items) total \$5,000 or more will not be eligible for TANF cash assistance.

Nooksack Indian Tribal TANF Continued Eligibility: A Family Unit's eligibility shall be reviewed a minimum of once every 30 days, the review will include but is not limited to, re-negotiation of the Family Services Plan/Child Development Plan.

Eligibility Based on 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 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 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.

The Family Service Plan/Child Development Plan: The services provided to each recipient or Family Unit shall be determined on a case-by-case basis. The services will also be documented in a Family Service Plan/Child Development Plan (FSP/CDP). The Family Service Plan/Child Development Plan shall contain all the requirements and strategies to move the family towards self-sufficiency. All adult Family Unit members shall be required to sign the FSP/CDP. Nooksack Indian Tribal TANF program staff will be required to sign the FSP/CDP signifying the Nooksack Indian Tribe's commitment to assist all recipients with their efforts to become self-sufficient. The FSP/CDP is the foundation under which services will be provided to recipients. Non-compliance with the FSP/CDP shall result in either the denial of services or sanctions.

The Family Service Plan/Child Development Plan shall:

- Require adult members of the Family Unit to accept and maintain employment as it becomes available, except where exempt. Wage progression and more responsible work will be encouraged;
- Contain work, work preparation, and work-related training activities, except where exempt;
- Require all children in a household to receive all required health screenings and immunizations if applicable;
- Require attendance at an FSP/CDP review every 30 days and bi-weekly contact with the caseworker;
- Require all recipients to receive training and information about the FSP/CDP;
- When applicable, require any member of the household to take advantage of employment support and/or job retention services, or other programs or services identified as necessary to overcome barriers to employment and to aid the family towards self-sufficiency.
- Require parental/custodial commitment to the child(ren) by providing a healthy, safe environment and one that is conducive to mental, physical and educational growth.

Section 6: Cash Grant Payments

General Payments of Benefits: The Nooksack Indian Tribal TANF cash assistance grants will be issued to eligible recipients once a month to meet a family's ongoing basic needs such as food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses.

Supplemental benefit payment shall be made if it is determined that for one of the following reasons a recipient received a lesser amount than that for which he/she was eligible.

5. A change that would cause an increase in benefits was reported too late for adjustment to the applicable payment period.
6. An administrative underpayment occurred due to an error by Tribe's TANF staff.
7. A hearing decision ordered restoration of benefits; or
8. The repayment by the recipient of an overpayment was in excess of the amount due.

Underpayment of Benefits: The Nooksack Indian Tribal TANF Program authorizes restoration or supplemental payment of Nooksack Indian Tribal TANF benefits if it is determined that a recipient received a lesser amount than eligible for, if for the following reasons:

1. A change that would cause an increase in benefits was reported too late for adjustment to the applicable payment period.
2. An administrative underpayment occurred due to an error by Nooksack Indian Tribal TANF.
3. A hearing decision ordered restoration of benefits.
4. The repayment by the recipient of an overpayment was in excess of the amount due.

The amount restored will be in addition to the benefits the recipient is entitled to receive for the applicable month.

Overpayment of Benefits: The Nooksack Indian Tribal TANF Program authorizes a reduction in payment of benefits if it is determined that a recipient received a higher amount than eligible to receive. An adjustment in the recipient's monthly benefit will be made to allow the Nooksack Indian Tribe to recover any overpayment.

The recipient shall have the opportunity to discuss the recovery with Nooksack Indian Tribal TANF personnel prior to any adjustment to benefits. The adjustment or recovery will be made in the following manner:

The recipient's benefit payment will be corrected by an adjustment to the regular monthly payments following the discovery and verification of the overpayment and after discussion with the recipient. Recovery shall take into consideration undue hardship on the recipient. Future payments will be reduced until the total overpayment has been recovered. In no case shall the reduction exceed twenty-five percent (25%) of the adult portion of the cash benefit in any given month.

The Nooksack Indian Tribal TANF Program will develop a plan to collect any over payment after a recipient is no longer receiving cash benefits.

Section 7: Time Limits

Nooksack Indian Tribal TANF Time Limit for Receiving Cash Benefits: An adult participant may only receive financial assistance for a total of 60 months. This time limit includes any TANF grant financial assistance that the participant may have previously received from Washington State's Department of Social and Health Services. The Nooksack Indian Tribe will count all prior months of assistance funded by TANF block grant funds received from any Tribe or State, 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.

Tribes must not count towards the time limit: Any month of receipt of assistance to a family that does not include an adult head-of-household; 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; and

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.

Nooksack Indian Tribal TANF Exemptions from Time Limits: Family Units or recipients may be exempt from applicable time limits due to hardship as that term is defined by the Nooksack Indian Tribe, including, but not limited to families which include member(s) who have been subject to:

1. Physical abuse or physical acts that resulted in physical injury.
2. Sexual abuse, or being forced to engage in non-consensual sexual acts or activities.

