



THE NAVAJO NATION  
DIVISION OF SOCIAL SERVICES  
DEPARTMENT FOR SELF RELIANCE



# TRIBAL FAMILY ASSISTANCE PLAN

October 01, 2021 to September 30, 2024

*Draft for comment period March 22, 2021 to May 7, 2021*



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## NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN

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### I. PERIOD COVERED BY THE TRIBAL FAMILY ASSISTANCE PLAN

This Tribal Family Assistance Plan (TFAP) covers the operation of the Navajo Nation's Tribal Temporary Assistance for Needy Families (TANF) program, known as the *Navajo Nation Department for Self Reliance (DSR)*, for a three-year period beginning October 01, 2021 and ending September 30, 2024.

### II. THE NAVAJO NATION: AN INTRODUCTION

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

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

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

- The Executive Branch, headed by an elected President and Vice President, is comprised of twenty-one (21) Divisions and Executive offices that provide a broad range of governmental services.
- The Legislative Branch, headed by an elected Speaker of the Navajo Nation Council, consists of a twenty-four (24) member elected Navajo Nation Council and various offices and boards.
- The Judicial Branch, headed by an appointed Chief Justice, is comprised of a system of eleven (11) District Courts and a Supreme Court.

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

#### A. Lead Agency and Organizational Structure

The DSR is responsible for the overall administration of the Navajo Nation's TANF program to provide Tribal TANF assistance and related support services to individuals and their families who meet established eligibility criteria.

The DSR is established under the Navajo Nation Division of Social Services (NNDSS) within the Executive Branch of the Navajo Nation (see Exhibit "B"). The DSR organizational structure (see Exhibit "B") consists of a Department Manager III who is responsible for managing the DSR, four (4) administrative support offices, and eight (8) local offices responsible for providing direct services and assistance to DSR Customers.



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

### **B. DSR Vision Statement**

To eliminate future dependency of children and families on government assistance by promoting T'áá hwó ájít'eego.

### **C. DSR Mission Statement**

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

**NOTE:** T'áá hwó ájít'eego is defined on page 4, under *Background of the Department for Self Reliance*.

### **D. TANF Purposes**

The DSR applies the four (4) purposes of the Personal Responsibility and Work Opportunity Reconciliation Act to:

1. Provide assistance to Needy Families so that children may be cared for in their own homes or in the homes of relatives;
2. End the dependency of needy parents on government benefits by promoting job preparation, work, and marriage;
3. Prevent and reduce the incidence of out-of-wedlock pregnancies;
4. Encourage the formation, maintenance, and strengthening of two-parent families.

### **E. DSR Goals and Objectives**

Goal 1: To facilitate the successful nurturing of children in their own homes by promoting healthy home environments and strengthening family values.

Objectives:

- a. Annually, ten percent (10%) of adult Customers who report experiencing barriers to providing a healthy home environment will report a decrease in those barriers based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of DSR children in the care of a Relative/Non-Relative Caretaker will be successful based on a pre- and post-assessment.



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Goal 2: To reduce dependency on Government benefits by preparing DSR Customers for long-term employment.

Objectives:

- a. Annually, ten percent (10%) of adult benefit group members who are not work-ready and received assistance for at least six (6) consecutive months during the fiscal year will improve their basic skills performance in preparation for the workforce, based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of adult benefit group members who are not work-ready and received assistance for at least six (6) consecutive months during the fiscal year will reduce their job-readiness barriers in preparation for the workforce.
- c. Annually, five percent (5%) of adult benefit group members who are job-ready and received assistance for at least six (6) consecutive months during the fiscal year will obtain sustainable employment.
- d. Annually, fifty percent (50%) of the adult benefit group members who obtained sustainable employment will remain continuously employed for at least six (6) months.

Goal 3: To promote and strengthen responsible parenting.

Objectives:

- a. Annually, ten percent (10%) of DSR families who completed a parenting skills activity will report an increase in parenting skills, based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of DSR families who completed a family planning activity will report an increase in knowledge of responsible family planning, based on a pre- and post-assessment.

Goal 4: To promote and strengthen healthy family relationships.

Objectives:

- a. Annually, five percent (5%) of DSR families who received assistance for at least six (6) consecutive months during the fiscal year will report an increased and more balanced sharing of co-parenting responsibilities, based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of DSR families who received assistance for at least six (6) consecutive months during the fiscal year will report strengthening and/or maintenance of their relationships, based on a pre- and post-assessment.



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### F. Background of the Department for Self Reliance

The foundation of the DSR is based on the Navajo values and teachings of living life in harmony and balance or *Hozho K'eh lina*. These Navajo values and teachings have been passed down from one generation to the next, having helped the Navajo people endure and overcome challenges. With these teachings, the Navajo Nation chose to take on the challenge of turning the curve from the cycle of dependence by establishing a TANF program that promotes responsibility, decision-making, and self-reliance.

