

Tribal TANF Essentials

(for New Staff)

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These materials are summary in nature and not inclusive of all ACF guidance and TANF policy. The content provided is intended for training and informational purposes and should not be relied upon as official policy issuances of ACF.

These materials are intended for specific use by directly funded Tribal TANF grantees. It does not cover requirements for 477 programs. Grantees that have questions about the content of these materials should contact their ACF Regional Office.



Agenda



Organization Overview

Historical Background

Key Tribal TANF Program Requirements

Elements that Contribute to a Successful Program

Key Fiscal Requirements

Tribal TANF Reporting Requirements

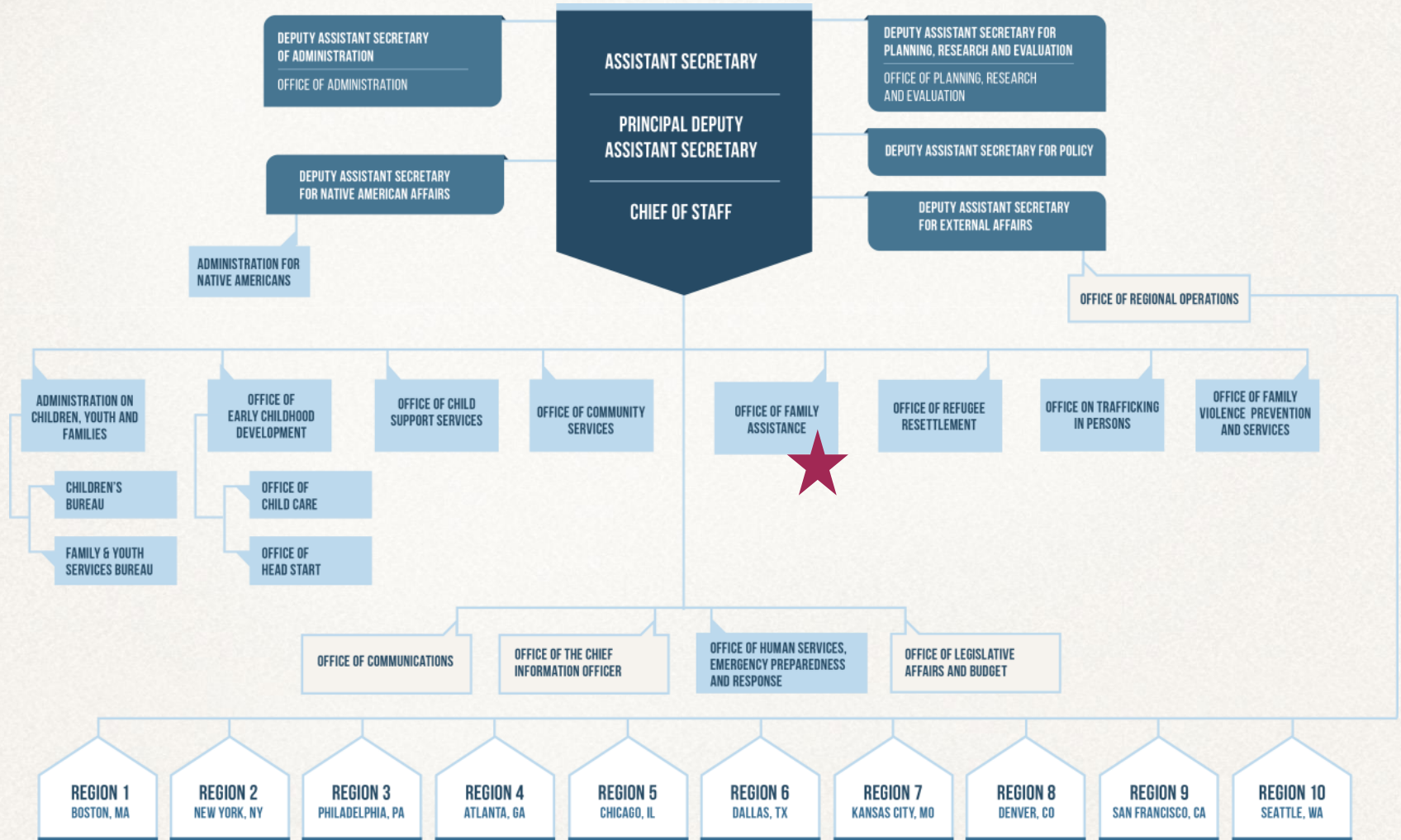
Resources and Tips for Tribal TANF Programs



Organization Overview



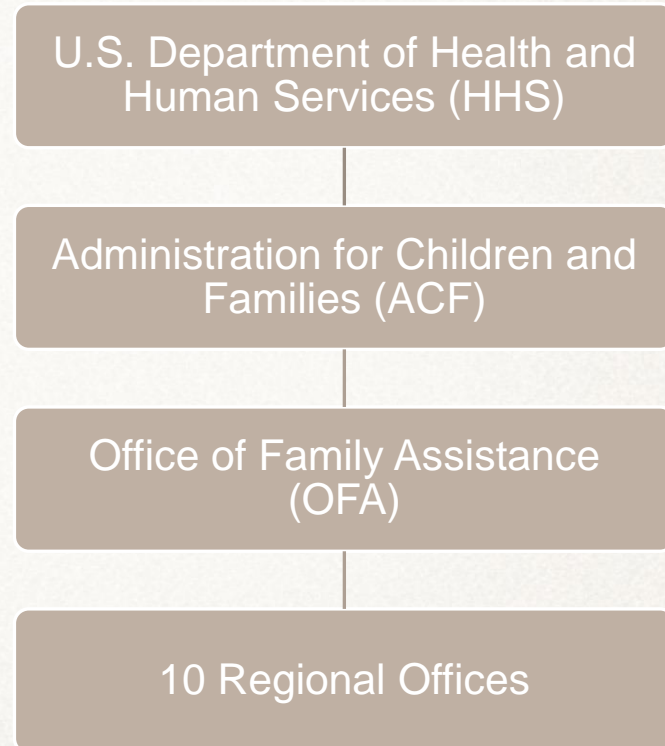
Administration for Children & Families (ACF)-- Organization



