

RESOLUTION OF THE  
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
of the 24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;  
APPROVING AMENDMENTS TO THE NAVAJO NATION DEPARTMENT FOR SELF-  
RELIANCE PATHWAY TO SELF-RELIANCE POLICY MANUAL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and has legislative oversight over the Navajo Nation Division of Social Services and its programs. The Committee is also empowered to review, recommend or propose the adoption, amendment or rescission of the Plans of Operation for Division of Social Services programs. 2 N.N.C. §§ 400(A), 401(C) (1).
- B. The Health, Education and Human Services Committee is authorized to establish Navajo Nation policy and promulgate rules and regulations governing human services and general government services of the Navajo Nation. 2 N.N.C. § 401(B) (1).

SECTION TWO. FINDINGS

- A. On November 7, 2012, by Resolution No. HEHSN-33-2012, the Health, Education and Human Services Committee of the Navajo Nation Council approved revisions to the Navajo Nation Department for Self-Reliance Pathway to Self-Reliance Policy Manual.
- B. Furthermore, on December 11, 2019, the Honorable Chairman for the Health, Education and Human Services Committee approved amendments to the Pathway to Self-Reliance Policy Manual, thereby updating certain financial assistance eligibility provisions.

- C. The Federal Personal Responsibility and Work Opportunity Reconciliation Act ("PRWORA") of 1996, also known as "Welfare Reform", was signed into law on August 22, 1996. The PRWORA ended the former Aid to Families with Dependent Children ("AFDC") and replaced it with Temporary Assistance for Needy Families ("TANF"). It also provided federally-recognized tribes with the opportunity to apply for, and operate, their own TANF Programs.
- D. Every three years, the Navajo Nation prepares and submits a Tribal Family Assistance Plan ("TFAP") to the U.S. Department of Health and Human Services, Administration for Children and Families. The plan provides information on how the Navajo Nation proposes to operate its TANF Program. The Navajo Nation's current Tribal Family Assistance Plan is for the period of October 1, 2021 to September 30, 2024.
- E. The proposed amendments for the Pathway to Self-Reliance Policy Manual must be updated to support the changes in the Tribal Family Assistance Plan, to make necessary changes to meet the purposes and principles of Welfare Reform, and to improve program services and assistance. A summary of the proposed major policy changes is set forth in Exhibit A.
- F. The proposed amendments to the Navajo Nation Department for Self-Reliance Pathway to Self-Reliance Policy Manual is attached as Exhibit B and marked appropriately using the underline and strike-through method.
- G. The Navajo Nation Department of Justice has reviewed the proposed amendments and deemed the amendments legally sufficient. Section 164 Review Form is attached as Exhibit C.
- H. The Navajo Nation Department for Self-Reliance has provided a clean copy of the Pathway to Self-Reliance Policy Manual in its final amended form, attached as Exhibit D.

### SECTION THREE. APPROVAL

- A. The Health, Education, and Human Services Committee of the Navajo Nation Council hereby approves and adopts amendments to the Pathway to Self-Reliance Policy Manual, attached as Exhibit B.

- B. The Navajo Nation Department for Self-Reliance is authorized to insert a paginated *Table of Contents* for purposes of public readability of the Policy Manual.

**SECTION FOUR. EFFECTIVE DATE**

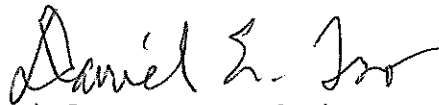
The amended Pathway to Self-Reliance Policy Manual shall become effective on the first day of the first month following the approval of the Health, Education, and Human Services Committee.

**SECTION FIVE. SAVING CLAUSE**

If any provision of this Policy Manual is determined invalid by the Supreme Court of the Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this Policy Manual shall be the law of the Navajo Nation.

**CERTIFICATION**

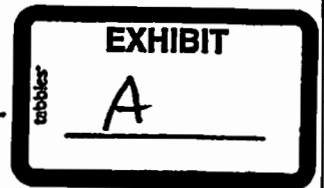
I, hereby, certify that the following resolution was duly considered by the Health, Education and Human Services Committee of the 24<sup>th</sup> Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, on this 27<sup>th</sup> day of April 2022.



Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee  
Of the 24<sup>th</sup> Navajo Nation Council

Motion: Honorable Pernell Halona  
Second: Honorable Paul Begay, Jr.

**Navajo Nation Department for Self Reliance**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL**  
**Summary of Proposed Policy Changes**



The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, also known as Welfare Reform, was signed into law by President Bill Clinton on August 22, 1996. The PRWORA ended the former Aid to Families with Dependent Children (AFDC) and replaced it with Temporary Assistance for Needy Families (TANF). It also provided federally recognized tribes with the opportunity to apply for and operate their own TANF Program.

Congress saw that the Welfare System was not effective and determined that Welfare Reform was necessary because:

- The number of individuals receiving welfare was growing
- The number of out-of-wedlock pregnancies and births was increasing
- A large percentage of absent parents were not providing Child Support

The four (4) purposes established for TANF are:

- Provide assistance to needy families so children may live at home or with relatives
- End dependence of needy parents on Government benefits by promoting job preparation, work and marriage
- Prevent and reduce out-of-wedlock pregnancies
- Encourage the formation and maintenance of two-parent families.

Principles of TANF are:

- Welfare programs should be designed to help move people from welfare to work
- Welfare should be a short-term transitional experience, not a way of life
- Parents should receive the child care and health care they need to protect their children as they move from welfare to work
- Child support programs should become tougher and more effective in securing support from absent parents
- Solutions are not "one size fits all." Allow States and Tribes to develop a variety of creative responses to these concerns.

Congress's expectation is that Adult Customers receiving TANF assistance:

- Participate in work activities
- Improve their own capability to support themselves and their families before their time-limited assistance runs out
- Make the transition to employment

The Navajo Nation prepares and submits a Tribal Family Assistance Plan (TFAP) to the U.S. Department of Health and Human Services, Administration for Children and Families, every three years that provides information on how the Navajo Nation proposes to operate its Tribal Temporary Assistance to Needy Families (TANF) Program. The DSR's current TFAP is for the period of October 01, 2021 to September 30, 2024.

In addition, the DSR's Pathway to Self Reliance (Policy) Manual must be updated to support the changes in the DSR's Tribal Family Assistance Plan, make necessary changes to meet the purposes and principles of Welfare Reform, and improve program services and assistance. The major policy changes are described on the attached Summary of Major Proposed Changes.

# SUMMARY OF MAJOR CHANGES

**Navajo Nation Department for Self Reliance  
Pathway to Self-Reliance Policy Manual  
Major Proposed Changes**

<b>206 CUSTOMER RESPONSIBILITIES</b>	<p><b>Adding the following Customer responsibilities:</b></p> <ul style="list-style-type: none"> <li>• <i>Complete a DSR Customer Orientation Session within thirty (30) working days after approval, unless exempted.</i></li> <li>• <i>Complete a Test of Adult Basic Education (TABE) within thirty (30) working days after approval, unless exempted.</i></li> <li>• <i>Submit a Monthly Change Report each month to report changes which have occurred in the last 30 days, if any, which may affect their eligibility for DSR assistance. A benefit group's monthly assistance payment will not be processed until a complete MCR is submitted and the benefit group's continued eligibility is determined.</i></li> </ul> <p>These are previous requirements which are being reinstated based on the recommendation of direct service staff.</p>
<b>302 PRE-APPLICATION SCREENING</b>	<p>Updating this section to provide more clarity</p>
<b>303 APPLICATION</b>	<p>Adding language to require application to list all individuals residing in the home.</p> <p>Added language that a Needy Family shall have no more than one (1) active case.</p> <p>Adding language that parents residing with their children must be included in the benefit group, unless exempted for a specific reason. This change is to comply with the guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p>
<b>304.B INTERVIEWS – Application for Assistance</b>	<p>Adding language that allow interviews to be conducted by means other than in-person if a justifiable reason exists.</p>
<b>305.A.4. REQUIRED DOCUMENTS – Certificate of Indian Blood</b>	<p>This section was added to require submittal of a Certificate of Indian Blood or Navajo Nation Identification Card for the Head-of-Household or a Benefit Group Member for families living within the city limits of a federally Recognized Near Reservation Community.</p> <p>Although DSR provides assistance to all families residing on the Navajo Nation, DSR only provides assistance to “Navajo” families living in a federally Recognized Near Reservation Community (e.g. Gallup, Farmington, Flagstaff, Page, etc.). To be considered a “Navajo” family, the head-of-household or a benefit group member must be Navajo, as verified by a CIB or Navajo Nation ID card.</p>

**Navajo Nation Department for Self Reliance  
Pathway to Self-Reliance Policy Manual  
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<p style="text-align: center;"><b>305. REQUIRED DOCUMENTS</b></p>	<p>Adding the following requirement to prevent potential fraud by verifying the identity of individuals and verifying the submitted social security number belongs to them:</p> <p>B. <i>An adult or minor parent's name on their Social Security Card and Identification Card must match. If they do not match, the adult or minor parent shall be provided 180 calendar days, unless an extension is granted, to submit a Social Security Card and Identification Card that have matching names. On a case-by-case basis, the timeline may be extended for up to an additional 180 calendar days.</i></p> <p>C. <i>If an adult or minor parent does not submit a Social Security Card and Identification Card that have matching names by the established deadline, the adult or minor parent must be removed from the benefit group or, if the adult is the head-of-household, the case must be closed.</i></p>
<p style="text-align: center;"><b>306 NEEDY FAMILY</b></p>	<p>The definition of "Needy Family" was changed to correspond with the definition in the Navajo Nation's Tribal Family Assistance Plan which was approved for the period of October 01, 2021 to September 30, 2024.</p>
<p style="text-align: center;"><b>307 INELIGIBILITY FOR ASSISTANCE</b></p>	<p>Deleting the following from the list of circumstances where a parent is disqualified from being included in a benefit group, but their income and resources are countable in determining eligibility for DSR assistance:</p> <ul style="list-style-type: none"> <li>• <i>Is in a disqualification period due to committing an Intentional Program Violation</i></li> <li>• <i>Is in a disqualification period due to reaching the Fourth Level Penalty</i></li> </ul> <p>This change is to comply with the guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p>
<p style="text-align: center;"><b>309.A. MINOR CHILD</b></p>	<p>Adding requirement that all school age minor children must be enrolled in school "<i>as a full time student with acceptable attendance</i>".</p> <p>Previously, the only requirement was that a minor child had to be enrolled in school. Adding "full time enrollment with acceptable attendance" will promote success in school.</p>
<p style="text-align: center;"><b>309.B. SERVICE DELIVERY AREA</b></p>	<p>Adding language that "<i>An employed adult Benefit Group member whose worksite is outside of the reasonable daily commuting distance and stays near their worksite on the days they are schedule to work</i>" is deemed as meeting the Service Delivery Area requirement. This change is to comply with the guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p>