The concept of *T'áá hwó ájít'eego* is a powerful teaching that promotes living life with a purpose, making conscious decisions, exercising personal discipline and taking responsibility for one's life. By promoting *T'áá hwó ájít'eego*, personal attributes of self-respect, perseverance, and conducting one's self with courage and potential are strengthened.

The DSR Service Delivery Model has four (4) progressive stages of learning and personal development that result in successful outcomes of DSR families. NITSÁHAKÉÉS (Thinking): To promote personal responsibility by educating Customers on welfare reform, reducing dependency on public assistance by creating educational and career opportunities, providing assistance to eligible Needy Families to meet their basic needs, and addressing social dilemmas by identifying and providing referrals to key resources.

NAHAT'Á (Planning): To create a Customer-centered environment that encourages personal change by assisting Customers in identifying specific opportunities that foster a positive outcome.

AADÍÍŁIIŁ (Doing): To implement a plan of action based on a Customer's identified strengths and barriers while establishing and providing opportunities for Customers to enhance their knowledge, skills and abilities and gain experience that will help them become self-reliant.

BEE NIISÉÉLDOO (Growing): To recognize Customers taking responsibility for themselves and their family members toward self-sufficiency.

These four (4) traditional teachings guide and serve as a model for development of one's well-being and promotes *Hozho K'eh lina*.

### G. Assurances

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

The DSR conducted a virtual public comment period, from March 24, 2021 to May 7, 2021, to collect input on improving the DSR's services and assistance. The public comment period was announced on area radio stations, in area newspapers. A copy of the TFAP was posted on the Navajo Nation's website, the Navajo Division of Social services website, and the DSR's website for public review and comment.



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In addition, electronic copies of the plan were emailed directly to stakeholders and the DSR Customers. Comment sheets were made available to the public to complete and return to the DSR. The comments received were considered and, where appropriate, were incorporated in the plan.

### 2. Tribal Administrative Approval

In accordance with Navajo Nation law, the Navajo Nation's TFAP was reviewed by the appropriate Navajo Nation offices prior to signature of the President of the Navajo Nation.

### 3. Fiscal Accountability Provision

For each fiscal year, the DSR will comply with the fiscal accountability provisions of Section 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 USC 450c (f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

DSR established internal controls to enhance fiscal accountability, prevent, identify and deter fraud, recover and reconcile improper payments, and to assure compliance with all applicable regulations.

### 4. Dispute Resolution Process.

Customers dissatisfied with a decision made by the DSR to deny, reduce, suspend, sanction, or terminate assistance are afforded an opportunity to dispute the decision and, if necessary, have an appeal hearing, pursuant to the procedures set forth in the DSR's Pathway to Self Reliance Policy Manual.

### 5. State Agreements to Serve Non-Indian Families

Pursuant to 45 CFR 286.75(d)(2), letters were received from the States of Arizona, New Mexico and Utah authorizing the DSR to serve Non-Indian families residing in the DSR's Service Delivery Area and provides that Non-Indian families are subject to Tribal TANF program rules. The State Agreements are attached as Exhibit "D".

### 6. Equitable Assistance and Services

Eligible families moving into the DSR Service Delivery Area will receive the same amount of assistance and/or applicable non-assistance and supportive service(s) as all other eligible individuals and families.

### 7. Assurance of Protection of Customer Confidentiality

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



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### 8. Prevention of Duplicative Assistance

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

- a. The DSR Application for Assistance includes a question regarding current and prior public assistance received by family members. The Application also includes a section where Customers acknowledge they understand their responsibility to provide complete and accurate information, report changes timely and cooperate with DSR staff.
- b. Conducting thorough eligibility determination interviews to solicit responses that may indicate potential receipt of similar assistance.
- c. If there is an indication that an applicant may be currently receiving similar assistance (State or other Tribal TANF, General Assistance or Supplemental Security Income) at the time of application, contact will be made with the applicable State/Tribal program(s) to verify the applicant is currently not receiving assistance from the State or Tribal program.
- d. The DSR Pathway to Quality Services staff development training requires continuous development in the areas of quality case management.
- e. The DSR Fraud Investigation Unit will investigate potential fraud.
- f. The DSR Quality Assurance Section will review case management decisions rendered by DSR staff.

## IV. EMPLOYMENT OPPORTUNITIES, COLLABORATION AND OUTREACH

### A. Employment Opportunities

The DSR will coordinate and collaborate with private and public employers in and around the DSR Service Delivery Area to prepare Customers for long term, sustainable employment, identify and create employment for job-ready Customers, establish work experience and on-the-job training opportunities, and plan and/or implement other activities that will increase the marketability of and employment opportunities for DSR Customers.