3. Threats of, or attempted, physical or sexual abuse.
4. Mental abuse.
5. Neglect or deprivation of medical care.
6. Drug and Alcohol Treatment Program

Up to 20% of the case load may be exempt.

Section 8: Work Participation Requirements

Work Participation Rates Standards: The Nooksack Indian Tribe has had a long history of high unemployment and under employment. The following participation rate scale represents fair and appropriate standards. The following work participation requirement rates as determined by 20 hours of qualified work activity per week for a one parent household and 30 hours of qualified work activity per week for a two-parent household will be met:

Year Nine FY2014: 27%
 Year Ten FY2015: 27%
 Year Eleven FY2016: 27%
 Year Twelve FY2017: 27%

Nooksack Indian Tribal TANF Minimum Work Participation for Cash Benefits: Helping parents find employment will be the primary goal of the Tribe's TANF Program. It should, however, be understood that not all Tribal TANF recipients are able to engage immediately in suitable employment and may need to participate in other work related activities in order to empower them to be successful in the current job market. For this reason, barrier removal and participation in programs that provide basic skills and training for successful employment may initially make up the bulk of a client's Family Service Plan. The Nooksack Indian Tribe is committed to helping families obtain self-sufficiency. To that end we expect that all adult family members, with few exceptions, will be in a work-related program while participating in the Nooksack Indian Tribal TANF program.

Activities that will be counted as work toward the work requirement include:

1. Unsubsidized employment.
2. Traditional self-employment such as fishing and gathering.
3. Job search activities.
4. Subsidized Tribal employment.
5. Subsidized work in the private sector.
6. Nooksack Indian Tribal TANF approved work experience activities.
7. On-the-job training.
8. Internships.
9. Participation in a job readiness program.
10. Job skills training.
11. Traditional subsistence hunting, fishing, and gathering activities.
12. Nooksack Indian Tribal TANF approved community service and Tribal cultural activities (includes teaching activities and skills relevant to Tribal culture) providing the activity demonstrates developing self-sufficiency and contributes to job readiness for the benefit of the child(ren).
13. Vocational training.
14. Education related to employment (with measurable progress).
15. GED completion training.
16. High school course work (if teen).
17. Post-secondary education (participant must maintain a 2.0 GPA or show reasonable progress towards completion of an accredited degree program which will lead to unsubsidized employment).
18. Provision of approved childcare for another TANF recipient engaged in work requirements.

19. Activities aimed at removing barriers to employment, such as Nooksack Indian Tribal TANF approved counseling and chemical dependency assessment and treatment.
20. Volunteer work in public school.
21. Activities that strengthen the Family Assistance Unit and ensures the health and safety of the children, including but not limited to, attending medical and dental appointments, attending family or marriage counseling, participating in home visits and conferences with other agencies or schools and volunteering in children's classrooms and with coaching of children's sports activities.
22. Any family activities sponsored by the Nooksack TANF Program.

Transportation Time:

Reasonable transportation time will be included in an adult's weekly hours in accordance with CFR 286.80. Reasonable is defined as the realistic length of time that it would take an individual to travel from their home to their work site, including any necessary stops along the way (ie. Childcare). Travel times will vary on a case-by-case basis. A client who takes the bus will have a considerably different travel time in comparison to an individual who owns a car. The Nooksack Tribal Reservation is 20 minutes from Bellingham. Clients in the Skagit County area live as many as 100 miles from the Skagit TANF Office. In considering the length of time and cost of gasoline, it is only reasonable to credit clients who have the motivation to overcome the hurdle of travel time. Experiencing and enduring a commute is a large step towards understanding what a job will be like and becoming self sufficient.

All adult Nooksack Indian Tribal TANF family members receiving income assistance will be required to participate in work requirements unless they are exempted by criteria in the exemptions section.

School Participation Standard: The Nooksack Indian Tribe has identified education as one of its highest priorities. All children 6 to 18 years of age who are in a family, receiving cash assistance will be required to show satisfactory school attendance during the public school year. Failure of parents to send children to school, or the failure of children to attend school contrary to applicable law may result in sanctions.

Nooksack Indian Tribal TANF Exemptions from work participation requirements: All recipients of Nooksack Indian Tribal TANF benefits will be required to participate in described work activities, except in the following circumstances:

1. Persons over the age of 55
2. Pregnant women in their last trimester.
3. Post-partum women for 12 months after birth.
4. Disabling medical conditions as defined by a physician.
5. Caretaker relatives of child only cases.
6. Special circumstances, such as care for a disabled dependent or elder, court requirements, or such other extraordinary circumstances as approved by the Nooksack Indian Tribal TANF case worker and the Nooksack Tribal TANF Director.
7. A single custodial parent with a child under age six who demonstrates an inability to obtain needed child care for one or more of the following reasons
 - (1) Appropriate child care within a reasonable distance from the home or work site is unavailable. See definition for "appropriate child care" and "reasonable distance" under definitions.
 - (2) Informal child care by a relative or under other arrangements is unavailable or unsuitable. See definition for "unsuitability of informal child care" under definitions.
 - (3) Appropriate and affordable formal child care arrangements are unavailable. See definition for "appropriate child care" and "affordable child care" under definitions.