Administration for Children and Families (ACF), Office of Family Assistance (OFA)

ACF promotes the economic and social well-being of families, children, individuals, and communities through the provision of funding, guidance, and technical assistance, and fostering strategic partnerships.

OFA administers federal grant programs that foster family economic security and stability, including the TANF program and the Tribal TANF program, Native Employment Works, Healthy Marriage and Responsible Fatherhood grants, Health Profession Opportunity Grants, and Tribal TANF-Child Welfare Coordination grants.



Office of Family Assistance Divisions

Office of the Director *(Each OFA Division reports to the Director/Deputy Director)*

Division of
State TANF
Policy

Division of
Discretionary
Grants

Division of
Technical
Assistance and
Special
Initiatives

Division of
Data
Collection
and Analysis

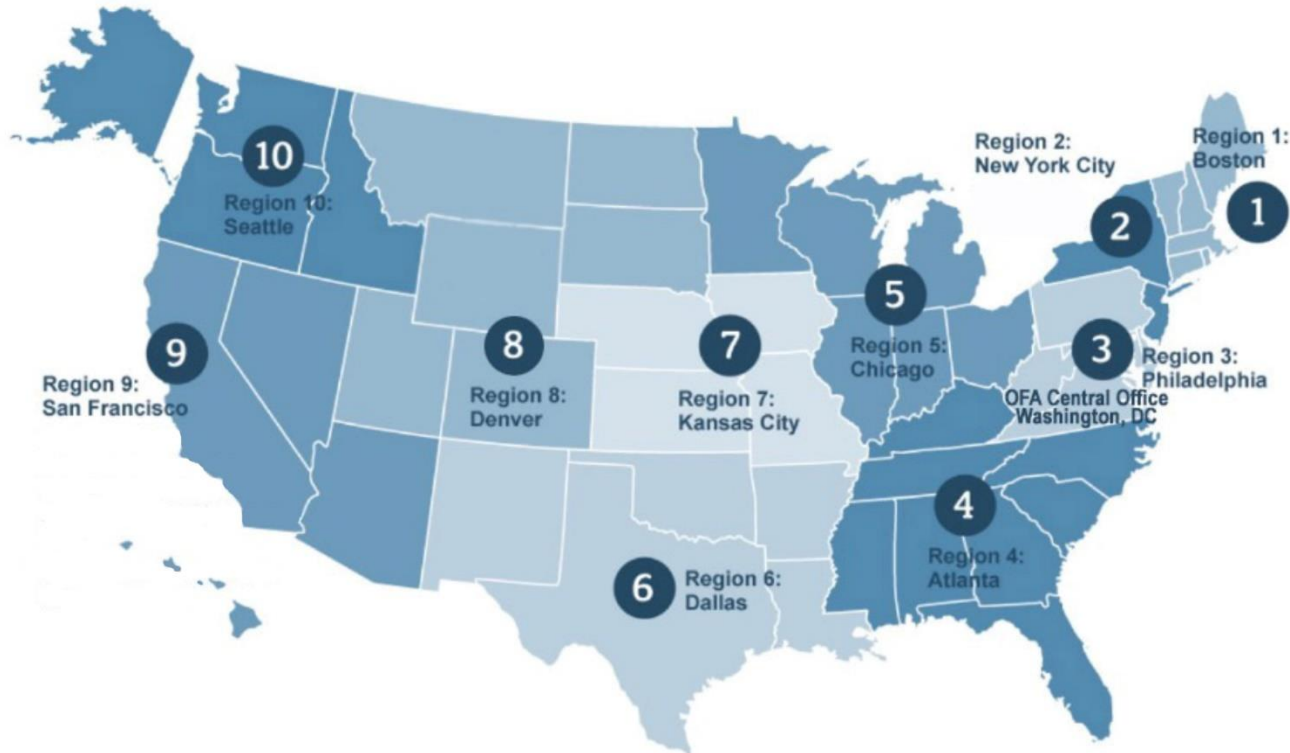
Division of
Tribal TANF
Management
and Regional
Operations

OFA Divisions work together to administer federal grant programs that foster family economic security and stability.