**Navajo Nation Department for Self Reliance  
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Major Proposed Changes**

<p><b>309.D. RESIDENCY</b></p>	<p>Adding language that when a “<i>Head-of-Household or a Benefit Group member is temporarily absent from the home for no more than thirty (30) consecutive days, due to employment</i>” they are deemed as meeting the Residency requirement. This change is to comply with the guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p>
<p><b>310.A. SUPPLEMENTAL ELIGIBILITY CRITERIA - Caretakers</b></p>	<p>Changing the criteria for Caretakers related by blood or marriage to the minor child(ren) on whose behalf they are applying. Currently, only unrelated Caretakers were required to have Legal Guardianship/Custody of the minor child(ren) on whose behalf they are applying.</p> <p>Will be requiring all Caretakers, including Caretakers related by blood or marriage, to have Legal Guardianship/Custody of the minor child(ren) on whose behalf they are applying. If a related Caretaker does not have Legal Guardianship/Custody of the minor child(ren) at the time they are applying, they will be provided a one-time opportunity to apply for the minor child and, if eligible, receive assistance for up to twelve (12) months without establishment of Legal Guardianship/Custody on the condition that they agree to comply with established requirements. The timeline may be extended for up to an additional twelve (12) month period if they provide documentation that they are making a “Good Faith” effort to establish Legal Guardianship/Custody.</p> <p>This proposed change will ensure that related Caretakers are actually the primary care provider for the minor child(ren) on whose behalf they are applying. Currently, there are situations where related Caretakers (e.g. grandparents, aunts, uncles, etc.) are applying for minor children although they are not the primary caretaker for the minor child(ren). Such situations include parents who are employed at a worksite outside of daily commuting distance and they leave their children in the care of a relative during the week; and parents who in the home but do not want to apply for DSR assistance due to being employed or not wanting to be subject to DSR requirements (e.g. Personal Responsibility Plan, Work Participation, etc.).</p>
<p><b>310.B. SUPPLEMENTAL ELIGIBILITY CRITERIA: Two-Parent Assistance</b></p>	<p>Reinstating the Two-Parent Assistance criteria that requires both parents in a two-parent household to apply together. This change is to comply with the guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p> <p>Currently, a two-parent family is allowed to have only one parent apply. As a result, by excluding a parent that is employed, their income and resources are not counted in determining eligibility. In addition, the excluded parent is not subject to work participation requirements. Finally, by allowing one parent to exclude themselves, it goes against one of the TANF Purposes: <i>Encouraging the formation and maintenance of two-parent families.</i></p>
<p><b>310.D. SUPPLEMENTAL ELIGIBILITY</b></p>	<p>1. Adding language that “<i>An emancipated Minor Head-of-Household receiving monthly assistance shall be subject to Work Participation, Personal Responsibility Plan and Time Limit requirements</i>”. Since an emancipated is considered an adult, they will be subject to the same requirements as other adults receiving monthly assistance.</p>



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Major Proposed Changes**

<b>CRITERIA – Minor Parents</b>	<p>2. Adding language that “<i>A minor parent who is not emancipated is considered a minor child and their legal parent or their court appointed guardian remains legally responsible for him or her until they reach the age of eighteen</i>”. This proposed addition is to address situations where some parents are stating that since their minor child became a parent, they are no longer legally responsible for them.</p> <p>3. Deleting the requirement that a minor parent who is not emancipated shall be subject to the Time Limit requirement. Since an unemancipated minor parent is considered a minor child and cannot apply for DSR assistance (an adult must apply on behalf of the minor parent and their child), they are not be subject to the time limit requirement which only applies to adults receiving assistance.</p>
<b>311.A.1. FINANCIAL ELIGIBILITY CRITERIA - Assets</b>	<p>Deleting Certificate of Deposits as a countable asset.</p> <p>Adding language that “<i>earned and unearned income deposited into a checking or savings bank account shall be considered countable income, unless disregarded pursuant to Section 311.B.2., in the month it is received</i>”. This proposed addition is necessary due to some employed Customers are having income direct deposited into their checking and/or savings account. Since funds in a bank account are considered assets, without this language, earned and unearned income deposited into bank accounts would be subject to the \$3000 assets threshold, rather than countable in the month it is received.</p>
<b>311.B.1.c. FINANCIAL ELIGIBILITY CRITERIA – Countable Income</b>	<p>Adding language that “<i>earned and unearned income deposited into a bank account or pre-paid debit card, including through on-line payment systems (e.g. PayPal, Zelle, Apple Pay, Google Pay) will be considered countable income, unless disregarded pursuant to Section 311.B.2., in the month it is received</i>”.</p> <p>Since funds in a bank account are considered assets, without this language, earned and unearned income deposited into bank accounts or pre-paid debit cards would be subject to the \$3000 assets threshold, rather than countable in the month it is received.</p>
<b>318 INCAPACITATED HEAD-OF-HOUSEHOLD</b>	<p>Adding a provision for situations where the head-of-household is no longer able to make decisions due to loss of mental capacity and is expected to remain in that condition for an extended amount of time.</p>
<b>403.A. CUSTOMER ORIENTATION</b>	<p>Reinstating requirement that Customers approved for DSR assistance must complete an Orientation session within thirty (30) working days after approval. This is a previous requirement that is being reinstated based on the recommendation of direct service staff.</p>
<b>403.B. ASSESSMENTS</b>	<p>Reinstating requirement that Customers complete a Test of Adult Basic Education within thirty (30) working days after approval. This is a previous requirement that is being reinstated based on the recommendation of direct service staff.</p>

**Navajo Nation Department for Self Reliance  
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<p><b>405.C.2 WORK PARTICIPATION ACTIVITIES</b></p>	<ol style="list-style-type: none"> <li>1. Adding provision that Public and Private Sector Subsidized Employment may be approved once, for up to six months, in a twelve (12) month period. Currently there is no limitation.</li> <li>2. Adding provision to the "Providing Support and Care to a Dependent Child with a Special Need(s)" work activity that the child <i>"requires full time-care, as verified by a licensed medical professional"</i>. In addition, <i>"This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge , skills and abilities in provision of home-based care (e.g. CPR, first aide, nutrition, etc.) This activity cannot be the sole work activity authorized for a Customer"</i>. These are provisions that DHHS wanted in the Tribal Family Assistance Plan.</li> <li>3. Adding provision to the "Providing Care to an Immediate Relative with a Verified Disability" work activity that the disability is <i>"medically"</i> verified and the relative <i>"requires full-time care"</i>. In addition, <i>"This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge , skills and abilities in provision of home-based care (e.g. CPR, first aide, nutrition, etc.) This activity cannot be the sole work activity authorized for a Customer"</i>. These are provisions that DHHS wanted in the Tribal Family Assistance Plan.</li> <li>4. Removing "Academic Support" as a work activity that may be authorized for Customers. This work activity was removed from the TFAP due to DHHS' position that it does not improve a Customers skills, ability and knowledge and does not prepare the Customer for employment.</li> <li>5. Adding provision that Reasonable Transportation Time be limited to <i>"up to two (2) hours per day"</i>. This limit is a provision that DHHS wanted in the Tribal Family Assistance Plan.</li> </ol>
<p><b>502.1 CUSTOMER CONTACT</b></p>	<p>Adding language that an "good faith effort" must be made to contact Customer for regular monthly contacts. Also, adding definition of "good faith effort".</p>
<p><b>503 MONTHLY CHANGE REPORT</b></p>	<p>Re-establishing requirement that Customers submit a Monthly Change Report (formerly Monthly Update Report) each month to provide information necessary to verify the benefit group's eligibility in order to process the benefit group's next monthly assistance payment. This is a previous requirement that is being reinstated based on the recommendation of direct service staff due to lack of contact with a large number of Customers as a result of the pandemic.</p>
<p><b>ADVERSE ACTION REVIEW</b></p>	<p>Moving Adverse Action Review section from Section 500, Quality Case Management, to Section 800, Compliance, as it is part of the process for taking action to deny an application, close a case or impose a penalty.</p>

**Navajo Nation Department for Self Reliance  
Pathway to Self-Reliance Policy Manual  
Major Proposed Changes**

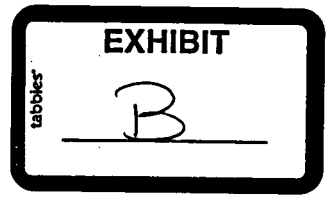
<b>504 SUPPORTIVE SERVICE, ACHIEVEMENT AWARDS AND INCENTIVES</b>	Added language that Education and Career Services (ECs) staff are responsible for preparing Support Service request for Customers participating in ECS sponsored activities and the assigned Principal Caseworker or Senior Caseworker is responsible for preparing Support Service request for Customers participating in non-ECS sponsored activities. Adding examples and further information on the Supportive Services, Achievement Awards and Incentive that are available to benefit group members. These are changes that were made in the TFAAP.
<b>702 TRANSITIONAL SUPPORT SERVICES</b>	Changing eligibility for Transitional Support Services from “once in a lifetime” to “a one-time series of Transitional Support Benefits, for up to three months following closure of their DSR assistance case”.
<b>703 NON-RECURRING, SHORT-TERM BENEFITS</b>	Changing eligibility for Non-Recurring, Short-Term Benefits from “one-time” to “up to \$1000 in a twelve (12) month period”.
<b>704 EMERGENCY NON-RECURRING, SHORT-TERM BENEFITS</b>	Adding a new type of benefit, Emergency Non-Recurring, Short-Term Benefits. This benefit, which will have a higher income threshold (250% of the Federal Poverty Guideline), will be available to assist eligible families during a government declared natural disaster, emergency or pandemic.
<b>705 DIVERSION</b>	Changing eligibility for Diversion Benefits from “once in a lifetime” to “once in a twelve month period”. Increasing income threshold from 200% of the Federal Poverty Guideline to 250% of the Federal Poverty Guideline
<b>802.A. PENALTIES</b>	Adding the following to the list of reasons for imposing a penalty: <ol style="list-style-type: none"> <li>1. Failure to develop an initial Personal Responsibility Plan within thirty (30) working days from the date of approval.</li> <li>2. Failure to review and, if necessary, update their Personal Responsibility Plan at least once every four (4) months.</li> <li>3. Failure to attend and complete a DSR Customer Orientation within thirty (30) working days of approval.</li> <li>4. Failure to complete a TABE within thirty (30) working days of approval.</li> </ol> <p>Failure to develop an initial PRP by established deadline and failure to review and update a PRP within established deadline are already subject to penalty under Section 404, Personal Responsibility Plan Development, but were not listed at Section 802. Orientation and TABE are requirements which are being re-established.</p>