Refusal to work when an acceptable form of child care is available is not protected from sanction.

If a parent wishes to claim exemption from Work Participation based on the above criteria they must submit a written documentation that at least one of the above criteria is true. Parents must submit a written request to their assigned case manager. The request will be staffed with the TANF Director to determine if it meets the criteria for work participation exemption. Documentation of reason for exemption status will be case noted in TAS and placed in the client file.

Non-cooperation with Work Participation Requirements: Recipients who fail to participate in work activities contained in the FSP/CDP will be subject to sanctions as identified in Nooksack Indian Tribal TANF Plan, unless "good cause" is shown and is accepted by the Nooksack Indian Tribal TANF caseworker and approved by Nooksack Tribal TANF Director.

Good Cause Criteria for Failure to Participate in FSP/CDP Work Activities: One of the following criteria must be met to show "good cause" to be exempt from plan work requirements.

1. Unavailability of transport (only until arrangements can be made).
2. Unavailability of childcare (only until arrangements can be made).
3. Schedule conflicts with required court appearances or incarceration (with time limits and adequate progress towards resolution).
4. Extraordinary temporary family circumstances that would constitute unreasonable hardship or risk as determined by Nooksack Indian Tribal TANF staff and approved by Tribal TANF Director.
5. Environmental emergencies (such as fire, flood, violent storm, earthquake, or tsunami).
6. Participant does not understand FSP/CDP requirements (ONE TIME ONLY).

Nooksack Indian Tribal TANF Good Cause Criteria for Failure to Accept or Maintain Employment:

One of the following criteria must be met to show "good cause" for failing to accept or maintain employment:

1. The work adversely affects participant's physical health as documented by a qualified health professional.
2. The work site violates federal or tribal health and safety standards.
3. The wage does not meet federal minimum wage or piecework standards.
4. The job is vacant due to strike, lockout, or other labor dispute.
5. The job referral or employer is discriminatory.

Section 9: Incentives for Adults and Children

The incentives are offered to TANF cash assistance recipients with a purpose to reward those adults participating in work activities and who have completed a milestone or goal outlined in their FSP/CDP, and TANF children who have completed an educational milestone. Clients will be required to submit verification of their grades or milestone within thirty days of completion or ending period. Only original documents will be accepted.

Adults must be in compliance with the TANF Program to be eligible for incentives. Refer to table 2 of this Plan.

Section 10: Supportive Services and Special Supportive Services

SUPPORTIVE SERVICES

Supportive services will be provided by the TANF Program to eligible cash assistance families who are otherwise in compliance with their FSP/CDP and can provide documentation of need for an annual limit of \$3,500 in support services per year. Services can only be in voucher or vendor payment form, and costs cannot be reimbursed. For further information see table 3.

Cash assistance families who have reached their 60 month time limit and fall within the 100% of Federal Poverty Level guidelines will be eligible for supportive services for a maximum amount of \$2,500 per year as long as they are in compliance with their FSP/CDP. Eligibility will be reviewed and determined monthly. Eligible cash assistance families may receive emergency supportive services. Examples of emergencies may be, but not limited to, food vouchers, utilities, diapers, head lice shampoo, and basic child needs (clothing, bedding,) after all other resources are exhausted.

SPECIAL SUPPORTIVE SERVICES

I. Nonrecurring Short-Term Benefits: Non-recurring short term benefits are “emergency assistance” provided to current TANF recipients. As defined at 45 CFR 286.10(b)(1). Non-recurring short term benefits must meet three basic criteria:

1. Designed to deal with specific crisis situation or episode of need;
2. Are not intended to meet recurrent or ongoing needs; and
3. Will not extend beyond four months.

These benefits are specifically excluded from the definition of “assistance” as provided at 45 CFR 286.10 (a) and are considered/reported as supportive services.

Examples of emergency assistance are, but not limited to, emergency rental assistance, emergency child care assistance, emergency hygiene assistance, and emergency vehicle repairs, etc.

Non-recurring short term benefits are available to current TANF recipients for a maximum amount of \$1,500 per year.

I. TRANSITIONAL SERVICES:

Transitional services will be provided to families, who are otherwise eligible for TANF, but have become ineligible within the past year. These services will be provided in the minimum amount necessary to support the family during transition and ensure that they remain self sufficient. All Indian family assistance units still within the service area who are no longer TANF participants because of income ineligibility, will be eligible for transitional services under this plan for one year after exiting TANF cash assistance, or until the family reaches 200% of poverty, whichever comes first. . Services can only be in voucher or vendor payment form. Costs cannot be reimbursed. Transitional services cannot exceed six consecutive months in a one year period. For further information see table 5.