OFA Regional Units collaborate with states, tribes, and other grantees, as well as other divisions within ACF to assist in the administration of OFA discretionary grants



ACF Regional Offices



Region 1 - Boston

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Region 2 - New York City

New Jersey, New York, Puerto Rico, U.S. Virgin Islands

Region 3 - Philadelphia

Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia

Region 4 - Atlanta

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Region 5 - Chicago

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Region 6 - Dallas

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Region 7 - Kansas City

Iowa, Kansas, Missouri, Nebraska

Region 8 - Denver

Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Region 9 - San Francisco

Arizona, California, Hawaii, Nevada, American Samoa, Micronesia, Guam, Marshall Islands, Republic of Palau, Northern Mariana Islands

Region 10 - Seattle

Alaska, Idaho, Oregon, Washington

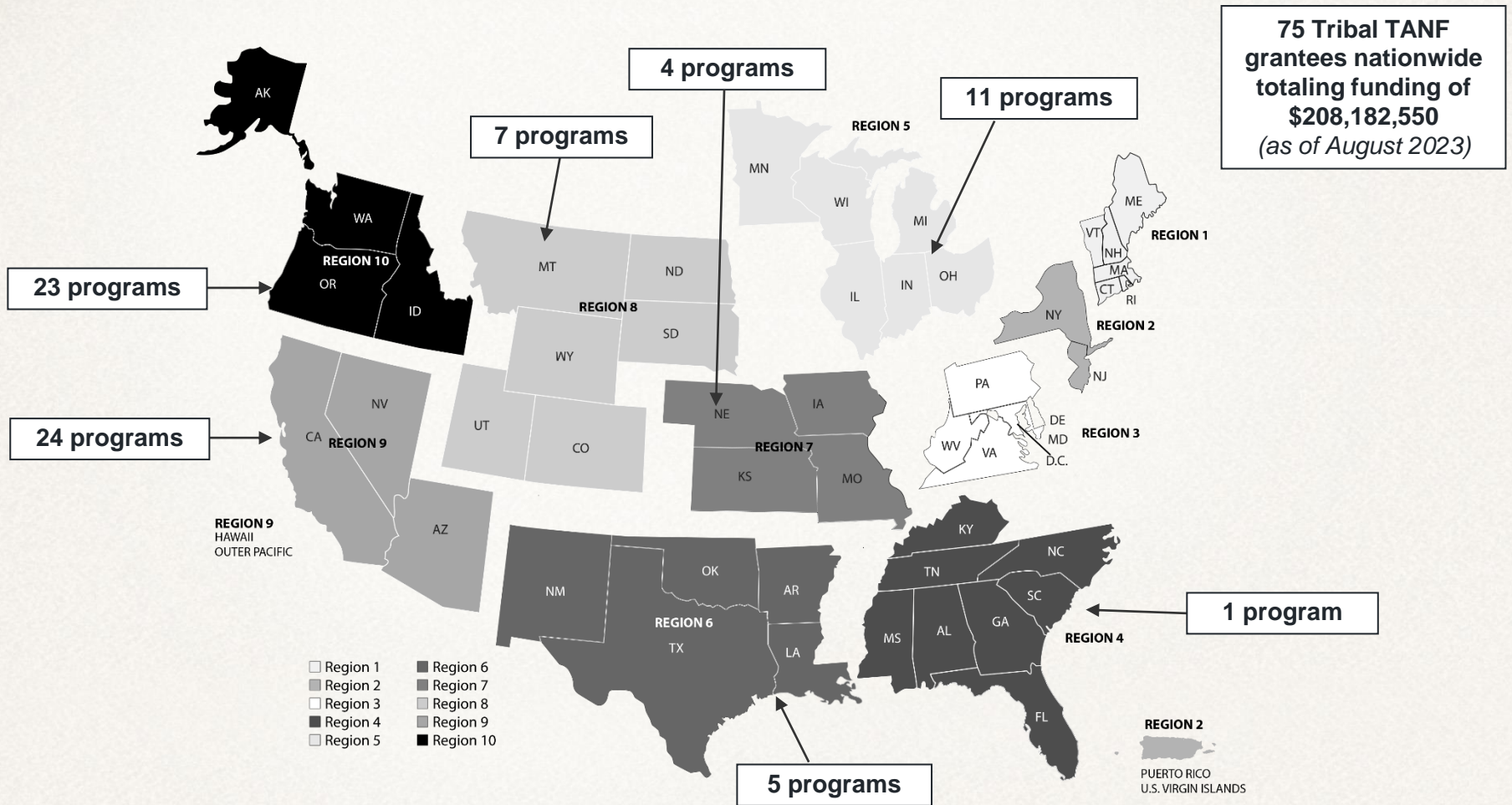


ACF/OFA Regional Team

- Regional teams provide technical assistance and guidance to help jurisdictions improve program administration, compliance, and outcomes.
- Regional teams are there to engage in ongoing conversations with grantees and ensure that program implementation aligns with federal requirements and grantee plans.