Existing public sector employment opportunities are Navajo government programs, schools, Indian Health Services, Bureau of Indian Affairs, non-profit organizations, and other locally driven opportunities. Existing private sector employment opportunities are Navajo owned-businesses, regional small businesses, near-reservation businesses, and other outside franchises.

The DSR Education and Career Services (ECS) enhances and increases employment opportunities for DSR Customers through Subsidized Adult Employment (SAE), Subsidized Youth Employment (SYE), Adult and Youth Extended Training (ET), and Work Experience (WEX) placement with employers. ECS will provide case management for Customers by establishing goals and steps, monitoring progress in ECS activities, evaluating employability, assessing Customer strengths and barriers, and following-up



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with Customers after employment.

DSR complies with State, Federal, and Tribal employment laws, including the Navajo Preference in Employment Act (NPEA) for employers conducting business within and near the Navajo Nation.

### B. Collaboration and Outreach

The DSR collaborates, coordinates and conducts outreach with partner programs, key stakeholders and other resources to assist Customers and their families to gain skills, knowledge, education, opportunities, and employment to become self-reliant. Collaboration and coordination includes establishing Memoranda of Understanding to strengthen working relationships to achieve desirable outcomes for Customers.

Partner programs, key stakeholders and resources include State and Tribal public assistance programs, mental and behavioral health service providers, child care programs, education and training programs, secondary and post-secondary educational institutions, programs for the elderly/grandparents, non-profit organizations, programs providing transportation services, intervention and prevention programs, domestic violence programs and service providers, traditional/cultural service providers, and health and wellness programs.

## V. SERVICE DELIVERY AREA

The DSR will provide assistance and services to the following areas:

- A. All communities within the Navajo Nation, including Trust lands, Fee lands, and the satellite communities of Alamo, Tohajiilee, and Ramah (See Exhibit “A” for a Navajo Nation map); and
- B. The city limits of a federally designated Near Reservation community, where the identified head-of-household or a Benefit Group member has a Navajo Census Number.

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

## VI. SERVICE POPULATION

The DSR will provide assistance and services to the following populations:

- A. All eligible federally recognized American Indian and non-Indian families living on the Navajo Nation, including Trust Lands, Fee lands, and the satellite communities of Alamo, Tohajiilee, and Ramah (See Exhibit “A” for a Navajo Nation map).
- B. Eligible families, including child-only cases living within the city limits of a federally designated Near Reservation community, where the identified head-of-household or a Benefit Group member has a Navajo Census Number.





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- C. Individuals included in an approved Benefit Group who are temporarily absent from the DSR Service Delivery Area for one (1) of the following purposes will be considered domiciled at their permanent residence and may continue to receive assistance for the duration of the treatment, education, training, or services subject to adherence with established conditions.
1. An adult receiving education, training, or on-the-job training must remain enrolled and make satisfactory progress in the educational/training program.
  2. Customers receiving medical/non-medical treatment must comply with their treatment plan, as prescribed or outlined by a certified and/or licensed physician, counselor or therapist.
  3. An adult whose presence is required while an immediate family member receives medical/non-medical treatment.
  4. Customers receiving domestic violence related services must comply with their service plan as developed by a person trained in domestic violence.

The temporary absence shall not exceed ninety (90) calendar days from the date the Customer(s) depart(s) from the SDA, unless a justifiable reason exists to extend the temporary absence for up to an additional ninety (90) calendar days. Under no circumstance shall a temporary absence exceed one hundred-eighty (180) calendar days from the date the Customer or Benefit Group member first left the SDA.

### **VII. TIME LIMIT**

- A. The Time Limit for an adult or minor parent to receive DSR assistance is sixty (60) countable months, whether or not consecutive. The time limit does not apply to minor children.
- B. All prior months of TANF assistance received from a State or other Tribal TANF Program will count towards the DSR's time limit, except for any month that was exempt or disregarded by statute or regulation (45 CFR Part 286, Section 125).
- C. Applications submitted by an Adult who has received sixty (60) Countable Months of Assistance shall be denied, unless they are applying for continued assistance and are granted a Hardship Exemption.
- D. Rationale for Time Limits

DSR will use the maximum number of months to prepare Customers for self-sufficiency because the majority of DSR Needy Families reside in remote areas with limited economic and employment opportunities that contribute to Customer needing an extended amount of time to gain the education or skills necessary to become self-reliant.



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### E. Exemptions to Time Limit.