II. Work Experience (WEX) Placements:

WEX placements will be made as appropriate and available for clients who have or are working towards their GED or high school diploma. The Nooksack TANF Program signs Work Site Agreements with all prospective employers who are willing and able to train individuals in a certain vocation or skill. Clients who on a WEX, will be provided a stipend equivalent to the current minimum wage for a maximum of 8 hours per day and 40 hours per week, by the TANF Program. Clients on a WEX without their GED or diploma will be provided with a stipend equivalent to the current minimum wage for a maximum of 25 hours per week and will be required to participate in GED activities for a minimum of 6 hours per week. Income from a WEX will be treated as any type of unearned income and deducted from the client’s case grant as applicable. TANF Clients on a WEX must follow all Tribal Personnel Policies and Procedures. Clients will only be placed in a WEX that aligns with a job skill or trade that they are interested in learning. In accordance with 45 CFR 286.110, clients will not fill a position that would or has displaced other workers. WEX placements will not exceed 1040 hours per placement. All WEX placements are closely monitored and supervised to ensure maximum benefit of the client. Clients working in a WEX who have successfully completed their GED will be required to participate in ancillary job search in order to fully utilize their skills in the work force.

WEX Placements will be considered assistance and counted against the 60 month time limit.

III. Subsidized Employment:

Subsidized employment will be arranged for clients who have just completed a WEX or who were recently in the workforce prior to application for TANF. Clients must have their GED or high school diploma in order to be eligible for subsidized employment. The Nooksack TANF Program signs Subsidized Employment Agreements with all prospective employers who are willing and able to train individuals in a certain vocation or skill. All wages and benefits must be paid by the employer. Employers should be willing and able to hire the client at the end of the subsidized employment agreement, pending a positive work ethic and commitment from the client. Agreements will outline the length of time and percentage of reimbursement.

Income from subsidized employment to incentivize work the following calculations will be used to apply income disregards and determine a client's cash grant:

- 1) Calculate total monthly income (Hourly Wage multiplied by Number of Hours Worked in a Month)
- 2) Multiply total monthly income by 50%, to produce the total countable income.
- 3) Apply the income disregard by subtracting \$200 from the countable income
- 4) The final total is deducted from the client's cash grant as applicable.

IV. Summer Youth Opportunity Program (SYOP)

In efforts to prepare and mentor our Nooksack Youth ages 14 to 18 years of age and/or still in high school, for self-sufficiency, good work ethics, and job skills; youth employment services will be available to eligible Tribal TANF cash assistance families. The Summer Youth Opportunity Program will alleviate unemployment and increase prospects of future employment for our low-income youth. Guidelines will be established in collaboration with the TANF Director and Personnel office. SYOP participants will be closely supervised by the employer.

The SYOP will be available for the months of June thru September for participants to work.

Section 11: Sanctions and Penalties

Nooksack Indian Tribal TANF Sanctions/Penalties for Failure to Participate and Noncooperation: The Nooksack Indian Tribal TANF program is designed to assist needy families. All TANF recipients who receive cash assistance are required to meet the requirements of the program. There may be occasions, however, when an adult family member refuses to participate in work activities. Sanctions are designed as tools to leverage cooperation with program requirements when individuals will not otherwise cooperate with the program requirements.

Failure to comply with program rules and regulations or FSP/CDP requirements will result in an initial written warning sent to the family and a five-day check hold for the following month. This warning documents the non-compliance issues and the corrective actions the family members must take. Adult family members have 30 days to complete the corrective actions.

Cause for pre-sanction, written warnings are located in the Nooksack Tribal TANF Policies and Procedures Manual

Failure to complete a 30 day corrective action will result in the adult share of the cash assistance being withheld. The child or children's portion of the benefits is not diminished or reduced. If after 90 days of continued non-compliance the case will transition to a child safety net. When a case transitions to child safety net, the adults' portions are removed and the case will result in vendor pay implementation.

After a client has thirty (30) consecutive days of compliance, the sanction status will lifted and adult cash portion will be added back to the family benefit.

Nooksack Indian Tribal TANF Sanctions/Penalties Fraud:

For Nooksack Indian Tribal TANF applicants/recipients, who make fraudulent misrepresentations in order to obtain or continue to receive benefits or other program related-services, shall be denied benefits and other related services for a period of no less than 12 months from the date the misrepresentation is discovered. For the Nooksack Indian Tribal TANF applicants/recipients, who make fraudulent misrepresentations in order to obtain or continue to receive benefits or other program related services shall be denied benefits and other related services for a period of no less than 12 months from the date the misrepresentation is discovered. The time limit for such individuals will be 48 months instead of 60 months. The case shall be referred to the Nooksack Indian Tribal Prosecuting Attorney.

Section 12-Appeal Rights and Confidentiality

Right to Appeal: The Nooksack Indian Tribe has an interest in assuring its TANF Program is administered, implemented and enforced non-discriminatorily and consistent with basic principles of justice and fairness. To that end, all applicants or recipients for Nooksack Indian Tribal TANF services and financial assistance have the right to appeal all decisions made by the Program that affects the services provided to the recipient.