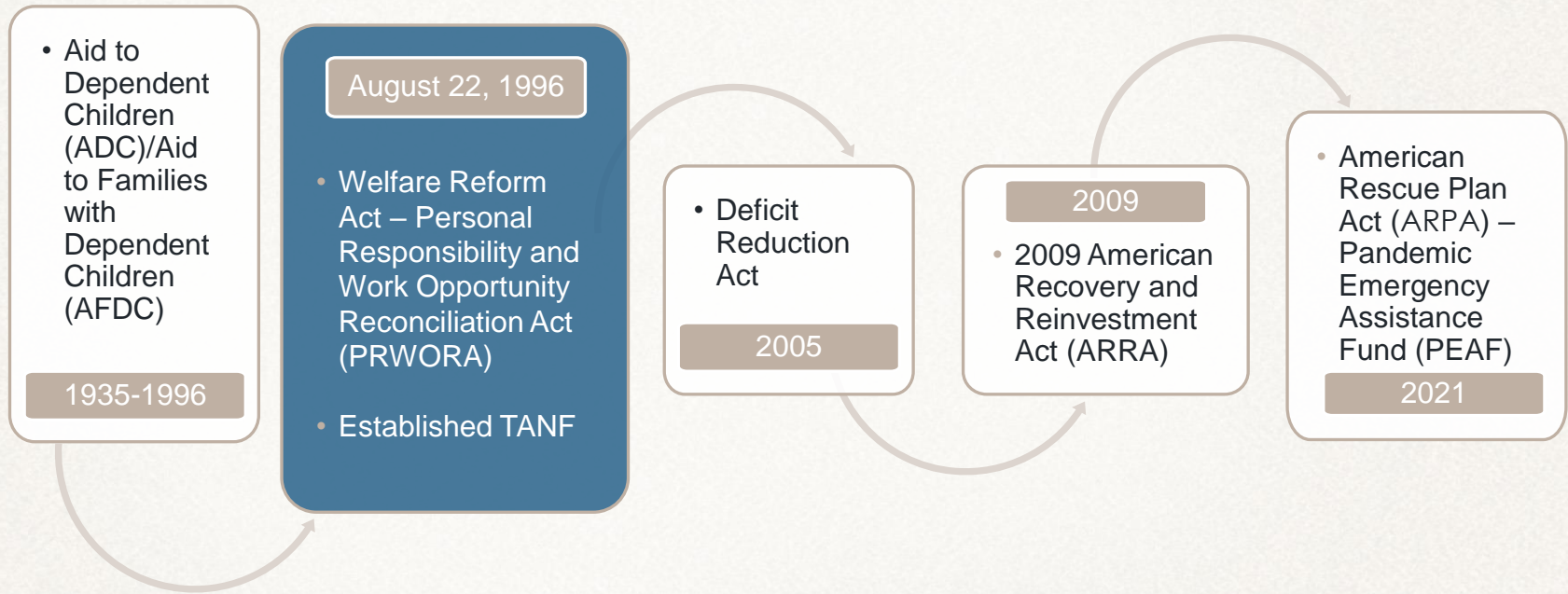
Tribal TANF Program Locations



Historical Background



Legislative History of TANF



The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is the welfare reform law that established the Temporary Assistance for Needy Families (TANF) program.

Important changes included:

- Replaced the federal-state match under AFDC with the **TANF federal block grant** with a **state** maintenance-of-effort (MOE) requirement (*MOE requirement does not apply to Tribes*)
- Created tribal provisions
- Established time limits for families with an adult receiving federally funded assistance
- Included new work requirements
- Outlined penalties for non-compliance with work requirements
- Required cooperation with Child Support Enforcement



Governing Law, Regulations, Official Guidance and Resources for Tribal TANF

Program

- Title IV-A of Social Security Act, Section 412, Direct Funding and Administration by Indian Tribes
- 45 CFR Part 286: Tribal TANF Regulation
- The Approved Tribal TANF Plan

Fiscal

- 45 CFR Part 75: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards
- Grant Terms and Conditions

Other Resources

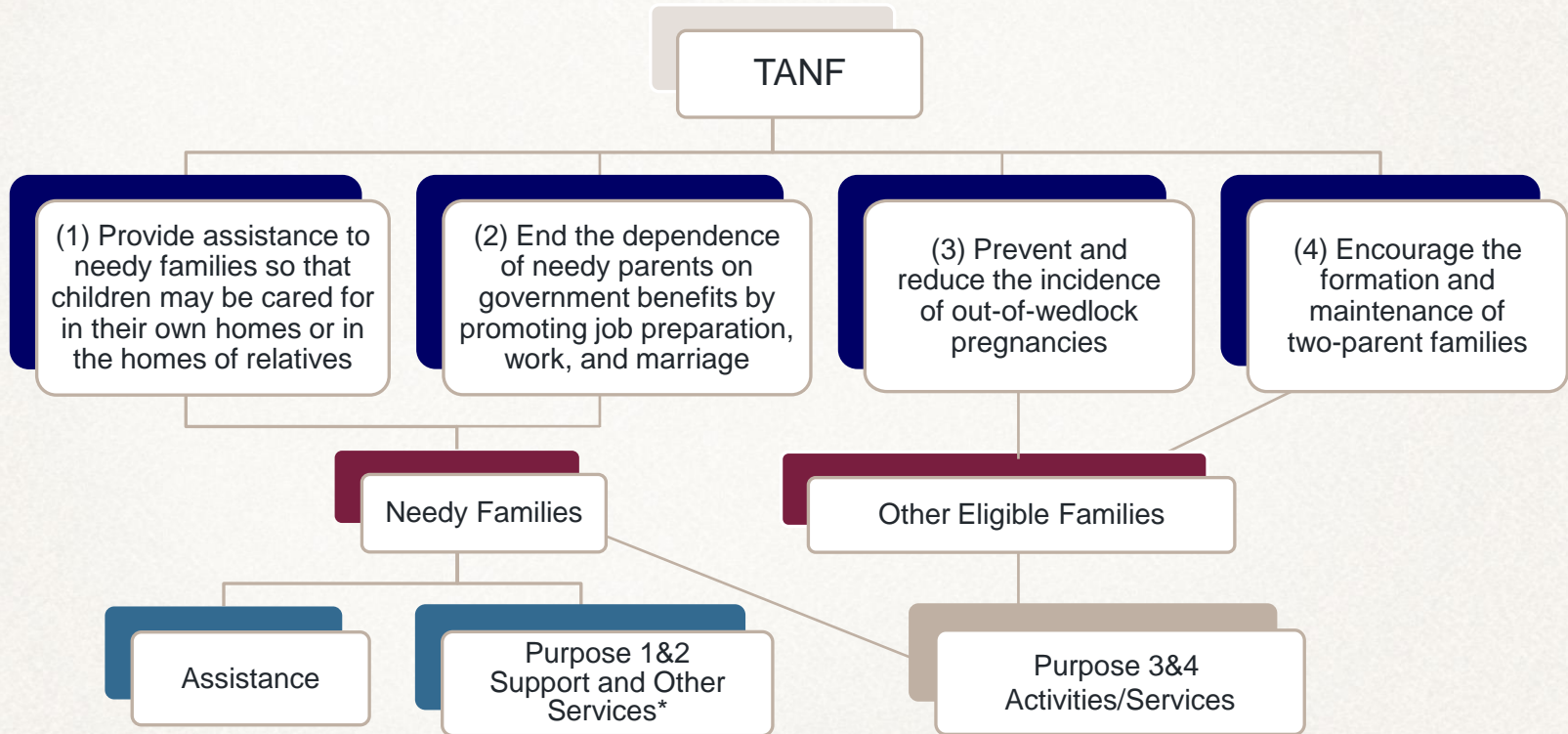
- ACF issued: Policy Announcements (PA), Policy Instructions (PI), and Information Memorandums (IM), Q&A's
- OFA website
- OFA Peer TA resources