**Navajo Nation Department for Self Reliance  
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<b>802.E.</b>	<p><b>Changing the sanction for each penalty level.</b></p> <p>1st Level: Decreasing the reduction amount <b>from 25% to 20%</b></p> <p>2nd Level: Decreasing the reduction amount <b>from 50% to 40%</b></p> <p>3rd Level: Decreasing the reduction amount <b>from 75% to 60%</b></p> <p>4<sup>th</sup> Level: Changing the sanction <b>from 100% reduction, case closure and disqualification of the head-of-household and, if applicable, their spouse to 80%</b> until such time the Customer returns to compliance.</p> <p>This change is in response to guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p>
<b>802.A.I. PENALTIES</b>	<p><b>Increasing the timeframe for which a Customer who was previously penalized will be subject to imposition of the next penalty level for a subsequent non-compliance with a DSR requirement.</b> Currently, if a customer is subject to penalty within six (6) months of a previously imposed penalty, the next penalty level will be imposed. This proposed change will increase the time frame to twelve (12) month. As a result, if a customer is subject to penalty within twelve (12) months of a previously imposed penalty, the next penalty level will be imposed. Otherwise, if the previous penalty was imposed more than twelve (12) month from the current imposition of penalty, the imposed penalty will begin with a Written Warning.</p>
<b>803 INTENTIONAL PROGRAM VIOLATION</b>	<p><b>Changing the sanction for the first two IPV levels.</b></p> <p>1st Offense: Decreasing disqualification period <b>from one (1) year to six (6) months</b></p> <p>2nd Offense: Decreasing disqualification period <b>from two (2) years to one (1) year</b></p> <p>In addition, the entire benefit group will be disqualified for the specified time period. Currently, only the head-of-household is disqualified. This change is to comply with the guidance provided by the DHHS-ACF that a parent residing with their children must be included in a TANF case.</p>
<b>804 ADVERSE ACTION REVIEW</b>	<p>This section was <b>moved</b> from Section 500 (formerly was 504)</p>
<b>806 CASE CLOSURE</b>	<ol style="list-style-type: none"> <li>1. Added Double Presentment of a DSR Payment as a reason for disqualification. Double Presentment is <i>cashing or depositing the same check twice, where is check is deposited via mobile device, then the paper check is cashed or is deposited in a different bank as well.</i></li> <li>2. Added "Failure to submit a <i>Monthly Change Report</i> for two (2) consecutive months" as a reason for case closure.</li> </ol>

**Navajo Nation Department for Self Reliance  
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<b>808 APPEAL HEARING</b>	<ol style="list-style-type: none"> <li>1. Changing the section heading from "Appeal Review" to "Appeal Hearing" due to elimination of Appeal Reviews prior to submittal of an appeal to the Hearing Officer.</li> <li>2. Updating language to reflect the elimination of the appeal review. Appeals will now go straight to the Hearing Officer for scheduling and conducting of an appeal hearing.</li> </ol>
<b>900 DEFINITIONS</b>	<p>Adding definitions for: Acceptable Attendance, Adoptive Parent, Biological Parent, Common-Law Marriage, Double Presentment, Federally Designated Near Reservation Community, Full-Time Employment, Good Faith Effort, Legal Parent, Needy Parent, Secondary School, Stipend, and Sustainable Employment.</p>



Style Definition: Header

Marked Up Version

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

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**SECTION 100: GENERAL INFORMATION**

**101 INTRODUCTION**

Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Action of 1996, provides the Navajo Nation Department for Self Reliance guidance in administering the Tribal Temporary Assistance for Needy Families (TANF) program.

Key principles are:

- A. Welfare programs should help people move from Welfare-to-Work.
- B. Welfare should be short-term and transitional and not a way of life.
- C. Parents should receive the child care and health care services to ensure their children are not at risk as parents move from Welfare-to-Work.
- D. Child support programs should get tougher and more effective in securing support from absent parents.
- E. States, Tribes and localities should develop diverse and creative solutions to the factors contributing to poverty and dependency.

**102 WELFARE REFORM**

Welfare Reform gave tribes flexibility to design a program that will promote the following TANF purposes:

- A. Provide assistance to needy families so that children may be cared for in their homes or in homes of relatives.
- B. End the dependency of needy parents on government benefits by promoting job preparation, work and marriage.
- C. Prevent and reduce the incidence of out of wedlock pregnancies and establish annual numerical goals to prevent and reduce the incidence of these pregnancies.
- D. Encourage the formation and maintenance of two-parent families.

**103 NAVAJO NATION DEPARTMENT FOR SELF-RELIANCE**

The Navajo Nation Department for Self Reliance (DSR) serves Customers living on the Navajo Nation and Navajo families living in communities designated as "Near Reservation" locations pursuant to the Federal Register Vol. 44 No. ~~communities~~, 9, January 12, 1979. (Attachment I).

The DSR is committed to quality and timely services, treating Customers with dignity and respect, maintaining regular contact with Customers, and coordinating and collaborating with other entities to foster positive changes in Customers.

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

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SECTION 200: T'ÁÁ HWÓ ÁJÍT'ÉEGO (SELF RELIANCE)

**201 T'ÁÁ HWÓ ÁJÍT'ÉEGO**

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

**202 VISION STATEMENT**

*To eliminate future dependency of children and families on government assistance by promoting T'áá hwó ájit'éego.*

**203 MISSION STATEMENT**

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

**204 SERVICE DELIVERY MODEL**

The DSR Service Delivery Model has four (4) progressive stages of learning and personal development that result in successful outcomes of DSR families.

NITSÁHÁKEES (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 encouraging personal change by assisting Customers in identifying specific opportunities that foster a positive outcome.

ÁDÍLÍL (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, abilities, and experiences to help them become self-reliant.

BEE NÍÍSÉELDOO (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 promote value in sustaining *Hózhó k'eh iiná*

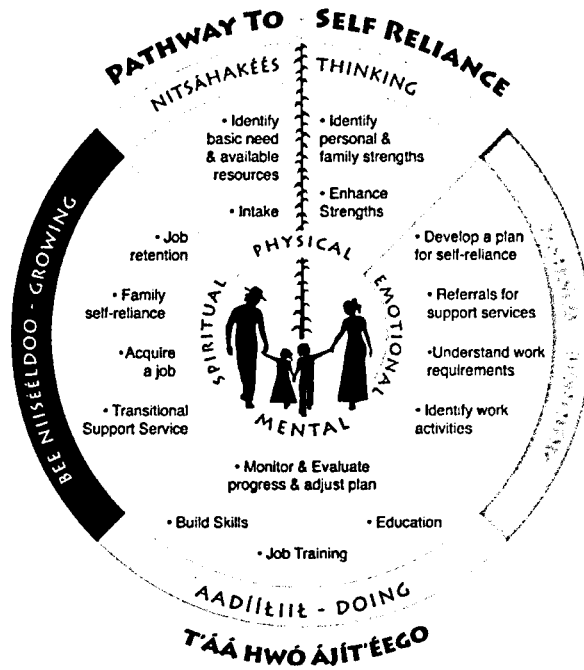
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**Figure 1** depicts the pathway the DSR promotes for Customers to reach self-reliance.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

Figure 1.



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## 205 CUSTOMER RIGHTS

Each Customer has a right to:

- Be treated with respect and dignity.
- Have their privacy recognize and respected including protection of any information that identifies the Customer and their family in accordance with the Navajo Nation Privacy and Access to Information Act, (Attachment 2).
- Be treated fairly regardless of race, ethnicity, national origin, religion, gender, age, disability, sexual orientation, or source of income.
- Apply for and receive assistance and services at any DSR direct service office of their choice.
- Receive a copy of the DSR Pathway to Self Reliance Policy Manual and an orientation on these Policies.
- Develop a Personal Responsibility Plan based on their interests and chosen career goals.

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
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- G. Receive services provided in an appropriate manner with consideration of their limitations.
- H. Make written or verbal complaints and receive resolution of their issues or concerns.
- I. Due process to appeal an action taken or not taken by the DSR regarding their application, assistance, or case.
- J. Receive copies of documents they submitted and notices the DSR generated.
- K. Withdraw their application before a decision is made by the DSR.
- L. Bring a person of their choice to appointments and/or hearings.
- M. Be fully informed of any decisions or changes affecting the services and assistance they currently receive.
- N. Voluntarily close their case at any time.
- O. Decide which minor child(ren) to be included in their Benefit Group.
- P. Refuse assistance and services offered by the DSR.

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**206 CUSTOMER RESPONSIBILITIES**

Each Customer has a responsibility to:

- A. Treat others with respect and dignity.
- B. Provide accurate and complete information about their present conditions, previous services and other information relating to his or her situation.
- C. Cooperate with DSR in the determination of their eligibility and the monitoring of their on-going eligibility, including investigations.
- D. Comply with all scheduled appointments, including arriving on time, or contacting the DSR direct service staff to reschedule appointments in a timely manner.
- E. Complete a DSR Customer Orientation Session within thirty (30) business days after approval, unless exempted as provided in this Policy Manual.
- D-F. Complete a Test of Adult Basic Education (TABE) within thirty (30) business days after approval, unless exempted as provided in this Policy Manual.
- G. Participate in the development and completion of their Personal Responsibility Plan within thirty (30) working business days after the date on the Approval Decision Notice.  
F.
- F-II. Commit to achieving their Personal Responsibility Plan goals and objectives.
- G-I. Review and update their Personal Responsibility Plan at least once every four (4) months or as situations change.