Ineligibility for Services or Assistance or Adverse Decisions: When the Program determines that an applicant is not eligible for services or financial assistance or a decision has made been that directly affects the services provided to a recipient, the Program shall provide the applicant or recipient with a Letter of Notification (LON). The LON shall be mailed to the client's last known address within 10 working days from the date of the decision. The LON shall also inform the applicant or recipient of their right to appeal and shall contain an appeal form.

Appeal to Program Director: If the applicant or recipient disagrees with the Program's decision the person may request a hearing before the TANF Director or Director's designee. The request must be in writing and must be made within 10 working days from the date of the LON. The written request shall be signed and dated and contain the following information:

1. The nature of the decision; and
2. Why the person adversely affected by the decision disagrees with the decision, action or finding;

Upon receipt of the written request for a hearing, a hearing shall be scheduled within 10 working days from the receipt of the request. The person requesting the hearing shall be notified of the hearing date. The person requesting the hearing or the Program shall have the right to one 10-day continuance of the hearing date.

Hearing: The hearing shall be conducted in an informal but orderly manner. These procedures shall be followed:

1. The hearing shall be recorded electronically
2. All relevant evidence shall be made part of the record.
3. Documentary evidence may be received in the form of copies or excerpts or by incorporation by reference.
4. All documents contained in the Program's file regarding the person requesting the hearing shall be made part of the record.
5. The Program employee who made the decision, which is the subject of the appeal, shall be present at the hearing and shall explain the reason for the decision.

The person requesting the hearing shall have the right to be represented by counsel of their choice and at their expense, an opportunity to question the employee making the decision, present evidence and make a brief argument.

Within 5 working days from the conclusion of the hearing, the TANF Director shall enter a written decision. The decision shall identify the evidence and rules relied on in making the decision and the reason for the decision. A copy of the decision shall be mailed to the person requesting the hearing along with notification that the person has the right to petition to the Tribal Court for review of the decision. The Program Director's decision shall be final.

A copy of the entire record, including the electronic record, shall be furnished to the person requesting the hearing upon their written request.

Review of Final Decision: A person aggrieved by the TANF Director's final decision is entitled to judicial review only under the provisions of this Plan and such person may not use any other procedure to obtain review of such final decision even though another review procedure is provided elsewhere by tribal law, rule, regulation or Tribal Council resolution.

Judicial review under this Plan shall be commenced by the filing of a petition for review in the Nooksack Indian Tribal Court.

The petition shall be served and filed within twenty (20) days after the TANF Director enters the final decision.

Copies of the petition for review shall be served upon the TANF Director and the Office of Reservation Attorney by certified mail, return receipt requested

The clerk of the Tribal Court shall not except for filing any petition for review unless attached to the petition is a copy of the final decision.

Enforcement Pending Review: The filing of a petition for review shall not stay enforcement of the decision.

Transmittal of Record on Review: within thirty (30) days after service of the petition, or within such further time as the Tribal Court may allow, the TANF Director shall transmit to the Tribal Court the original or a certified copy of the entire record of the hearing; but all parties to the review may stipulate to the record on review.

Conduct of Review: The review shall be conducted by the Tribal Court without a jury and shall be confined to the record. The Tribal Court shall not take additional evidence or hear testimony. The Tribal Court shall hear oral argument and receive written briefs. The Tribal Court shall set the length of briefs and time for arguments.

Authority of Tribal Court: The Tribal Court may affirm the final decision of the TANF Director; or remand the case for further proceedings; or reverse the final decision, in whole or in part, if the rights of petitioner has been prejudiced because the decision:

1. Violates the Nooksack Indian Tribe's Constitution or the Indian Civil Right Act, 25 U.S.C. 1301 *et seq.*;
2. Exceeds the lawful authority of the Program;
3. Is clearly erroneous in view of the entire record; or
4. Is arbitrary or capricious.

The decision of the Tribal Court shall be final and not subject to further review by the Tribal Council or any other agency or person unless authorized by Federal law.

Nooksack Indian Tribal TANF Confidentiality-Recipient Information: The Nooksack Indian Tribal TANF Program will restrict the use and disclosure of information about recipients and families receiving Nooksack Indian Tribal TANF benefits. The Nooksack Indian Tribal TANF Program will not release or disclose recipient information.
Nooksack Indian Tribe – DSHS Tribal TANF IGA 1162-21693-04

information, except as specifically authorized in an administrative rule or as ordered by a court of competent jurisdiction.

Nooksack Indian Tribal TANF shall not make available to the public any information or record about a client or recipient maintained by the Nooksack Indian Tribal TANF Program. Such information and records include, but are not limited to, any information that contains the client or recipient's name or any identifying symbol, unless such release of information is:

1. Requested by the client or recipient or disclosure is made with the client's or recipient's prior written consent.
2. Requested by another agency for a purpose compatible with the purpose for which the record was collected, (for example, dual eligibility).
3. Requested by the Nooksack Indian Tribal Council.
4. Pursuant to the order of a court of competent jurisdiction.
5. Where a person petitions for review of the TANF Director's adverse decision.
6. Disclosed to a requesting person or agent upon a showing of compelling circumstances affecting the safety of an individual client, if upon disclosure, notification is transmitted to the last known address of the client.