Key Tribal TANF Requirements



TANF Allowable Uses



*This also includes work activities, non-recurrent short-term benefits, refundable tax credits, etc.

[Social Security Act, Title IV, Section 401](#)



TANF Purpose 1:

Purpose 1: Provide assistance to “needy” families so that children may be cared for in their own homes or in the homes of relatives.

- **Needy family:** income and/or resource standards established by the tribe; may establish a variety of income and resource standards for "assistance" and other services and benefits.
- Regulatory definition of "assistance" (defined at 45 CFR 286.10).
 - Cash, payments, vouchers, and other forms of benefits designated to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).
 - **Supportive services** such as child care and transportation provided to families that are not employed.

TANF Purpose 2:

Purpose 2: End the dependence of “needy” parents on government benefits by promoting job preparation, work, and marriage.

- **Needy parent:** income and/or resource standards established by the tribe; includes noncustodial parent.
- Activities that promote and/or support any one of the three objectives - job preparation, work, and marriage -- would be consistent with this purpose.
- Examples of support services or activities include:
 - Job or career advancement activities
 - Marriage counseling
 - Financial support for child care services
 - Employment services (including to increase the noncustodial parent's ability to pay child support)



TANF Purpose 3:

Purpose 3: Prevent and reduce the incidence of out-of-wedlock pregnancies

- **Eligibility:** not limited to "needy" families or individuals with a financial need; however, the program must establish and implement objective criteria regarding qualifications for Purpose 3 services/supports.
- Examples of support services or activities include:
 - Sex education programs
 - Teen pregnancy prevention activities
 - After-school programs that can be reasonably calculated to reduce the incidence of out-of-wedlock pregnancies

TANF Purpose 4:

Purpose 4: Encourage the formation and maintenance of two-parent families

- **Eligibility:** not limited to "needy" families or individuals with a financial need; however, the program must establish and implement objective criteria regarding qualification for Purpose 4 services/supports.
- Examples of support services or activities include:
 - Healthy relationship classes
 - Couple's communication classes
 - Premarital counseling
 - Marriage counseling
 - Initiatives to promote responsible fatherhood
 - Parenting skills training

Tribal TANF Plan

The Tribal TANF Plan is submitted with the initial Tribal TANF application, and must outline the tribe's approach to providing welfare-related services:

- **Time Period:** Covers a **three-year** period
- **Plan Content and Processing:**
 - Outlined in regulation (45 CFR Part 286 Subpart C)
 - Required information including work participation requirements
 - Submission timelines
 - Process for review and approval
 - Tribal TANF Plan Guidance & Tribal TANF Plan Requirements available on OFA Website
- **Renewal Timeline:** every **three years** and must be approved by OFA prior to the expiration of the current plan
- **Plan Submission**
 - Submitted under signature of the Tribal Chairperson or designee and accompanied by a Tribal resolution
 - Submitted to OFA via the Online Data Collection System (OLDC)
- **Plan Changes**
 - Plan may be amended to reflect program service and policy changes
 - Amendments must be submitted 30 days before proposed implementation
 - All amendments are approved for the first day of the month

TANF Eligibility

Key eligibility components for participation in TANF:

- Service area
- Service population
- Member of federally-recognized tribe and/or meet the tribe's definition of an Indian family
- If the tribe would like to serve non-Indians, they must secure approval from the state
- Income
 - **“Assistance”**: “Needy” families (only) who meet the eligibility criteria determined by the tribe and contained in the Tribal Family Assistance Plan
 - **“Non-assistance” under Purpose 1 and 2**: (e.g., NRST, work subsidies, childcare and transportation to those working): “Needy” families only, but limitations associated with assistance do not apply
 - **Purpose 3 and 4**: Any member of the service population can receive services

(45 CFR Part 286.10, 45 CFR Part 286.20, 45 CFR Part 286.75)



Work Participation Requirements

The work participation requirements reflect the strong focus in PRWORA on moving recipients to work and self-sufficiency.