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## **NAVAJO NATION DEPARTMENT FOR SELF RELIANCE PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**H.J.** Comply with Work Participation Requirements. This applies to adult(s) and emancipated minor parent(s) who are included in a Benefit Group and receiving assistance.

**K.** Submit a Monthly Change Report each month to report changes which have occurred in the last 30 days, if any, which may affect eligibility for DSR assistance. A benefit group's monthly assistance payment will not be processed until a complete MCR is submitted and the benefit group's continued eligibility is determined.

**L.** Report any changes in their circumstances which may affect their eligibility, benefit amount, and/or their Personal Responsibility Plan, within five (5) workingbusiness days from the change.

**M.** Follow through with all referrals to internal and external resources.

**N.** Use monthly assistance payments for its intended purposes.

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### **207 DSR EMPLOYEE RESPONSIBILITIES**

**A.** Each DSR employee is responsible to:

**A.1.** Treat each Customer with respect, dignity and in a professional manner.

**B.2.** Uphold and protect the confidentiality of DSR Customers in accordance with the Navajo Nation Privacy and Access to Information Act, the DSR Professional and Ethical Standards of Employee Conduct, and this Policy.

**C.3.** Abide by the DSR Professional and Ethical Standards of Employee Conduct.

**D.4.** Provide ~~each Customer~~ Customers with a copy of the DSR Pathway to Self Reliance Policy Manual, if requested.

**E.5.** Explain to the Customer their rights and responsibilities.

**F.6.** Provide each Customer an *Application for Assistance* and other necessary forms.

**G.7.** Ensure Customers understand DSR requirements and consequences for noncompliance.

**8.** Ensure all Customers understand that if they do not agree with a decision made regarding their application or assistance, they have the right to appeal the decision.

**B.** Each DSR Direct Service Employee is responsible to:

**A.1.** Assist Customers with completing the *Application for Assistance* and other necessary forms.

**B.2.** Assist Customers to understand and identify their needs, interests, strengths and weaknesses as they begin to pursue self-sufficiency.

**C.3.** Document all interactions with Customers in case notes.

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

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~~D-4.~~ Assist Customers to pursue all opportunities and resources available to him or her.

~~E-5.~~ Make payment adjustments in a timely manner when Customers reports a change in their circumstance.

~~F-6.~~ Verify information provided by Customers.

~~G-7.~~ Provide accurate and timely determination of eligibility for DSR assistance and services.

~~H-8.~~ At a minimum, communicate and follow-up with Customers on a monthly basis, including providing advance notice of decisions or changes affecting Customers' eligibility and assistance.

~~I-9.~~ Provide adequate notice prior to home visits.

~~J-10.~~ Provide transportation in accordance with the DSR Customer Transportation Procedures.

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~~K-11.~~ Prepare for and keep each appointment, regardless of early release or administrative leave.

~~L-12.~~ Make every effort to keep an appointment. If for any reason, a staff is not able to keep an appointment, the staff must arrange with their supervisor to contact the Customer to reschedule the appointment or have another staff member meet with the Customer.

~~M-13.~~ Participate in the development and monitoring of the Customer's Personal Responsibility Plan.

~~N-14.~~ Obtain Tribal Assistance System certification within six (6) months after beginning the Pathway to Quality Services training series.

~~O-15.~~ Report a potential Intentional Program Violation committed by a Customer or a member of the Customer's Benefit Group to the Fraud Investigation Unit when a staff suspects or becomes aware of an Intentional Program Violation. A DSR direct service staff who does not report a potential Intentional Program Violation for which they are aware of may be subject to disciplinary action in accordance with the Navajo Nation Personnel Policies Manual.

## **NAVAJO NATION DEPARTMENT FOR SELF RELIANCE** **PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

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### **SECTION 300: NITSÁHÁKEES (THINKING)**

#### **301 PURPOSE**

It is the purpose of the DSR to promote personal responsibility by educating Customers on welfare reform, reducing dependency on public assistance by creating educational and career opportunities, assisting eligible needy families to meet their basic needs, and addressing social dilemmas by identifying and providing referrals to key resources.

#### **302 PRE-APPLICATION SCREENING**

~~A. DSR direct service staff must screen~~Prior to submitting an application, all individuals who inquire about interested in applying for DSR assistance and services for their potential shall be screened to determine eligibility for DSR assistance and benefits.

~~A.B. Individuals have the Diversion Benefits, which is a once-in-a-lifetime non-recurring payment to divert individuals from ongoing monthly assistance by removing barrier(s) that puts their current employment at risk, or prevents them to accept full-time employment offer, before they complete and submit an Application for Assistance. Diversion Benefits are not entered into the Tribal Assistance System; therefore, an individual who refuses right to refuse a pre-application screening. The refusal must be documented manually in their case record, and he/she shall be allowed to proceed with an Application for Assistance.~~

~~B.C. DSR direct service staff must provide information about the application process, right to file, and encourage individuals or a representative of their choice to apply on their behalf, for DSR assistance on basic eligibility criteria, so the same day they contacted the DSR direct service office. Individuals must have an opportunity to individual can make an informed decision on whether they want to proceed with the Diversion Benefits or an Application for Assistance. applying for DSR assistance and benefits.~~

#### **303 APPLICATION**

The DSR operates with two (2) types of applications: *Request for Diversion Benefits* and *Application for Assistance*.

##### **A. *Request for Diversion Benefits:***

An individual, who is ~~screened to be~~ potentially eligible for Diversion Benefits, may apply for the Diversion Benefits must submit by submitting a Request for Diversion Benefits form.

##### **B. *Application for Assistance:***

- ~~1. Interested individuals or~~New applicants and current Customers re-applying for continued assistance, must submit apply for DSR Assistance by submitting a DSR Application for Assistance to any DSR direct service office, in person, by mail, fax, or email to any DSR direct service office.

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2. The Application for Assistance must list all individuals residing in the home with the applicant.

3. A Needy Family (see definition) shall not have more than one (1) active case.

4. A Legal Custodial Parent, who resides with his/her minor child(ren), must be included in the benefit group, either as the Head-of-Household (HOH), Spouse of the HOH, or as the other parent of a minor child in the benefit group, unless excluded for one of the reasons listed at 307(A), 307(B) or 307(C).

2. 5. The effective date of eligibility for DSR assistance must be the date on which an application is received by a DSR direct service office, except for:

a. Application(s) received during non-business hours, including a holiday or recognized Navajo Nation official closure. ~~Applications received during this time must, shall~~ be date stamped for the next business day.

b. To prevent duplication of assistance, a Benefit Group receiving similar assistance from a State or other Tribal TANF, or Navajo Nation General Assistance during an Intake Month shall have their Effective Date for DSR assistance begin on the day after their assistance with the other program ends. An applicant must provide written verification indicating that the other assistance has ended.

c. A Benefit Group that meets all of the following criteria ~~must~~ shall be given the option of having their Effective Date begin on the first day of the following month in order to avoid having a partial month of assistance count toward their sixty (60) Countable Month Time Limit:

i. resides in a near reservation community;

ii. includes an adult member; and

iii. applies within the last five (5) ~~working~~ business days of an Intake Month.

C. An Applicant has the right to withdraw his or her application before a decision is rendered by:

1. Submitting the DSR *Voluntary Withdrawal/Closure/Removal Request* form; or

2. Submitting a written statement which must indicate they ~~requestare~~ requesting to withdraw their application and ~~waiveare~~ waiving their right to appeal.

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**304 INTERVIEWS**

~~An All~~ eligibility determination ~~interview shall~~ interviews must be scheduled and conducted timely, preferably within five (5) ~~working~~ business days ~~off from the date an Application Date~~ application is received at a DSR office. In no instance shall an eligibility determination interview be scheduled and/or conducted beyond fifteen (15) ~~working~~ business days ~~from the Application Date.~~ business days from the date an application is received at a DSR office, unless the applicant requests an Interview Date beyond the fifteen (15) business days.

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A. Application for Diversion Benefits:

An eligibility interview must be scheduled and conducted on the same day a request is made. For a two-parent application, including those that include stepparent, both parents must be present at the interview. At an individual's applicant's request, a third party may be present.

Refer to Section ~~704~~705 of this Policy if ~~a new applicant meets~~ for the eligibility criteria and ~~requirement~~requirements for the Diversion Benefits.

B. Application for DSR Assistance:

1. Eligibility determination interview must be scheduled on the same day an application is received, to be conducted preferably within five (5) working business days from the Application Date.

2. The following process must be implemented:

a. A direct service staff must interview all applicants to determine their eligibility for DSR assistance.

b. ~~Initial eligibility~~Eligibility interviews must be conducted in-person, including home visit, unless a justifiable reason exists to utilize a different method.

c. For two-parent applications, including those that include a stepparent, both parents must be present at the interview, unless a justifiable reason exists to utilize a different method.

d. An eligibility checklist requesting verification documents must be given to a head-of-household. Verification documents must be submitted within ten (10) working business days from the date of interview.

e. At an applicant's request, a third party may be present during an interview.

~~C. Eligibility determination interviews for continued (on-going) assistance must be conducted in person, including home visits or via Skype.~~

~~D.C.~~ An eligibility interview may be conducted by telephone or virtual platform if a justifiable reason exists. ~~A Justifiable reason include~~ including, but is not limited to, the following:

1. Customer is temporarily absent from the Service Delivery Area for employment, educational or training purposes.

2. Customer is in a medical or non-medical treatment facility.

3. Hospitalization of an immediate family member requiring the Customer's continuous presence.

4. Customer is incapacitated preventing him or her from traveling.

5. Severe inclement weather condition that prevents the Customer from traveling.

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6. Customer who has to travel one-hundred (100) or more miles, one-way, from the DSR office.