Section 13-Funding and Fiscal Accountability

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

Section 14-Data Collection and Reporting

The Nooksack Indian Tribal TANF Program will comply with the Data Collection and Reporting requirements pertaining to Tribal TANF.

Section 15-Nooksack Tribal Evaluations

The Nooksack Tribal Council shall receive from the Nooksack Indian Tribal TANF internal /departmental staff, within 60 days of the close of the Nooksack Indian Tribal TANF fiscal year, an evaluation summarizing the statistics gathered from Section 12- Data Collection and Reporting including the success of the program, problems and solutions in providing the services and a plan for the next year including updating a three year plan (to conform with this plan outlining recommended changes to the the renewal of this plan) and projections of services and anticipated successful completion of family service plans.

Section 16-Retrocession

The Nooksack Indian Tribe may retrocede the operation of the TANF Program to HHS/ACF by providing written notice to the Secretary according to the guidelines in the Final Rule (45 CFR Parts 286 and 287). Nooksack Indian Tribal TANF will provide concurrent notification to the State of Washington.

The Nooksack Indian Tribe will adhere to all the all statutory and regulatory requirements pertaining to retrocession.

Section 17-Definitions

TANF: For purposes of this document, "Temporary Assistance to Needy Families."

Training: A period of formal or informal education with specific measurable outcomes toward improving employability.

Unsuitability of Informal Care: Informal care that does not meet the following criteria: Suitable Informal Care is in-home providers who qualify through the State of Washington for compensation, meeting the standard qualifications set forth by the State of Washington to include passing a background check.

AFFORDABLE CHILD CARE ARRANGEMENTS: The Tribe administers the CCDF program that provides 100% child care reimbursement to eligible families within TANF eligibility. While some TANF families may not qualify for the Tribe's child care program (eligibility is based on the child's enrollment status rather than the parents), all TANF families will qualify for the State of Washington Child Care Assistance Program, and the co-payments that the state has established are affordable for TANF families.

American Indian: An enrolled person in a federally recognized Indian Tribe of the blood quantum required by the constitution of that tribal government. a. "Indian" means a person who is a member of an Indian tribe. b. "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) which is recognized as eligible for the special program and services provided by the United States to Indians because of their status as Indians. (As defined in the Indian Self-Determination and Education Assistance Act definition (25 U.S.C. Sec. 450b).

Appropriate Child Care: 1. A licensed childcare provider who meets the minimum licensing requirements for family child day care homes or child day care centers for the type of care and age of child. 2. Child Care providers who are exempt from licensing but who are certified by DSHS. 3. In-home/relative providers who are exempt from licensing and certification, they must be registered with DSHS and/or the Tribe and meet their requirements.

Caretaker Relative: Adult specified relatives other than parents who have an eligible child residing with them and who are responsible for the child's care. Only one child in the family must be related to one of the following specified relatives: brother, sister, aunt, uncle, nephew, niece, first cousin, or first cousin once removed; one of these relationships prefixed by "grand" or "great"; one of these relationships by half-blood; a stepparent, step sibling, or the spouse of a relative by marriage, even if the marriage has ended. Also included are Indian children living with non-Indian caretakers who are legally responsible for their care who meets the criteria of the adult relative as stated above.

Child Only Cases: Child only cases are defined as cases where there is/are non needy caretaker relative(s) in which assistance is provided only for the benefit of the children.

Dependent Child: A child under the age of 18, or 19 if still enrolled and attending secondary school, residing with his/her parent, parents, or caregiver; and who is dependent upon that person for daily maintenance.

Disabled: For the purposes of this plan, an individual is considered disabled if: 1. He/she is eligible for and receiving services for a disability from either the State or Federal government. 2. He/she presents documentation that indicates that the person may be eligible for disability from either the state or federal government and is actively pursuing and eligibility determination. 3. He/she presents documentation from a medical provider that clearly indicates a disability and the limitations on that person's activity.

Domestic Violence: An act or acts of verbal, emotional, physical, or sexual violence, or the denial of basic needs, of one member of a family towards another that results in physical or emotional harm or damage.

Employment: paid or unpaid labor.

Family Unit: For the purposes of this document and implementation of the TANF program, a "Family Unit" or "Family" is:

- A married couple and its dependent child(ren).
- A couple residing as a married couple with a child in common, and their dependent child(ren).
- A single parent and his/her depend child(ren)
- A dependent child living with a care taker relative.
- A pregnant woman in the third trimester or high risk pregnancy

Federal Poverty Guidelines: The guidelines developed on an annual basis and published in the Federal Register.

Good Cause: An apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonable intelligent and prudent person to believe that the event(s) occurred as reported.

Head of Household: The adult family member who is the primary wage earner and/or is the responsible individual within the family as indicated by the family itself; or through documents such as the leaseholder, a utility bill, or other similar indicators of responsibility.