- The tribe's negotiated minimum work participation requirements must be outlined in the approved TFAP, and include:
 - The work participation rate for all families (including two-parent families).
 - The minimum number of hours per week that adults are required to participate in work activities.
- Rates are negotiated during the plan renewal process.

(45 CFR Part 286.80)



What If Individual Work Participation Hours Are Not Met?

- Recipients, with few exceptions, must engage in an approved Tribal TANF work activity as soon as they are job ready or face possible sanction or termination of benefits.
- Tribes can waive work requirements for victims of domestic violence (45 CFR 286.140(a)(3)), for single custodial parents who are unable to obtain acceptable child care (45 CFR 286.150(a)), or for good cause* as described in the approved TFAP (45 CFR 286.135(a)(3)).
- Tribes determine the sanctions against individuals who refuse to engage in work activities in the absence of good cause.

**Only excused from individual sanctions, not removed from Work Participation Rate (WPR)*



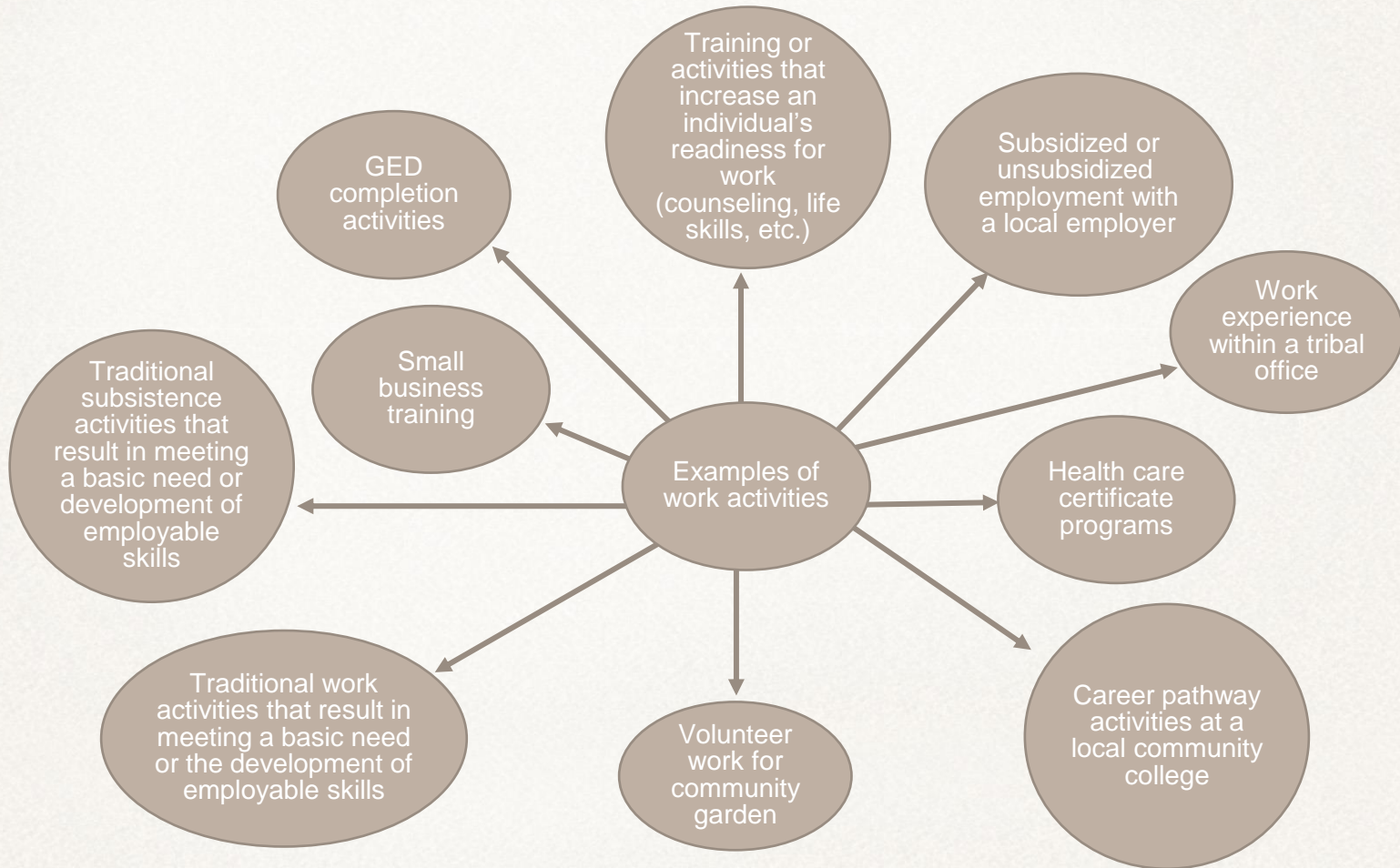
Work Activities That Count Towards the WPR

- (1) Unsubsidized employment;
- (2) Subsidized private sector employment;
- (3) Subsidized public sector employment;
- (4) Work experience;
- (5) On-the-job training (OJT);
- (6) Job search and job readiness assistance; (within the limitations noted at 286.105)
- (7) Community service programs;
- (8) Vocational educational training; (within the limitations noted at 286.105)
- (9) Job skills training directly related to employment;
- (10) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
- (11) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, if a recipient has not completed secondary school or received such a certificate;
- (12) Providing child care services to an individual who is participating in a community service program; and
- (13) Other activities that will help families achieve self-sufficiency

(45 CFR Part 286.100)



Examples of Work Activities



Work Participation Rate (WPR)

$$\text{WPR} = \frac{\text{Number of families receiving TANF assistance that include an adult who is meeting work requirements}}{\text{Total number of families that include an adult receiving TANF assistance}}$$

45 CFR 286.85(c)



What If Tribal Work Participation Rates Are Not Met?