7. DSR office is closed to the public due to safety reasons.

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**305 REQUIRED DOCUMENTS**

A. To verify the age and U.S. citizenship of applicants and Customers, and to prevent duplication of assistance, and to verify the eligibility of family residing in a federally designated Near Reservation Community, the following documents must be submitted with an *Application for Assistance* or a *Request for Diversion Benefits*:

A.1. Birth Certificate

An official birth certificate Birth Certificate must be used to verify the age and U.S. citizenship of the submitted for the head-of-household and all members of the Benefit Group, to verify their age and U.S. citizenship, except for the following situations:

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1.a. A newborn child may be included in a Benefit Group without an official Birth Certificate for a period not to exceed ninety (90) calendar Daysdays after birth. If an official Birth Certificate is not submitted by the end of the ninety (90) calendar day period, a minor the newborn child shall must be removed from the Benefit Group until such time an official Birth Certificate is submitted to the DSR.

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2.b. An adult, who does not have an official Birth Certificate, must submit an Affidavit of Birth issued by the Navajo Office of Vital Records, in lieu of, an official Birth Certificate.

B.2. Social Security Card

A valid Social Security Card must be submitted for the head-of-household and all members of the Benefit Group must be submitted to prevent duplication of DSR assistance, except for the following situation:

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• A newborn child may be included in the Benefit Group for a period not to exceed ninety (90) calendar days after birth. If a Social Security Card is not submitted by the end of the ninety (90) calendar day period, the child must be removed from the Benefit Group until such time their Social Security Card is submitted to the DSR.

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C.3. Identification Card

A valid picture Identification Card must be used to verify submitted for the identity head-of-household, adult Customers benefit group members and Minor Parents- to verify their identity. An Identification Card with a picture such as a valid driver's license, valid employee identification card, state or tribal issued identification card, passport, military and/or dependent identification card, or school identification card are acceptable forms of Identification Card identification.

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Use of library, shopping or warehouse membership cards with a picture are not allowed acceptable.

**4. Certificate of Indian Blood**

For benefit groups residing within the city limits of a federally designated Near Reservation Community, a Navajo Certificate of Indian Blood or Navajo Nation Tribal ID Card must be submitted for the head-of-household, or a benefit group member, to qualify the benefit group for DSR assistance.

B. An adult or minor parent's name on their Social Security Card and Identification Card must match. If they do not match, the adult or minor parent shall be provided 180 calendar days, unless an extension is granted, to submit a Social Security Card and Identification Card that have matching names. On a case-by-case basis, the timeline may be extended for up to an additional 180 calendar days beyond the initial 180 calendar days period.

C. If an adult or minor parent does not submit a Social Security Card and Identification Card that have matching names by the established deadline, including any extensions granted, the adult or minor parent must be removed from the benefit group or, if the adult is the head-of-household, the case must be closed.

**306 NEEDY FAMILY**

A Needy Family has one (1) head-of-household. The DSR defines a "needy family" as a group of individuals, which includes at least one (1) minor child, living together under one (1) head-of-household and whose countable Gross Monthly Income does not exceed 200% of the federal poverty guideline for the applicable family size and meets all other eligibility criteria and requirements established for receipt of DSR assistance.

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

A. Their eustodial parent Custodial Legal Parent(s); or

B. Their eustodial parent Custodial Legal Parent and a stepparent by legal marriage; or

C. AC. Their related adult who is the primary caretaker of the minor child(ren), in which case only the child(ren) receives assistance, and will be considered as a child-only case; or

or  
An or unrelated adult caretaker who has Legal Custody of the minor child(ren), in which case only the child(ren) receives assistance, and will be considered as a child-only case. Caretaker.

**307 INELIGIBILITY FOR ASSISTANCE**

A. Applications for DSR assistance submitted by the following shall not be approved:

1. Adults who have met the DSR Time Limit for Assistance, except if they are applying for continued assistance and are granted a Hardship Exemption from the Time Limit requirement; or

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**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

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2. Adults who have received Diversion Benefits or Transitional Support Services and are currently in the three (3) month Disqualification Period.
- B. A Custodial Parent(s), who is/are ineligible for DSR assistance due to one (1) of the following reasons ~~will have, must not be included in the benefit group and~~ their income and assets must be counted in determining the Benefit Group's eligibility:
  1. Is not a United States citizen;  
~~Is in a disqualification period due to committing an Intentional Program Violation;~~  
~~Is in a disqualification period due to reaching the Fourth Level Penalty; or~~
  2. Is ineligible to receive DSR assistance due to one (1) of the following reasons:
    - a. 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 or Tribes for the following reasons:
      - i. programs funded under Title IV of the Social Security Act, which includes TANF;
      - ii. programs funded under Title XIX of the Social Security Act;
      - iii. programs funded under the Supplemental Nutrition Assistance Program, formerly the Food Stamp Act of 1977; or
      - iv. receipt of benefits in two (2) or more States under the Supplemental Security Income program under Title XVI.
    - b. 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; or
    - c. Currently violating a condition of probation or parole imposed by Federal or State law.
- C. An individual, who meets one of the following situations, must not be included in a Benefit Group, and their income and assets shall be disregarded in determining eligibility for DSR assistance:
  1. An individual receiving Supplemental Security Income; (SSI);
  2. A relative or non-relative ~~caretaker~~ Caretaker;
  3. A dependent child who turns nineteen (19) years of age;
  4. A protective payee(s); or
  5. An authorized representative(s).
- D. An individual included in a DSR Benefit Group at the time they begin receiving Supplemental Security Income benefits shall be removed from the Benefit Group as of the last day of the month in which they begin receiving Supplemental Security Income benefits.

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## **NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**

### **PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

- E. A Custodial Parent receiving non-SSI disability benefits shall have the option of being excluded from a DSR Benefit Group and have their income and assets disregarded, or be included in the DSR Benefit Group and have their income and assets counted in determining the Benefit Group's eligibility for DSR assistance.

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### **308 ELIGIBILITY FOR ASSISTANCE**

Customers must meet non-financial, financial and, if applicable, supplemental eligibility requirements in order to receive DSR assistance.

### **309 NON-FINANCIAL ELIGIBILITY REQUIREMENTS**

#### **A. Minor Child**

All DSR Benefit Groups must include at least one (1) eligible minor child.

1. In addition, all school age minor children in the Benefit Group must be enrolled in school: as a full-time student with acceptable attendance. During the summer break, ~~a minor child who completed the previous school year must be verified by submittal of~~ a final report card, or a document on official school letterhead, verifying the minor child completed the previous school year, shall be deemed as meeting this requirement.
2. An eighteen (18) year old, who is a full-time student in secondary school, may be included in the Benefit Group, as a minor child, up to the time they obtain their high school diploma or turn nineteen (19) years of age, whichever occurs first, and must be removed from the Benefit Group as of the last day of the month in which they receive a high school diploma or turn 19 years of age, whichever occurs first; ~~or~~.
3. A minor child, who received a high school diploma before the age of eighteen (18) years must be enrolled in a post-secondary school ~~within the State of Arizona, New Mexico, or Utah~~ educational institution to remain eligible for continued DSR assistance. ~~Exemption may be made up to the time they turn eighteen (18) years of age. During the summer months, submittal of an acceptance letter for the summer months and verification must be provided the following school term, or fall semester shall be deemed as meeting this requirement until such time they are enrolled in a post-secondary educational institution.~~

#### **B. Service Delivery Area**

~~The head of household and all members of the Benefit Group must have resided within the DSR's Service Delivery Area for at least thirty (30) consecutive days at the time of an initial application, or when adding new member(s) to a Benefit Group. The Service Delivery Area is:~~

~~All communities within the~~ 1. The DSR Service Delivery Area is:

- 1.a. The territorial boundaries of the Navajo Nation, including trust lands, fee lands, and the satellite communities of Alamo, To'hajiilee, and Ramah.

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## **NAVAJO NATION DEPARTMENT FOR SELF RELIANCE PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

~~2-b.~~ The city limits of a Designated Near Reservation community where the identified head-of-household or a Benefit Group member has a Navajo Census Number. The Designated "Near Reservation" communities for the Navajo Nation are listed in the Federal Register Vol. 44 No 9, Friday, January 12, 1979, pp. 2093-942693 (See Appendix, "On or Near Reservation Designation for the Navajo Nation").

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### **~~C. Service Population~~**

~~The DSR Service Population includes:~~

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~~All eligible Federally Recognized Tribal and Non Tribal families, living on the Navajo Nation, including trust lands, fee lands, and the satellite communities of Alamo, To'hajiilee and Ramah.~~

~~1. All eligible families, including child-only cases, living within the city limits of a designated near reservation community where the identified head-of-household, or a Benefit Group member, has a Navajo Census Number.~~

~~2. The head-of-household and all members of the Benefit Group must have resided within the DSR's Service Delivery Area for at least thirty (30) consecutive days at the time of an initial application, or when adding a new member(s) to a benefit group, unless one of the circumstances listed at Section 309.B.(3) applies.~~

~~2. 3. Approved DSR Customers, who are temporarily absent from the Service Delivery Area for one (1) of the following reasons, are considered domiciled at their permanent residence and may continue to receive assistance during their temporary absence on the condition they meet and comply with the criteria established at Section 309. CB. 4 herein:~~

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~~a. An adult Benefit Group member receiving education or training in accordance with their Personal Responsibility Plan.~~

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~~b. An employed adult Benefit Group member whose worksite is outside of the reasonable daily commuting distance and stays near their worksite on the days they are scheduled to work.~~

~~b.c. A Customer receiving medical or non-medical treatment.~~

~~e.d. A Customer whose presence is required during an immediate family member's medical or non-medical treatment.~~

~~d.c. A Customer receiving services in a domestic violence shelter or facility.~~

~~3. 4. Approved DSR Customers who are temporarily absent from the Service Delivery Area for one (1) of the reasons listed at Section 309. CB. 3 herein may continue to receive DSR assistance subject to the following conditions:~~

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~~a. The temporary absence from the Service Delivery Area may be granted and must not exceed ninety (90) calendar days from the date the Customer(s) vacates/leaves the Service Delivery Area, unless a justifiable reason exists to~~

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extend the temporary absence for up to an additional ninety (90) calendar days. If an extension is granted, the Customer's current Personal Responsibility Plan must be updated to include or extend appropriate work activities. Under no circumstance shall a temporary absence exceed one-hundred eighty (180) calendar days from the date a Customer or Benefit Group member first vacated/leaves the Service Delivery Area.