Household: Persons residing together at the same domicile. More than one Family Unit may reside within the same household.

Income: For the purposes of determining or maintaining eligibility under this proposal, cash and resources are outlined in Exhibit A and Exhibit B of this document.

Indian: See "American Indian"

Indian Country: as related to a small reservation base:

18 U.S.C.A. § 1151

§ 1151. Indian country defined

Except as otherwise provided in sections 1154 and 1156 of this title, the term "Indian country", as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Family: A family headed by a person who is an enrolled member of a federally recognized tribe or a family with at least one member who is an enrolled member of the Nooksack Indian Tribe. For child only cases, at least one member of the household must be enrollment in a federally recognized tribe.

Native: See "American Indian"

Needy Family: A family whose combined earned and unearned income and resources are such that they cannot provide for their basic needs of shelter, food, clothing and personal hygiene.

Net Earned Income: Gross earned income minus federal, state, or tribal taxes or mandatory fees.

NEW: Native Employment Works Program.

Nooksack Indian Tribe: A federally recognized Tribe recognized in 1973 and established on a small reservation of 9/10ths of an acre. The reservation is located at Deming, Washington, in the Northwest section of the state in Whatcom County, on the Nooksack River, approximately 20 miles Northeast of Bellingham, Washington.

Nooksack Enrollment: Any person of Nooksack Indian blood with a minimum of 1/4th blood quantum at the time of enrollment. All enrollees must be accepted by a majority vote of the Tribal Council based on the research and recommendation of the Nooksack Enrollment Officer.

Reasonable Distance: 1. Clients with an automobile will not be required to travel more than 40 miles per one round trip from home to appropriate child care to work. 2. Clients without an automobile who do not have access to appropriate childcare on a bus line, may be excused from work participation requirements, only until arrangements can be made.

Self-sufficiency: The ability to provide for a family's need without dependence on publicly funded assistance programs.

Supportive Services: Additional financial assistance, goods, and services provided to an eligible TANF client or family for needs consistent with and necessary to their plan.

Special Supportive Services: Transitional Support Services, Diversion Services, WEX, Subsidized Employment, and SYOP.

Nonrecurring Short-Term Benefits: Nonrecurring Short-term Benefits are in essence "emergency assistance" provided to current TANF recipients.

Nooksack Tribal TANF Policy Manual
Table 1
TANF Benefit Grant Levels

FAMILY SIZE	CHILD ONLY	TANF AU
1	\$345	\$345
2	\$499	\$499
3	\$616	\$616
4	\$795	\$795
5	\$932	\$932

6	\$1060	\$1060
7	\$1206	\$1206
8	\$1346	\$1346
9	\$1450	\$1450
10	\$1622	\$1622

INCENTIVE BONUSES FOR ADULTS

Table 2

Incentive Type	Voucher Amount	Frequency	Justification
Earns GED/Diploma	\$200	Once in a lifetime	Provide proof
Earns Associate Degree	\$250	Once in a lifetime	Provide proof
Earns Bachelor's Degree	\$300	Once in a lifetime	Provide proof
Completion of life skills program	\$100	Every session	Provide proof
Begins work	\$100	Per new job. Previous job ended positively.	Provide proof
Completes WEX	\$100	Each successful WEX placement	Provide statement from WEX placement
Completes Subsidized employment	\$100	Each placement with official hire	Provide documentation of hire
Straight A's	\$50	Per grading period, no more than 4 times per year	Provide transcript
"B" average	\$30	Per grading period, no more than 4 times per year	Provide transcript
Perfect attendance	\$50	Per grading period, no more than 4 times per year	Provide transcript
Marriage	\$200	Once per life time	Provide marriage license

INCENTIVE BONUSES FOR CHILDREN

Table 2 Continued

INCENTIVE TYPE	VOUCHER AMOUNT	FREQUENCY	DOCUMENTATION
Completion of Summer Youth Prevention/Life Skills Program	\$50	Yearly	Submit certificate of successful completion
GRADES 9-12			
Straight "A"'s	\$50	Per grading period	Provide transcript
"B" average	\$30	Per grading period	Provide transcript
Perfect attendance	\$50	Per grading period	Provide transcript
Graduating Seniors	\$250	Earned High School Diploma or GED	Provide transcript
GRADES 7-8			
Straight "A"'s	\$50	Per grading period	Provide transcript
"B" Average	\$30	Per grading period	Provide transcript
Perfect Attendance	\$50	Per grading period	Provide transcript
Kindergarten - 6th Grade			
"At Grade Level" in all subjects	\$25	Per grading period	Provide transcript
Perfect Attendance	\$25	Per grading period	Provide transcript

**Table 3
Supportive Services**

Type of Service	Limits	Frequency
Job Skills Training	Actual cost	One time per year
Skills Enrichment	Actual cost	One time per year
Vocational Training	Actual cost	One time per year
Post Secondary	Actual cost	One time per Quarter
GED testing fees, books/supplies	Actual cost	One time per year
Transportation- Gas Voucher	\$40	Twice Per Month
Monthly or Quarterly Bus Pass	Actual cost	Monthly or Quarterly
Vehicle repairs	\$500 per vehicle (one per adult in the household)	One time per year
Drivers license	One renewal or reinstatement fee per participant	One time per year