- Tribes are subject to fiscal penalties if they fail to meet the minimum work participation rate(s) established in their approved TFAP.
- If tribes fail to meet their negotiated WPR and a penalty is assessed, they may dispute the penalty, provide reasonable cause, or establish and complete a Corrective Compliance Plan.

45 CFR 286.195 thru 286.240



Work Requirements Disregards and Exemptions

Disregarded - TANF family is not included in the calculation of the work participation rate if:

- A family has a child under 12 months.

OR

- Required to participate, but not participating; and sanctioned for the reporting month, but not sanctioned for more than 3 months within the preceding 12-month period.

Exempted - Individual will not be penalized for failure to engage in work (i.e., good cause exception); however, the TANF family is included in the calculation of the work participation rate.



Time Limits for Assistance

- Eligibility for TANF assistance (as defined at 45 CFR 286.115) is time limited.
 - *The regulations require that tribes propose time limits which reflect the intent of Congress that TANF should be temporary.*
- Time limits, exceptions to time limits, and percentage of the caseload to be exempted from the time limit due to hardship must be included in the tribe's TANF plan (45 CFR 286.115 & 286.120).
- Tribes must count all prior months of federally-funded TANF assistance received, except for any month that is exempted by statute or regulation (45 CFR 286.125).



Time Limit Exemptions

Required Exemptions:

- Cases which do not include an adult head of household (child-only cases).
- Cases in which the adult lived in Indian Country or in an Alaskan Native Village in which at least 50% of the adults were not employed.

Optional Exemptions:

- Cases with hardship, as limited and defined by the tribe.
- If the family includes someone who has been battered or subject to extreme cruelty.

(Refer to 45 CFR 286.115 - 286.120)



Elements that Contribute to a Successful Program



Practices that Contribute to Client Success

Two common program components that support TANF participant success include:

- Case Management/Coaching
- Work Readiness/Career Development

Effective Case Management/Coaching

- Actively engages and empowers the client
- Involves ongoing assessment to:
 - Identify needs (and address them)
 - Identify strengths and assets (and utilize them)
- Takes a whole family approach
- Facilitates engagement with caretakers to ensure positive development outcomes in child-only cases
- Included strong collaboration and partnerships

Effective Work Readiness & Career Development Support

- Actively engages client in preparing for work
- Assesses needs, strengths, and interests
- Addresses barriers (to entering and maintaining employment)
- Provides training and education
- Engages employers
- Connects clients to opportunities
- Develops strong partnerships and collaboration
- Can include:
 - Work experience
 - Subsidized employment
 - Career pathways



Key Fiscal Requirements



45 CFR Part 286: Allowable Use of TANF Funds

Expenditures that are reasonably calculated to accomplish the purposes of TANF, including but not limited to:

- The provision to low-income households of assistance in meeting home heating and cooling costs;
- Assistance in economic development and job creation activities;
- The provision of supportive services to assist needy families to prepare for, obtain, and retain employment;
- The provision of supportive services to prevent out-of-wedlock pregnancies, and assistance in keeping families together.

45 CFR Part 286.35



45 CFR Part 286: Improper Uses of TANF Funds

A tribe **may not** use Tribal Family Assistance Grant (TFAG funds):

- To provide assistance to families and individuals who:
 - do not meet the eligibility criteria in the TFAP;
 - have exceeded the allowable time limit;
 - or are not citizens of the United States or meet the definition of "qualified aliens."
- **To contribute to or to subsidize non-TANF programs.**
- For the construction or purchase of facilities or buildings.
- For services or activities prohibited by 45 CFR Part 75, subpart E.

Tribes **must use** program income generated by the Tribal Family Assistance Grant for the purposes of the TANF program and for allowable TANF services, activities, and assistance.

All provisions in 45 CFR part 75 are applicable to the Tribal TANF program.

45 CFR Part 286.45



45 CFR Part 286: Administrative Costs

Administrative costs means costs necessary for the proper administration of the TANF program.

- For example, personnel costs for those staff conducting accounting, preparation of program plans/budgets/schedules, and fraud & abuse units are **included** as administrative costs.

It excludes the direct costs of providing program services:

- For example, personnel costs for those staff providing program services (including case management), and information technology systems and computerization needed for tracking and monitoring are **excluded**.

45 CFR Part 286.55 and 45 CFR Part 286.5.



PART 75—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR HHS AWARDS*

This Uniform Guidance was implemented in 2014 and is an authoritative set of rules and requirements for federal awards that synthesizes and supersedes guidance from earlier OMB circulars

- Subpart A—Acronyms and Definition
- Subpart B—GENERAL PROVISIONS
- Subpart C—PRE-FEDERAL AWARD REQUIREMENTS AND CONTENTS OF FEDERAL AWARDS
- **Subpart D—POST FEDERAL AWARD REQUIREMENTS**
- **Subpart E—COST PRINCIPLES**
- Subpart F—AUDIT REQUIREMENTS



Subpart D—POST FEDERAL AWARD REQUIREMENTS

Standards for Financial and Program Management

- Performance Management
- Financial Management
- Internal Controls
- Cost Sharing or Matching
- Revision of Budget and Program Plans
- Methods of Procurement to be Followed



Subpart D—Internal Controls

45 CFR Part 75.303:

Grantee must:

- Establish and maintain effective internal control over the federal award.
- Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- Evaluate and monitor compliance with statutes, regulations, and the terms and conditions of federal awards.
- Take prompt action when non-compliances are identified including those from audits.
- Take reasonable measures to safeguard protected personally identifiable information (PII) and other sensitive information.