A month of assistance will not count toward the 60-month time limit if the adult or minor parent:

1. Is not included in the Benefit Group and the Benefit Group only includes minor children, or
2. Received assistance while residing in Indian Country where the official not-employed rate, for the month they received assistance, is greater than 50%. The exterior boundaries of the Navajo Nation, including trust/fee lands, and the satellite communities of Alamo, Ramah, and Tohajiilee are considered Indian Country.
3. Hardship Exemption

A hardship exemption from the DSR Time Limit may be granted to an adult who reached their 60 countable months, and who is experiencing a condition that hampers or inhibits his/her ability to maintain work or enter into work related activities. If an adult benefit group member is granted a hardship exemption, the month is not counted towards their sixty (60) Countable Month time limit. Adults granted a hardship exemption are included in the overall work participation rate. (45 CFR 286.120)

Examples of a hardship include, but are not limited to:

1. Adult victims of domestic violence whose participation in work activities may cause an immediate threat to his/her own safety or the safety of his/her children.
2. Adults who have a medical condition, as confirmed by a physician, that prevents the individual from participating in work activities.
3. Adults with significant cognitive, physical, and/or mental disabilities that limit their educational and job skills attainment and/or their ability to secure and retain employment due to a disability (documentation of disability is required).
4. Adults responsible for the full-time care of an elderly person or a disabled dependent (documentation of disability is required).
5. Families who are homeless due to vandalism, hazardous living conditions, acts of nature, or their home is destroyed by fire and is uninhabitable.
6. Families who are homeless due to eviction.

Hardship Exemptions will be assessed on a monthly basis and will be limited to no more than twenty percent (20%) of the average monthly caseload.



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## **VIII. ELIGIBILITY FOR DSR ASSISTANCE AND SERVICES**

Eligibility for DSR assistance and services is as established in this approved Tribal Family Assistance Plan. Only Needy Families, as defined in this plan, may receive (a) any form of federally or State MOE funded “assistance” (as defined in 45 CFR 286.10); or (b) any benefits or services pursuant to TANF purposes 1 or 2. “Needy” means financially deprived based on income and resource criteria established in this plan to receive DSR assistance and services.

The Tribe may use segregated Federal TANF funds to provide services (and related activities) that do not constitute “assistance” (as defined in 45 CFR 286.10) to individuals and family members who are not financially deprived but who need the kind of services that meet TANF purposes 3 or 4. Objective criteria will be established for participation in these services and activities. Unless the State instructs otherwise, the Tribe may also use MOE funds to pay for non-assistance pro-family activities for individuals or family members, regardless of financial need. Objective criteria will be established for participation in these activities.

### **A. Needy Family**

A “Needy Family” has one head-of-household, includes at least one (1) dependent minor child and meets all eligibility criteria established for receipt of DSR assistance.

A Needy Family may be comprised of a Minor Child(ren) and:

1. Their Custodial Legal Parent(s),
2. Their Custodial Legal Parent and a step-parent by legal marriage,
3. An adult caretaker, related by blood or marriage, who is the primary caretaker of the minor child(ren), where only the children receive assistance (child-only).
4. An unrelated adult caretaker who has Legal Custody of the minor child(ren), where only the child(ren) receives assistance (child-only).

### **B. Ineligibility for Assistance**

1. Applications for DSR assistance submitted by or on behalf of the following shall not be approved:
  - a. Adults who have met the DSR Time Limit for Assistance unless they are applying for continued assistance and are granted a Hardship Exemption.
  - b. Adults who received Diversion Benefits or Transitional Support and are currently in the three (3) month Disqualification Period.
2. A Custodial Legal Parent who is ineligible for DSR assistance due to one of the reasons below will have their income and assets counted in determining the Benefit Group’s eligibility:
  - a. Is not a U.S. Citizen



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- b. Is disqualified due to one of the following:
    - i. Felony conviction for fraudulent misrepresentation of residence within the ten (10)-year period preceding the date of application, in order to obtain assistance simultaneously from two (2) or more States/Tribes for the following:
      - programs funded under Title IV of the Social Security Act (SSA), which includes TANF;
      - programs funded under Title XIX of the SSA;
      - programs funded under the Food Stamp Act of 1977; or
      - receipt of benefits in two (2) or more States under the Supplemental Security Income (SSI) program under Title XVI.
    - ii. Currently fleeing to avoid prosecution, custody, or confinement after conviction for a crime or an attempt to commit a crime, which is a felony under federal or state law.
    - iii. Currently violating a condition of probation or parole imposed under Federal or State law.
  - c. Is in a disqualification period due to committing an Intentional Program Violation
  - d. Is in the one (1) year disqualification period due to reaching the Fourth Level Penalty.
3. The following are ineligible to receive DSR assistance and their income and assets will be disregarded in determining the Benefit Group's eligibility:
- a. Individuals receiving SSI.
  - b. Relative/Non-Relative Caretakers
  - c. Dependent children who are nineteen (19) years of age or older.
  - d. Protective Payees
  - e. Authorized Representatives

### **C. Eligibility for Assistance**

The DSR will provide eligible Needy Families with monthly assistance as defined in 45 CFR 286.10 in the form of cash, checks, vouchers, or other forms of benefits designed to meet a family's ongoing basic needs such as food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses. This includes childcare and transportation related assistance for those TANF recipients who are participating in work activities, but are not employed.