Clothing for job search or interviewing	\$100	One time per year
Clothing for employment, school or training	\$200	One time per training
Hygiene Packages	\$75	One per household, one time per year
Professional license	Actual cost	Per trade per lifetime
Child Care	Solely a referral to Bellingham CSO based on FSP/CDP	
Utilities expenses	\$250	Two times per year (at least 6 months apart)
Tools and Equipment for school or job	\$500 per trade (Three estimates required)	One time per lifetime
WEX Tools & Equipment	\$250	One Time Per Placement
Housing Expenses	Half of outstanding debt, no more than \$500.	One time per lifetime
	Housing Deposits, no more than \$200	One time per lifetime
Automobile Insurance, - Liability Only, NO HIGH RISK	\$250 per one reliable automobile	One time per lifetime
Tribal Youth Program Activities to encourage healthy families, teen prevention & job readiness skills,	Case by Case	Director's approval
School Sports Fees	Actual cost	Per activity
Cultural Activities to prevent out of wedlock pregnancies.	Actual cost	Per Activity
Summer school fees	Actual cost	Per year

**TABLE 4
RESOURCE LIMITATION STANDARDS**

Resource Type	Guidelines	Exemptions
Cash on hand or bank accounts including joint accounts if married	Count	
First Car	Exempt	
Second Car – Two Parent Household	Exempt	
Mobile homes, trailers, boats, ATV, snow machines	Count	
Countable real property	Count	On Indian Land or Trust Land or Primary Residence

Stocks, bonds and Life Insurance	Count	Current value Minus any legal encumbrances.
Luxury Items, Coin Collections or Paintings. Items that are non essential to day to day life.	Count	Cultural Heirlooms , Artifacts, historical or sentimental value
Personal Property but limited to tools, equipment, livestock, promissory notes,	Count	
Business Property including buildings, equipment and inventory	Count	Consider value and what is owed
Lump Sum Payments, paycheck, insurance policy cash in, retroactive benefits, inheritances	Count	Treated as income in the month of receipt and 2 nd month will be counted as a Resource
Per Capita/Revenue Sharing	Count	Income from Natural Resources

A resource is cash or an asset that can be converted to cash. The ownership and value of a resource must be verified. In determining the value of all other available countable resources, both person and real property, establish the equity value of the resource before adding it to the other resources and matching it against the resource limit. The equity value is the dollar amount, which results from subtracting the dollar amount of all legal encumbrances from the total dollar amount of the fair market value of the property.

TABLE 5
TRANSITION SERVICES

Type of Support	Maximum Amount	Frequency	Additional Info
Transportation Gas Voucher	\$80	Twice per month	Car registration, valid license and car insurance
Monthly Bus Pass	Actual cost	Once per month	
Car Insurance (even if they've already received services.	\$250	One time	Car registration and valid license
Vehicle Repairs/Tires	\$500	One time	Car registration, valid license and insurance
Drivers license renewal or reinstatement	Actual cost	One time	Will not pay fines or tickets
Clothing	\$200	One time	
Tools and equipment	\$500	One time	Per new job
Utilities	\$250	One time	Past due or short off notice
Professional licenses	Actual cost	One time	Note from employer of hire
Food Vouchers	\$100	Once per month	Not to exceed four months
Costs due necessary to retain employment	\$300	One time	
Drivers license or endorsements	\$150 Maximum	One time per job	
Emergent Episode of Need	Case by Case	One time	Director's approval

Optical	\$300	One time	Exam & Contacts or Glasses
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Transition services may only be used when a client has exhausted other resources. An application must be completed for each transition service. Client must document with other agencies and complete budget worksheet as part of the application. Additional transition, no listed here may be approved by the Program Director as necessary for employment, education or safety. Transition may be requested sporadically or for an extended period. Total services cannot exceed Six months per year.

EXHIBIT B-4

Nooksack Indian Tribe - Tribal TANF Program

State MOE Payment and Reporting Schedule

SFY 2018: 7-01-2017 to 6-30-2018

Corresponding SFY 2018 IGA period: 5-01-2018 to 6-30-2018

MOE owed for corresponding SFY 2018 IGA period: \$ 93,818

SFY 2019: 7-01-2018 to 6-30-2019

Corresponding SFY 2019 IGA period: 7-01-2018 to 6-30-2019

MOE owed for corresponding SFY 2019 IGA period: \$ 562,907

SFY 2020: 7-01-2019 to 6-30-2020

Corresponding SFY 2020 IGA period: 7-01-2019 to 4-30-2020

MOE owed for corresponding SFY 2020 IGA period: \$ 469,089

Total MOE funding provided for the period 5-01-2018 to 4-30-2020: \$ 1,125,814