- b. Customers receiving medical or non-medical treatment must comply with their treatment plan as prescribed or outlined by a certified and/or licensed physician, counselor or therapist.
- c. Customers gaining education, training or on-the-job training must remain enrolled and making satisfactory progress in the educational or training program.
- d. Customers receiving domestic violence services must comply with their service plan as developed by a person trained in domestic violence.

5. A Benefit Group or Benefit Group member who relocates outside the Service Delivery Area shall be ineligible to receive DSR assistance as of the last day of the month in which they relocated.

### **C. Service Population**

The DSR Service Population includes:

- 1. All eligible tribal and non-tribal families, living on the Navajo Nation, including trust lands, fee lands, and the satellite communities of Alamo, To'hajiilee and Ramah; and
- 2. All eligible families, including child-only cases, living within the city limits of a designated near reservation community where the head-of-household, or a Benefit Group member, has a Navajo Census Number.

### **D. Residency**

- 4.1. All Benefit Group members must have resided with the head-of-household for at least thirty (30) consecutive days at the time of initial application, or ~~when adding member(s) as of the date the individual is being added~~ to a Benefit Group, those individual(s) ~~must have resided with the head-of-household for at least thirty (30) consecutive days, unless for one (1) of the following exceptions applies:~~

- a. A Benefit Group member who is temporarily absent from the home for no more than thirty (30) consecutive days, due to receiving medical or non-medical treatment;
- a.b. The head-of-household or a Benefit Group member is temporarily absent from the home, for no more than thirty (30) consecutive days, due to employment;
- b.c. A Benefit Group Member's presence is required during an immediate family member's medical or non-medical treatment;

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~~e.d.~~ Minor child(ren) residing in a dormitory while attending a school located in the ~~States~~State of Arizona, New Mexico ~~and/or~~ Utah; or

~~d.e.~~ Minor child(ren) whose Custodial Parent(s) have deceased and is/are placed in the care of a Caretaker or Stepparent.

~~5.2.~~ For approved on-going cases, all Benefit Group members must continue to reside with the head of household, except if one (1) of the criteria under 309. C. (3) herein occurs.

~~6.3.~~ A newborn child may be included in the Benefit Group beginning the month following their date of birth if the new born ~~complies with~~meets all other eligibility criteria and requirements.

~~D.~~ E. Citizenship

The head-of-household and all Benefit Group members must be United States citizens and must be verified by an official birth certificate; affidavit of birth; or certificate of naturalization.

~~E.~~ F. Time Limit

1. The DSR Time Limit for an adult or emancipated minor ~~parent~~head-of-household to receive DSR assistance must not exceed sixty (60) Countable Months, whether or not consecutive. The time limit does not apply to minor children, including unemancipated Minor Parents in a Benefit Group.

2. Any and all prior months of TANF assistance funded with the TANF Block Grant, including State and other Tribal TANF, shall be counted towards the Time Limit, unless an exemption or disregard criteria is met (45 CFR, Part 286, §286.125).

3. An application submitted by, or which includes, an Adult who has received sixty (60) Countable Months of TANF Assistance shall not be approved, except if it is an application for continued assistance and the adult has been granted a Hardship Exemption.

~~F.~~ G. Hardship Exemption

1. A hardship exemption from the DSR Time Limit may be granted to a Customer experiencing a condition that hampers or inhibits his or her ability to maintain work or enter into work related activities. If a hardship exemption is granted, the month is not counted towards their sixty (60) month time limit. A Customer who is granted a hardship exemption is included in the overall work participation rate. (45 CFR §286.120).

2. Examples of a hardship include, but are not limited to, the following:

a. Victim of domestic violence whose participation in work activities may cause an immediate threat to his or her own safety or the safety of his or her children;

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- b. Customer who has a medical condition that prevents him or her from participating in work activities ~~which must be~~ and the condition is confirmed, in writing, by a physician;
- c. Customer with significant cognitive, physical, and/or mental impairment that limit his or her educational and job skills attainment and/or their ability to secure and retain employment due to an impairment, for which a documentation of his or her condition must be ~~required~~ submitted;
- d. Customer responsible for providing full-time care of an elderly person or a disabled dependent, for which a documentation must be ~~required~~ submitted;
- e. Families who are homeless due to vandalism, hazardous living conditions, acts of nature, or their home was destroyed by fire and is uninhabitable; or
- f. Families who are homeless due to eviction.

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### **310 SUPPLEMENTAL ELIGIBILITY CRITERIA**

In addition to meeting non-financial and financial eligibility criteria, Caretakers, Two Parent Families, Stepparents and Minor Parents must meet ~~the~~ applicable Supplemental Eligibility Criteria.

#### **A. Caretakers**

- ~~1. A Caretaker related by blood or marriage to~~ Caretakers must have Legal Guardianship/Custody of the minor child(ren) on whose behalf he or she is applying must provide legal they are applying, unless the following time-limited exception applies:

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- a. A Caretaker, related by blood or marriage to the minor child(ren) on whose behalf he or she is applying or receiving assistance and does not have Legal Guardianship/Custody of the minor child(ren) shall be allowed a one-time opportunity to include the child(ren) in the Benefit Group for up to twelve (12) months, without establishment of Legal Guardianship/Custody, on the condition they agree to comply with the following:
  - i. Provide documentation such as court order, referral, (birth certificate, family card, etc.) verifying that he or she is an immediate relative and designated related by blood or marriage to the minor child(ren);
  - ii. Provide documentation (e.g., court order, Social Services referral, notarized Power of Attorney, etc.) designating him/her as the primary care provider for the minor child(ren);
  - iii. Initiate the process of obtaining Legal Guardianship/Custody by no later than three (3) months after approval for DSR assistance; or, for Caretakers in on-going cases, three (3) months after implementation of this requirement; and

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
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iv. At each Personal Responsibility Plan review, provide verification of actively pursuing legal Guardianship/Custody for the minor child(ren).

2-b. If, at any time during the twelve (12)-month period, the Relative Caretaker who is not related by blood or marriage to the minor child(ren) on whose behalf he or she is applying must provide legal documentation verifying that he or she has Legal Custody of the minor child(ren). Otherwise, the minor child(ren) does not comply with the established conditions, the minor child(ren) shall be deleted from the Benefit Group and cannot be included in the Benefit Group until a legal document is provided. Legal Guardianship/Custody is obtained.

c. If Legal Guardianship/Custody has not been established for the child(ren) by the end of the twelve (12) month period, a review will be conducted to determine if the Caretaker made a "Good Faith" effort to obtain Legal Guardianship/Custody.

d. If the review determines that the Caretaker made a "Good Faith" effort, but was unable to obtain Legal Guardianship of the minor child(ren) due to a reason(s) beyond their control, with the approval of the local office Program Supervisor II, the Caretaker may be given up to an additional twelve (12) months to obtain Legal Guardianship/Custody of the minor child(ren).

e. If the review determines that the Customer did not make a "Good Faith" effort to obtain Legal Guardianship/Custody, the minor child(ren) will be removed from the benefit group at the end of the month in which the twelve (12)-month period ends and the minor child(ren) will be ineligible to be included in the Benefit Group until Legal Guardianship/Custody is obtained.

f. Under no circumstance shall a minor child be included in a Benefit Group for more than twenty-four (24) months after initial approval without the Relative Caretaker obtaining Legal Guardianship/Custody of the minor child.

3- 2. The income and resources of a Caretaker shall not be considered in determining the Benefit Group's eligibility for DSR assistance.

4- 3. A Caretaker will not be subject to Work Participation requirements.

**B. Two-Parent Assistance**

1. In situations where two (2) Custodial Parents reside with the minor child(ren) they are applying with, the parents must apply together for Two-Parent Assistance, unless one of the exceptions listed at 307(B) or 307(C)(1) applies, and must meet the following criteria:

a. The parents and the minor child(ren) in the benefit group must reside in the same home or in close proximity to one another where they are able to function as a family and have regular physical contact. For the purpose of this section, close proximity is defined as within a two (2) mile radius.

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2. In situations where a Custodial Parent and a Stepparent are in a Common-Law Marriage and they do not have a common child they are applying with, the parent(s) must sign an *Affirmation of Common-Law Marriage* form in order for the Stepparent to be eligible to be included in a Two-Parent benefit group.
3. If the parents are Caretakers for an eligible minor child(ren) in their care, the minor child(ren) must be included in the Two-Parent Assistance case.
4. If one or both parents are ineligible to be included in the benefit group due to one of the reasons listed at 307.B., or 307.C.(1), assistance and services will be provided as a one-parent or child-only case until such time the parent(s) regain(s) their eligibility.

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**B.C. Stepparents**

A Stepparent, who is legally married to the Custodial Parent of the minor child(ren), in the benefit group and meets the DSR eligibility criteria and requirements may be included in a Benefit Group.

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**C.D. Custodial Minor Parents**

**1. Emancipated Minor Parent-Head-of-Household**

- a. A Custodial Minor Parent-Head-of-Household under the age of eighteen (18) may apply for DSR assistance on their own behalf if they are emancipated, which must be verified by a court order.
- a.b. An emancipated Minor Head-of-Household receiving monthly assistance shall be subject to Work Participation, Personal Responsibility Plan, and Time Limit requirements.

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**2. Non-emancipated Minor Parent**

A minor parent, who is not emancipated, is considered a minor child and their legal parent or their court appointed guardian remains legally responsible for him or her until they reach the age of eighteen.

- a. A Custodial Minor Parent under the age of eighteen (18) who is not emancipated may receive DSR assistance in accordance with the following requirements:
  - i. ~~An adult must apply on behalf of the~~ If the Minor Parent(s) resides with their Custodial Parent(s), the Custodial Parent(s) must apply on their own, the Minor Parent(s) and the Custodial-Minor Parent's child(ren); ~~The~~. A Custodial Parent, who resides with his/her minor child(ren), must be included in the benefit group, unless excluded for one of the reasons listed at 307(A), 307(B) or 307(C).
  - ii. For Minor Parents who do not reside with their Custodial Parent, an adult Caretaker must apply on behalf of the Minor Parent(s) and the Minor Parent's child(ren).