Needy Families must meet all non-financial, financial, and, if applicable, supplemental eligibility criteria, as defined in the DSR Pathway to Self-Reliance Policy Manual, for each month of assistance they receive.



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In the event of a State of Emergency or a Public Health Emergency Declaration, the DSR reserves the right to waive or modify eligibility requirements for TANF assistance. There must also be a Presidential declaration of an emergency or disaster in order to exercise this authority.

1. The Non-Financial eligibility criteria for receipt of DSR assistance are:

- a. Minor Child
- b. Service Area
- c. Service Population
- d. Residency

All members of the Benefit Group must have resided with the head-of-household for at least thirty (30) consecutive days at the time of application or addition to the Benefit Group, unless an exception applies.

- e. Citizenship
- f. Time Limit

The head-of-household and, if applicable, their spouse must not have received sixty (60) Countable Months of TANF assistance, unless a Hardship Exemption from the Time Limit has been granted.

2. The Financial eligibility criteria for receipt of DSR assistance are:

- a. Assets

The Total Countable Assets of adult Needy Family members and Custodial Minor Parents must not exceed \$3,000.

- b. Gross Countable Monthly Income

All Gross Countable Income received by adult Needy Family members and Custodial Minor Parents shall not exceed the National Poverty Guideline at 200% for the applicable Needy Family size.

- c. Total Net Countable Income

All Net Countable Income received by adults and Custodial Minor Parents included in the Benefit Group shall not exceed the Payment Standard for the applicable Benefit Group size.

3. If applicable, the following must meet Supplemental eligibility criteria:

- a. Caretakers

- i. A Caretaker who is related by blood or marriage to the minor child(ren) on whose behalf they are applying must have documentation of being an Immediate Relative and being the primary caregiver of the minor child(ren).
- ii. A Caretaker who is not related by blood or marriage to the minor child(ren) on whose behalf they are applying must have Legal Custody of the minor child(ren). Otherwise, the minor child(ren) cannot be included in the Benefit Group until Legal Custody is obtained.



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### b. Step-Parent

A step-parent may be included in a DSR Benefit Group if he/she is legally married to the Legal Custodial Parent of a minor child included in the Benefit Group.

### c. Minor Parent(s)

- i. A Custodial Minor Parent under the age of eighteen (18) may apply for DSR assistance on their own behalf if they are emancipated.
- ii. A Custodial Minor Parent(s) under the age of eighteen (18) who is/are not emancipated may receive DSR assistance if an adult applies on behalf of the minor parent(s) and the minor parent's child(ren).
- iii. A Custodial Minor Parent who has not attained a high school diploma must be attending a high school or equivalency program
- iv. A Custodial Minor Parent(s) must live in a place of residence maintained by a parent, legal guardian, or other adult relative.
- v. A Custodial Minor Parent receiving assistance shall be subject to Work Participation, Personal Responsibility Plan and Time Limit requirements.

## IX. SUPPORTIVE SERVICES

The following Supportive Services shall be available to assist eligible families in achieving and/or maintaining self-reliance, subject to availability of funds.

### A. Support Services for Work Participation

Support to assist Benefit Group members in addressing a barrier(s) to their successful participation in a work participation activity and to transition toward gaining and maintaining employment. Work Participation Support Services include, but is not limited to, the following:

1. Worksite Related Expenses (e.g. uniforms, tools, safety equipment, etc.)
2. Fee Expenses (e.g. testing, background check, physical exams, etc.)
3. Transportation Related Expenses
4. Training Related Expenses
5. Education Related Expenses (e.g. tuition, textbooks, supplies, etc.)
6. Child Care Related Expenses

### B. Educational and Employment Achievement Awards

Subject to availability of funds, Achievement Awards shall be provided to reward Benefit Group members who achieve an established goal or milestone. Achievements Awards may include but is not limited to the following:

1. Education Related Achievement Awards
  - a. High Academic Achievement – Minor Child
  - b. Post-Secondary High Academic Achievement



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- c. Academic Improvement
- d. Perfect Attendance
- e. Graduation
- 2. Employment Related Achievement Awards (e.g. Employment and Career Services Activity Completion)

### C. Educational and Employment Incentives

Subject to availability of funds, incentives shall be provided to encourage and motivate Benefit Group members to succeed in their education and long-term employment. Incentives may include, but is not limited to, the following:

#### 1. Education Related Incentives

- a. Enrichment
- b. Educational Learning
- c. Youth Extended Training
- d. School clothing and supplies

#### 2. Employment Related Incentives (e.g. Work Experience Stipend)

### D. Support to assist eligible Customers with necessary costs associated with their participation in an Education and Career Services activity.