45 CFR Part 75 Sub-Part E

Cost Principles

Purpose:

- Establishes principles for determining the allowable costs incurred by non-federal entities under federal awards.
- Are for the purpose of cost determination.
- Are designed to provide that federal awards bear their fair share of cost recognized under these principles except where restricted or prohibited by statute.



Cost Principles: Prior Approvals

- Prior written approval is required for the purchase of capital equipment with a unit cost of \$5,000 or more.
- Prior approval is required for software purchases that equal or exceed \$5,000 (*software is part of the Information Technology system and classified as equipment*).
- If you do not obtain prior approval, only the depreciation value, based on the estimated useful life of the equipment, can be charged annually (to the federal TANF grant) until the equipment is fully depreciated.

(45 CFR Part 75.2, 45 CFR Part 75.407, 45 CFR Part 75.436, 45 CFR Part 75.439)



Cost Principles: Prior Approvals

These items are further defined as:

Equipment means an article of nonexpendable, tangible, personal property having a useful life of more than one year and a unit acquisition cost of \$5,000 or more.

Acquisition cost means the price of the asset, including the cost to put it into place. Any modifications, attachments, or accessories needed to make the equipment useable are considered part of the purchase price.

(45 CFR Part 75.2, 45 CFR Part 75.407, 45 CFR Part 75.439)



Determining Allowable Expenses

In determining whether or not an expenditure or activity is allowable, a program must consider the fiscal regulation at 45 CFR Part 75.403 through 75.405:

- Is the expenditure necessary for the performance of the program?
- Is the expenditure reasonable?
- Is the expenditure allocable?
- Is the expenditure allowable?

Tribal TANF Reporting Requirements



Tribal TANF Required Reports

Tribal TANF programs must submit three reports to OFA. Two reports are related to program delivery and the third is related to program expenditures:

- (1) **A quarterly data report (program)** submitted within 45 days following the end of each quarter.
- (2) **196T : a quarterly financial report** submitted within 45 days following the end of each quarter in OLDC
- (3) **Annual Report (program)** due 90 days after the end of the Fiscal Year which it covers and submitted in OLDC. Elements of the Annual Report are outlined in 45 CFR 286.275

Federal Calendar Quarter	QTR Start:	QTR Ending:	Report Due:	Quarterly Data Report	Quarterly Financial Report	Program Annual Report
QTR 1	Oct. 1	Dec. 31	Feb. 14	X	X	
QTR 2	Jan. 1	Mar. 31	May 15	X	X	
QTR 3	April 1	June 30	Aug. 14	X	X	
QTR 4	July 1	Sept. 30	Nov. 14	X	X	X

45 CFR 286.255 and 45 CFR 286.275



The Online Data Collection (OLDC) System

- OLDC is an electronic data collection system for submitting ACF program and fiscal reports and program plans.
- All ACF reports are required to be submitted electronically.
- All Tribal TANF Plans are submitted electronically in the OLDC system attached to the SF-424M report.
- Password and username required to access OLDC.
- Helpdesk available for support at: help@grantsolutions.gov
- User guides available; contact Regional Program Specialist.

45 CFR 75.342 & 75.341 and 45 CFR 286.265



Resources and Tips for Tribal TANF Programs



OFA Website

- OFA's website offers a variety of information on TANF, Tribal TANF, and other tribal programs.
 - OFA website:
<https://www.acf.hhs.gov/programs/ofa/>
- OFA maintains a list of helpful questions and answers on the Tribal TANF program. This list covers topics such as: TANF assistance, eligibility, funding, work activities, child-only cases, and more.
 - Helpful Q&A:
<https://www.acf.hhs.gov/ofa/faq/q-tribal-tanf>



OFA PeerTA

OFA PeerTA facilitates information sharing across agencies that implement TANF.

The OFA PeerTA website is a communications and dissemination vehicle that supports organizations serving TANF and low-income families.

On the website, state, tribal, and local TANF agencies can request TA; connect with peers from around the country; and learn about innovative programs, new OFA initiatives, the latest research on effective strategies supporting economic mobility, and upcoming TA events.

The website is a repository for all OFA TA activities. It includes:

- Training and Technical Assistance (TTA)
- Resource Library
- Peer Connections
- Learning Center

To visit the site, go to:

<https://peerta.acf.hhs.gov/>.



Helpful Tips

- All services must meet a statutory purpose of TANF and be included in the Tribe's TANF Plan.
- Ensure eligibility for all services.
- Keep good records: document, document, document!
- Establish effective communications strategies with your primary partners and collaborators (leadership, OFA, community partners).

Common Acronyms

TANF—Temporary Assistance for Needy Families

ACF—Administration for Children and Families

CFR—Code of Federal Regulations

OFA—Office of Family Assistance

OLDC—Online Data Collection

TFAP—Tribal Family Assistance Plan

WPR—Work Participation Rate

RO—ACF Regional Office (i.e., ACF Region IX)

CO—OFA Central Office (Washington DC)



Thank you!