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iii. Minor Parents who have not attained a high school diploma or General Education Diploma must be attending a high school, or an equivalency program; and,

iv. The Custodial Minor Parent(s) must be living in a place of residence maintained by a parent, legal guardian, or ~~other~~ an adult ~~relative~~. Caretaker.

b. ~~The Custodial~~ An unemancipated Minor Parent(s) ~~receiving monthly assistance included in a benefit group~~ shall not be subject to Work Participation, Personal Responsibility Plan, and Time Limit requirements.

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**311 FINANCIAL ELIGIBILITY CRITERIA**

A Needy Family must not exceed the Total Countable Assets, Gross Countable Monthly Income, and Net Countable Income eligibility criteria to be eligible to receive DSR assistance payments.

**A. Total Countable Assets**

**1. Countable Assets**

Funds in a checking, ~~savings~~, and/or ~~certificate of deposits~~ savings bank account(s) that holds money for a Benefit Group member shall be verified with a monthly financial statement and counted toward the established asset limit, except if it is disregarded in accordance with Federal, State, or Tribal law, judgement, or settlement.

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2. Earned and unearned income deposited into a checking or savings bank account shall be considered countable income, unless disregarded pursuant to Section 311.B.2. (Non-Countable Income), in the month it is received.

~~2.3.~~ Any income listed at Section 311. ~~C. of this Policy~~, B.2. (Non-Countable Income), that is deposited into a checking and/or savings bank account(s) will not be counted as a Countable Asset.

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~~3.4.~~ A Needy Family's Total Countable Assets must not exceed three thousand dollars (\$3,000) per month.

5. If a Needy Family's Total Countable Assets exceed \$3,000 per month, the Benefit Group is ineligible for DSR monthly assistance.

**B. Income Types**

**1. Countable Income**

The following income are counted in determining eligibility for DSR assistance, unless disregarded in accordance with Federal, State or Tribal law, judgement or settlement:

**a. Earned Income**

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i. Employment Income

Income received as wage, salary or commission, bonus or tips from permanent, temporary, full-time, or part-time employment.

ii. Self-Employment Income

Income received from operating one's own business where the usual employment withholdings such as Federal and/or State Taxes, Self-Employed Contributions Act, and Medicare are not deducted from the income.

b. Unearned Income

Income derived from sources other than employment, including, but not limited to:

- i. Child Support Payments;
- ii. Social Security Benefits - Retirement, Survivors, and Disability Insurance;
- iii. Retirement Benefits, including Federal, State, Tribal, and railroad;
- iv. Interest and dividend statement from a financial institution;
- v. Royalty payments such as oil, gas and other minerals;
- vi. Rental/lease of properties/land;
- vii. Per capita payments derived from Tribal owned trust or income producing enterprises, unless excluded by federal statute;
- viii. Unemployment Insurance Compensation;
- ix. Vacation/Sick/Severance payments;
- x. Lottery and Gambling winnings;
- xi. Insurance Settlements;
- xii. Worker's Compensation;
- xiii. Disability payments to individuals included in the Benefit Group, except for military disability compensation;
- xiv. Foster Care payments received for Minor Children included in the Benefit Group; and
- xv. After one-year from the date a payment is received from the Land Buy-Back Program, pursuant to the Claims Resolution Act of 2010, Pub. L. No. 111-291, Section 101(f).

c. Earned and unearned income deposited into a bank account or pre-paid debit card, including through on-line payment systems (e.g. PayPal, Zelle, Apple Pay, Google Pay, etc.), will be considered countable income, unless disregarded, in the month it is received.

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**C.2. Non-Countable Income**

Income derived from the following source are not counted in the determination of eligibility for DSR assistance:

- 1.a.** Workforce Innovation and Opportunity Act and Native Employment Works program payments;
- 2.b.** Job Corps payments;
- 3.c.** Educational grants, scholarships, student work study, student loans, and other awards from a recognized source to the extent the money is used for educational expenses only;
- 4.d.** Low Income Home Energy Assistance Program or any other Emergency Energy Assistance Program;
- 5.e.** Supplemental assistance from public or private agencies to help the Benefit Group meet emergency situations or balance of need not met by the DSR, such as Community Services Block Grant; Emergency Assistance; Title IVB, Subpart 1 of the Social Security Act; Housing and Urban Development; and other utility allowances;
- 6.f.** Wages of dependent children eighteen (18) years or younger in the Benefit Group who are enrolled students;
- 7.g.** The value of food produced in home farming for the Benefit Group's consumption;
- 8.h.** Reimbursements for job related expenses such as travel, lodging, meals, or mileage;
- 9.i.** Value of supplemental food assistance received under the Child Nutrition Act, the National School Lunch Act and the United States Department of Agriculture Supplemental Nutrition Assistance Program;
- 10.j.** Payments made under the United States Housing Act – Annual Contributions Contract, Housing and Urban Development community development block grant funds and Escrow Accounts in the Family Self Sufficiency Program;
- 11.k.** Cash value of the United States Department of Agriculture Commodities Food Assistance;
- 12.l.** Relocation assistance or allowances under the Housing Act, including payments made under Title II of the Uniform Relocation and Real Property Acquisition Policy, and the Navajo-Hopi Relocation Act (P.L. 93-531);
- 13.m.** Tax-exempt portions of payments made under the Alaska Native Claims Settlement Act;
- 14.n.** Agent Orange Settlements or payments made under the Radiation Exposure Compensations Act for injuries or death of nuclear testing or uranium mining;

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15.o. Benefits received under Title III and VI, Nutrition Program for the Elderly–Older Americans Act;

16.p. Payments to public service volunteers, e.g. Foster Grandparent Program, community services programs, AmeriCorps, plasma donation, recycling, etc.;

17.q. Terminated Income (Does not apply to on-going cases);

18.r. In-Kind Income (Compensation received in non-monetary form, such as room and board, livestock, etc.) for a service(s) performed, that is not converted to cash;

19.s. Gifts received in the form of cash or non-cash, given voluntarily without requiring something in return;

20.t. Foster Care payments received for minor children not included in the Benefit Group;

21.u. Military service-related Benefits including, but not limited to, the following: education and training, health care, disability, dependency and indemnity, or survivor's compensation;

22.v. The first three hundred dollars (\$300) of the Needy Family's Net Monthly Earned Income;

23.w. The first one hundred dollars (\$100) of the Needy Family's Net Monthly Unearned Income;

24.x. All income earned from participation in the DSR's Subsidized Adult Employment;

25.y. Federal and State Income Tax Returns;

26.z. Allowances or stipend payments received to cover living expenses while participating in an educational or training program;

aa. Payments excluded by federal statute or court order; and

bb. Payment from the Land Buy-Back Program for Tribal Nations is tax exempt, for a one-year period, starting on the date a payment is received, and that payment will not affect benefits received or are eligible to receive under any federal or federally-assisted program, pursuant to the Claims Resolution Act of 2010, Pub. L. No. 111-291, Section 101(f).

**C. Gross Countable Monthly Income**

A Needy Family's Gross Countable Monthly Income is the total amount of earned and unearned income received, before mandatory and allowable deductions are applied.

1. For new applications, a Needy Family's "Prospective" (anticipated) Gross Countable Monthly Income for the Intake Month will be used to determine the Benefit Group's eligibility for DSR assistance.

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Income received weekly, bi-weekly or which fluctuates will be converted to a monthly amount resulting in a Gross Countable Monthly Income.

2. For on-going cases (after the first two months of assistance), the Benefit Group's eligibility will be determined using the "Retrospective" concept, in which a Needy Family's actual income received in the income month is used to determine eligibility for the benefit month.
3. If a Needy Family's Gross Countable Monthly Income exceeds the current National Poverty Guidelines adjusted at two hundred percent (200%) for the applicable Benefit Group size, the Benefit Group is **ineligible** to receive DSR Assistance.
4. If a Needy Family's Gross Countable Monthly Income is below the current National Poverty Guidelines adjusted at two hundred percent 200% for the applicable Benefit Group size, proceed to Net Countable Monthly Income provision.

**D. Net Countable Monthly Income**

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A Needy Family's Net Countable Monthly Income is the total amount of earned and unearned income received from non-disregarded income sources after applying mandatory and allowable deductions.

1. For new applications, the Needy Family's "Prospective" (anticipated) Net Countable Monthly Income for the Intake Month will be used to determine the Benefit Group's eligibility for DSR assistance.
2. For on-going cases (after the first two months of assistance), the Benefit Group's eligibility will be determined using the "Retrospective" concept.

The Retrospective concept is where, at the time a Benefit Group's eligibility is being determined, the Net Countable Monthly Income received in the prior month (Income Month) is used to determine eligibility for the next month (Benefit Month).

**EXAMPLE:** During the month of September, a Benefit Group's eligibility for an October (Benefit Month) assistance payment is determined using actual income received in August (Income Month).

3. The Monthly Income Worksheet is used to determine the Needy Family's Eligible Monthly Assistance Amount (see **Chart 1**).
4. Countable Monthly Earned Income

The Needy Family's Countable Monthly Earned Income (Monthly Income Worksheet #8) is determined as follows:

- a. If a Needy Family has income from employment by others, subtract the following verified Mandatory Deductions (Monthly Income Worksheet #4b) from the Gross Monthly Employment Income (Monthly Income Worksheet #4a):

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- i. Federal and/or State Withholding Taxes;
- ii. Federal Insurance Contributions Act Tax;
- iii. Medicare;
- iv. Health and medical insurance premiums;
- v. Court ordered child support and/or alimony payments; and
- vi. Court ordered restitution payments.

**NOTE:** If Mandatory Deductions cannot be verified, apply a twenty percent (20%) deduction to the Gross Monthly Employment Income.