### E. Quality Case Management

Quality Case Management is the most essential service provided to DSR Customers to help Customers increase their knowledge, competency, skills and abilities, enhance problem solving and coping abilities, help Customers obtain resources, and influence interactions between organizations and resources.

### F. Diversion

Subject to availability of funds, a once-in-a-lifetime Diversion benefit may be provided as an alternative to monthly assistance to eligible families who are not “needy” (as defined in this plan), but are at risk of becoming dependent on public assistance due to a barrier that:

- 1. Is prohibiting a custodial parent from accepting a bona fide offer of long-term, sustainable employment,
- 2. Is putting a custodial parent’s continued employment at risk, or
- 3. Resulted in a custodial parent losing their full-time employment and the parent will be re-employed with the removal of the barrier.

Adults who receive Diversion shall be ineligible to apply for DSR assistance for a period of three (3) months from the date of closure.

### G. Transitional Support

Transitional services shall be available to DSR Customers who gain sustainable employment and are no longer receiving DSR assistance.



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Subject to availability of funds, Customers who meet eligibility criteria may receive a once in a life-time Transitional Support benefit payment following closure of their DSR assistance case to assist him/her with costs associated with transitioning from welfare to work. DSR staff will follow-up with Customers to ensure a smooth transition to employment.

Adults who receive Transitional Support shall be ineligible to apply for DSR assistance for a period of three (3) months from the date of closure.

**H. Short-Term, Non-Recurring Benefits**

Subject to availability of funds, a ~~one-time~~ once-in-a-lifetime Short-Term, Non-Recurring Benefit (STNRB) shall be available to assist eligible families in addressing a specific crisis or episode of need that is not recurrent and will not extend beyond four (4) consecutive months. STNRB will not be provided to meet recurring or ongoing needs. The STNRB shall be the actual amount necessary to address the crisis or \$500.00, whichever is less.

**I. Subsidized Employment**

**1. Adult**

The DSR will offer subsidized work experience for adult members in a DSR Benefit Group. The employment program will provide job preparation, work experience, exposure to various career fields, and potential long-term, sustainable employment. The Adult will be hired by a third-party employer and will be paid at least minimum wage. Subsidized income earned will be 100% disregarded. The DSR will reimburse the employer up to 100% of the wages, benefits, and training costs, and an administrative cost of up to 10% for supervision and other related expenses.

**2. Youth**

The DSR will offer subsidized work experience or extended training for youth members in a DSR Benefit Group and 14-18 years of age. The employment program or training program will be offered for 4-6 weeks and will provide job preparation, work experience, and exposure to various career fields for the youth. The youth will be hired by a third-party employer and will be paid at least minimum wage. The DSR will reimburse the employer up to 100% of the wages, benefits, and training costs and an administrative cost of up to 10% for supervision and other related expenses.

**X. NEGOTIATED WORK PARTICIPATION RATE**

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

- Fiscal Year 2019 ..... ~~32~~ 33%
- Fiscal Year 2020 ..... ~~32~~ 33%
- Fiscal Year 2021.....~~32~~ 33%





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## **XI. WORK PARTICIPATION**

All adults and Custodial Minor Parent ~~who are emancipated~~ receiving assistance will be subject to the Minimum Work Participation Hours requirement.

### **A. Minimum Work Participation Hours Requirement**

All Adults and emancipated Custodial Minor Parents receiving assistance are subject to the DSR's Minimum Work Participation Hours Requirement for each month of assistance they receive.

1. The Minimum Work Participation Hours (WPH) requirement is an average of twenty-four (24) hours per week for each month of assistance received. The Minimum WPH requirement is established based upon remoteness, limited economic and employment opportunities, limited number of day care centers, low educational levels of the DSR Customers, and the lack of public transportation.
2. Adults and Minor Parents required to meet the Minimum WPH requirement shall not be subject to penalty until the month after their initial Personal Responsibility Plan is completed and implemented.
3. Adults and Minor Parents subject to the Minimum WPH requirement will be deemed as meeting the Minimum WPH requirement if they are:
  - a. A single custodial parent, with a dependent child under the age of six (6), who is the only caretaker in the family, and participated in an authorized work activity for at least an average of twenty (20) hours per week during the reporting month. (45 CFR 286.150(a))
  - b. A minor parent who maintains satisfactory school attendance; or
  - c. A minor parent who participates in education directly related to employment for an average of at least twenty (20) hours per week during the reporting month.
4. When a Customer's worksite is closed due to a federal, state, or tribal holiday, or for authorized closures, the Customer will be given credit for the hours they were scheduled to participate in authorized work activities on that day.

### **B. Authorized Work Participation Activities**

Work Participation Activities that may be authorized for adults and minor parents receiving assistance to move them and their family toward self-sufficiency are:

1. Unsubsidized Employment:

Full or part-time employment in the public or private sector that is not subsidized by the DSR or any other public program.



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2. Subsidized Private Sector Employment  
Employment in the private sector where the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.
3. Subsidized Public Sector Employment  
Employment in the public sector where the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.
4. Self-employment  
Engaging in an activity that produces income by working in one's own business, trade or profession (e.g. rug weaving, silversmith, childcare services, etc.) Self-employment should be supplemented by other work activities that assist the Customer in progressing toward self-reliance.
5. Work Experience  
An unpaid worksite placement that provides Customers with an opportunity to obtain general skills, training, knowledge, and work habits, which improve their employability. The Customer's placement should be short term and not be considered "free labor".
6. Vocational/Technical Educational Training  
Participation in vocational-technical education directly related to preparing an individual for employment in current or emerging occupations (e.g. health care, computer technology, office management and skilled trades).
7. On-the-job training directly related to employment.  
On-the-job training provided to an employed Customer to expand and enhance their knowledge and skills in areas that are necessary to fully and adequately perform their job duties and responsibilities.
8. Job skills training directly related to employment.  
Training and education to obtain job skills required by employers so the individual will be able to obtain employment, advance in their current employment, or adapt to the changing demands of the workplace.
9. Participation in education directly related to employment, where the Customer has not received a high school diploma, GED or High School Equivalency Diploma (HSED).  
This includes cultural education as a Navajo Medicine Man apprentice, assisting with cultural ceremonies, learning to speak other languages for the purpose of job readiness, learning traditional stories to become storytellers, and other cultural education that leads to becoming self-sufficient, productive and contributing members of the community.



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10. Participation in education, other than post-secondary, directly related to employment, where the participant has a high school diploma, GED or HSED.

This includes cultural education as a Navajo Medicine Man apprentice, assisting with cultural ceremonies, learning to speak other languages for the purpose of job readiness, learning traditional stories to become storytellers, and other cultural education that leads to becoming self-sufficient, productive and contributing members of the community.

11. Satisfactory attendance at a secondary school or course of studies leading to a High School Diploma or its equivalent (e.g. GED/HSED).
12. Participation in Adult Basic Education (ABE), Remedial Education, and English as a Second Language (ESL) courses.
13. Post-secondary education at a college or university.

Participating in educational courses provided at an institution of higher learning that offers undergraduate or postgraduate degree programs.

14. Job Search

Activities or training that provides skills in identifying a career and searching for a job, including, but not limited to: finding job vacancies; making job contacts; resume preparation; completion of employment applications; and successful participation in interviews. Job search should be supplemented by another work activity.

The DSR will adhere to the limitation on the number of countable weeks for Job Search/Job Readiness, as stated at 45 CFR 286.105(b) and (c).

15. Study or Research Time for Customers participating in an authorized education related work activity.

Customers may be authorized one (1) hour of study/research time for each hour of class time authorized.

16. Job Readiness

Activities that provide the knowledge and skills necessary to obtain and keep a job, including attendance, punctuality, appropriate appearance, appropriate and positive attitude and behavior skills, building and demonstrating skills in relationships, and completing tasks effectively. Job Readiness should be supplemented by another work activity.

The DSR will adhere to the limitation on the number of countable weeks for Job Search/Job Readiness, as stated at 45 CFR 286.105(b) and (c).

17. Community Service

An activity or service performed without compensation and the activity or service benefits the community as a whole. Community Service shall not be



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counted for more than eight (8) hours per week in a reporting month.

18. Providing childcare services to another DSR Customer who is participating in authorized work activities.

This activity cannot be authorized for a Customer to care for their own child(ren) and must be supplemented by other work activities that assist the DSR Customer in progressing toward their career goal or expand their knowledge in child development.

19. Participation in Assessments, as part of case management services, conducted by the DSR or other program.

20. Participation in Orientation Sessions provided by the DSR or another program.

21. Participating in activities to remove a barrier(s) related to Personal Responsibility Plan goals.

Activities such as: obtaining or regaining a driver's license; obtaining appropriate and affordable childcare; completing steps necessary to enroll in post-secondary education/vocational education, etc.

22. Time spent in substance abuse and drug intervention counseling, behavioral and mental health services, domestic violence intervention counseling, including being a patient of cultural traditional ceremonies.

23. Participation and education in prevention, intervention, or treatment of m e n t a l/physical health-related illnesses. This includes being a patient of cultural or traditional ceremonies.

24. Providing support and care to a dependent child with a special need(s).

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practices of caring for one's own children.

25. Providing care to an immediate relative with a verified disability.

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practices of caring for one's own relatives.

26. Academic Support

Activities to promote and support a minor child's academic success and participation in school-sponsored/school-related activities, including: helping child(ren) with daily homework: preparing child for Spelling Bee, assisting with bake sales, attending parent-teacher conference, etc. This activity can be authorized for up to six (6) hours per week.

27. Traditional Support and Mentoring

Participating in activities conducted in a group setting, with a curriculum, that uses traditional teachings and methods to support and encourage the



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mental, physical, and emotional development and wellness of the DSR Customers and their children, thereby improving their probability of future self-reliance. Activities may include Fatherhood/Motherhood Curriculum, building self-esteem, self-identity and awareness, talking circles, and learning the Navajo Language and traditions.

### 28. Agricultural Subsistence

Performing activities associated with farming, gardening, and ranching that provides for the basic needs of, or provides income for, the Benefit Group.

### 29. Reasonable Transportation Time

Due to the remoteness and isolated conditions of the Navajo Nation and the lack of, or limited, public transportation, “reasonable transportation time” to and from an approved work participation activity site may be authorized. Transportation time may be authorized in addition to hours authorized for approved work participation activities.

Reasonable transportation time, which is the average amount of time for a person to travel to and from a work participation site, may be authorized on a case-by-case basis and reduced over time.

## XII. PENALTIES

A Benefit Group that includes an adult(s) or ~~emancipated~~ Custodial Minor Parent(s) shall be subject to penalty if they do not meet the ~~required~~ Minimum WPH requirement for a month of assistance they received.

A. A penalty shall be imposed by reducing the benefit group’s calculated monthly benefit amount in part, or in full, in accordance with the following:

**First Level:** Twenty-five percent (25%) Reduction.

**Second Level:** Fifty percent (50%) Reduction.

**Third Level:** Seventy-five percent (75%) Reduction.

**Fourth Level:** One hundred percent (100%) Reduction, case closure and ineligibility of the head-of-household and, if applicable, their spouse, for the DSR assistance and services for a period of twelve (12) months from the date of case closure.



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### B. Exemption from Penalty

1. A Benefit group will not be subject to penalty for not meeting the Minimum WPH requirement until the month after their initial Personal Responsibility Plan has been developed and implemented.
2. Pursuant to 45 CFR 286.150(b), a benefit group will not be penalized for refusing to engage in work participation activities if they are a single custodial parent caring for a child under age six (6) and demonstrates an inability to obtain needed child care for one (1) or more of the following reasons:
  - a. Appropriate child care is not available within a reasonable distance from the Customer's home or work site; and/or
  - b. Informal child care by a relative or under other arrangements is unavailable or unsuitable; and/or
  - c. Appropriate and affordable formal childcare arrangements are not available.

The key terms related to childcare are defined as follows:

- Appropriate childcare:

Childcare where the provider is licensed/certified or registered by a State or Tribal child care agency, or child care provided in the child's home or home of a relative of the child, provided the home is a clean, safe, and supervised environment where the child will have playtime, adequate nutrition, protection from any and all kinds of harm, and is acceptable to the parent(s) or caretaker(s) of the child.
- Reasonable distance  
Total distance from the DSR Customer's home to the childcare provider site cannot exceed thirty (30) miles one-way.
- Unsuitability of informal childcare  
Childcare that is deemed as inappropriate and/or unacceptable by a Customer and is put in writing due to concerns that the health, safety, and well-being of a child would be, or is, at risk.
- Affordable childcare arrangements  
Formal childcare that is available at a cost that is equal to or less than the amount the Navajo Nation Child Care Development Fund program will pay; or informal child care at a cost that is acceptable to the parents without causing undue financial hardship upon the Customer's family.

Refusal to engage in work participation activities when acceptable, appropriate and affordable childcare is available shall not protect the Benefit Group from penalty.



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3. A Good-Cause exemption from penalty may be granted on a limited and case-by-case basis under circumstances including, but not limited to:
  - a. Death of an immediate family member.
  - b. Hospitalization of self.
  - c. Hospitalization of an immediate family member that requires the Customer's continuous presence.
  - d. Unforeseen short-term disability.
  - e. Natural disaster.
  - f. The above is not an exhaustive list of possible circumstances for a Good Cause Exemption.

Exemption of a Customer from penalty will be assessed on a monthly basis.

### **XIII. DATA COLLECTION AND REPORTING**

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

### **XIV. RETROCESSION**

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

### **XV. APPENDIX**

#### **Exhibits:**

- A. Navajo Nation Map
- B. Organizational Charts:
  1. Navajo Nation Government Executive Branch
  2. Navajo Nation Division of Social Services
  3. Department for Self Reliance
- C. List of Designated Near Reservation Communities for the Department for Self Reliance
- D. State Agreements to Serve Non-Indian Families
- E. Required Certification