- b. If the Needy Family has Self-Employment Income (Monthly Income Worksheet #5a), subtract twenty percent (20%) of the Gross Self-Employment Income (Monthly Income Worksheet #5b) for expenses incurred, including taxes and/or insurance.
- c. Calculate the Needy Family's Net Monthly Earned Income (Monthly Income Worksheet #6) by:
  - i. Adding Gross Monthly Employment (Monthly Income Worksheet #4a and Gross Self-Employment Income (Monthly Income Worksheet 5a); then
  - ii. Subtracting Mandatory Deductions (Monthly Income Worksheet #4b) and Self-Employment Deductions (Monthly Income Worksheet # 5b).
- d. Employment Allowance

If the Needy Family's Net Monthly Earned Income (Monthly Income Worksheet #6) is greater than zero, the Needy Family is eligible for an Employment Allowance of up to three hundred dollars (\$300) in accordance with the following:

- i. If the Needy Family's Net Earned Income is less than three hundred dollars (\$300), the Employment Allowance will be the Net Earned Income.
  - ii. If the Needy Family's Net Earned Income is three hundred dollars (\$300) or greater, the Employment Allowance will be three hundred dollars (\$300).
  - e. The Needy Family's Countable Monthly Earned Income (Monthly Income Worksheet #8) is the Net Countable Earned Income (Monthly Income Worksheet #6) minus, if applicable, the Employment Allowance (Monthly Income Worksheet #7).
5. Countable Monthly Unearned Income
- A Needy Family's Countable Monthly Unearned Income (Monthly Income Worksheet #13) is calculated as follows:

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- a. If a Needy Family member(s) receives Unemployment Insurance Compensation benefit payments:
    - i. Calculate the Gross Unemployment Insurance Compensation amount (Monthly Income Worksheet #9a) by adding the Unemployment Insurance Compensation payments received during the Income Month.
    - ii. Calculate the Unemployment Insurance Compensation Deduction (Monthly Income Worksheet #9b) by multiplying the Gross Unemployment Insurance Compensation amount by thirty-three percent (33%). The Unemployment Insurance Compensation deduction is for work search related expenses and does not apply to any other type of unearned income.
  - b. Calculate Other Unearned Income (Monthly Income Worksheet #10) by adding all other sources of Unearned Income.
  - c. Calculate Net Monthly Unearned Income (#11) by adding Gross Unemployment Insurance Compensation amount (Monthly Income Worksheet #9a) and Other Unearned Income (Monthly Income Worksheet #10), then, if applicable, subtracting the Unemployment Insurance Compensation Deduction (Monthly Income Worksheet #9b).
  - d. If a Needy Family's Net Monthly Unearned Income (Monthly Income Worksheet #11) is greater than zero, the Needy Family is eligible for an Unearned Income Disregard (Monthly Income Worksheet #12) of up to one-hundred dollars (\$100) in accordance with the following:
    - i. If a Needy Family's Net Unearned Income is less than ~~one hundred~~ one hundred dollars (\$100), the Employment Allowance will be the Net Unearned Income Amount (Monthly Income Worksheet #11).
    - ii. If a Needy Family's Net Unearned Income is one-hundred dollars (\$100) or greater, the Employment Allowance will be one-hundred dollars (\$100).
  - e. A Needy Family's Countable Monthly Unearned Income (Monthly Income Worksheet #13) is calculated by subtracting the Unearned Income Disregard amount (Monthly Income Worksheet #12), from the Net Monthly Unearned Income (Monthly Income Worksheet #11).
6. Total Countable Monthly Income
- Calculate a Needy Family's Total Countable Monthly Income (Monthly Income Worksheet #14) by adding the Countable Monthly Earned Income (Monthly Income Worksheet # 8) and the Countable Monthly Unearned Income (Monthly Income Worksheet # 13).
7. Net Countable Monthly Income
- Calculate a Needy Family's Net Countable Monthly Income (Monthly Income Worksheet #16) by subtracting the Dependent Care Deduction (Monthly Income



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Worksheet #15), if applicable, from the Total Countable Monthly Income (Monthly Income Worksheet #14).

8. Dependent Care Deduction

Expenses incurred by the Custodial Parent(s) for the care of a child(ren) younger than thirteen (13) years of age may be deducted from the Countable Monthly Earned Income in accordance with the following:

- a. The dependent care expense is:
    - i. required to allow the Custodial Parent(s) to participate in work participation activities; and
    - ii. verified by an original bill or receipt.
  - b. The Custodial Parent must have paid or is personally responsible for paying the dependent care expense.
  - c. The dependent care expense can be for a child(ren) who is/are not included in the Benefit Group.
  - d. The maximum Dependent Care Deduction shall be one hundred and fifty dollars (\$150) per month for each eligible child.
9. If a Needy Family's Net Countable Monthly Income (Monthly Income Worksheet #16) is equal to or exceeds the Payment Standard for the applicable Benefit Group Size, the Benefit Group shall be **ineligible** to receive DSR assistance.
10. If a Needy Family's Net Countable Monthly Income (Monthly Income Worksheet #16) is less than the Payment Standard for the applicable Benefit Group size and the Benefit Group meets all other eligibility criteria, proceed to determining the Benefit Group's Eligible Monthly Assistance Amount.

**312 ELIGIBILITY-MONTHLY ASSISTANCE AMOUNT DETERMINATION**

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The current DSR Payment Standard shall be used to determine the Monthly Assistance Amount a Benefit Group is eligible to receive.

- A. The Monthly Assistance Amount a Benefit Group is eligible to receive shall be the difference between a Needy Family's Total Net Countable Income and the Payment Standard for the applicable Benefit Group size.
- B. For new approvals, the Monthly Assistance Amount a Benefit Group is eligible to receive for the first two (2) months of assistance is determined by subtracting the Needy Family's Total Countable Income for the Intake Month from the Payment Standard for the applicable Benefit Group size.
- C. For ongoing cases, after the first two (2) months of assistance, the Monthly Assistance Amount a Benefit Group is eligible to receive is determined by subtracting a Needy Family's Actual Net Countable Income for the Income Month from the Payment Standard for the applicable Benefit Group size.

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EXAMPLE: During the month of September, a Benefit Group's eligibility for an October (Benefit Month) assistance payment is determined using the Family's actual Total Countable Income received in August (Income Month).

**313 MONTHLY ASSISTANCE PAYMENTS**

- A. The DSR Payment Standard for the applicable Benefit Group size is the maximum amount of assistance a Benefit Group may receive each month.
- B. If a Benefit Group has countable income, the monthly assistance amount the Benefit Group receives shall be the difference between the Payment Standard for the benefit month for the applicable Benefit Group size, and a Benefit Group's Net Countable Monthly Income.
- C. The amount a Benefit Group is eligible to receive may change when:
  1. a penalty is imposed;
  2. an overpayment is collected;
  3. an underpayment is remedied; or
  4. a pro-rated monthly payment is issued.
- D. Monthly benefit payments will be issued using the DSR's established payment method ~~established by the DSR.~~
- E. Subject to the availability of funds, the DSR may establish a Winter Assistance Payment Standard to assist DSR Benefit Groups in meeting the increased costs for basic needs during the winter months, including. ~~In addition to helping the Benefit Group meet the costs of home heating their homes during the winter season, it will also assist the Benefit Group with and~~ additional expenses incurred for food, clothing and utilities (water, electricity, etc.) ~~during the time while~~ children are at home ~~while~~ on their winter school break. ~~DSR will establish the Winter Assistance Payment Standard based on the availability of funds.~~ The DSR Winter Payment Standard for the applicable Benefit Group size will be the maximum amount of assistance a Benefit Group may receive. A Benefit Group that received DSR's Winter Assistance will not be eligible for school clothing assistance, emergency assistance, and low-income heating and energy assistance provided by the Navajo Nation with other funding sources.

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**Chart 1: Eligible Monthly Assistance Amount**

**Monthly Income  
Worksheet**

**MONTHLY EARNED INCOME**

	Gross Monthly Employment Income (GMEI)	4a.
Minus	Mandatory Deductions (Actual or 20% of GMEI)	4b.
Plus	Gross Monthly Self-Employment Income (GMSEI)	5a.
Minus	Self-Employment Deduction (20% of GMSEI)	5b.
<hr/>		
EQUALS	Net Monthly Earned Income (NMEI)	6.
Minus	Employment Allowance (up to \$300 of NMEI, if eligible)	7.
<hr/>		
EQUALS	<b>Countable Monthly Earned Income</b>	8.

**MONTHLY UNEARNED INCOME**

	Unemployment Insurance Compensation (UIC)	9.a.
Minus	UIC Deduction (33%)	9.b.
Plus	Other Unearned Income	10.
<hr/>		
EQUALS	Net Monthly Earned Income	11.
Minus	Unearned Income Disregard (up to \$100.00)	12.
<hr/>		
EQUALS	<b>Countable Monthly Earned Income</b>	13.

**COUNTABLE MONTHLY INCOME**

	Countable Earned Income	8.
Plus	Countable Unearned Income	13.
<hr/>		
EQUALS	Total Countable Monthly Income	14.
Minus	Dependent Care Deduction (if eligible)	15.
<hr/>		
EQUALS	<b>Net Countable Monthly Income</b>	16.

**ELIGIBLE MONTHLY ASSISTANCE AMOUNT**

	Payment Standard for the Applicable Benefit Group Size	17.
Minus	Net Countable Monthly Income	16.
<hr/>		
EQUALS	<b>ELIGIBLE MONTHLY ASSISTANCE AMOUNT</b>	18.
	(If zero or negative, Benefit Group is ineligible)	

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**314 ELIGIBILITY DECISION**

A decision shall be rendered on all applications for DSR assistance and written notification provided to the Customer, preferably within five (5) ~~workingbusiness~~ days after the Interview Date, ~~but~~by no later than fifteen (15) ~~workingbusiness~~ days after the Interview Date.

**315 CERTIFICATION PERIOD**

Benefit Groups determined eligible for DSR assistance may be certified to receive DSR assistance for a period not to exceed twelve (12) benefit months with the understanding that, if there is a change in their circumstances, their eligibility may be re-determined at any point during the Certification Period.

- A. A Benefit Group may request to continue receiving assistance beyond the end of their Certification Period by submitting a new application, and have their eligibility re-determined prior to the end of their current Certification Period.
- B. A Benefit Group that is not approved for continued assistance by the end of their current Certification Period shall have their case closed effective the last day of their Certification Period.

**316 PROTECTIVE PAYEE**

A Protective Payee may be appointed, voluntarily or involuntarily, to receive Monthly Assistance Payments on behalf of the Benefit Group.

- A. A head-of-household may voluntarily appoint a Protective Payee by completing a *Protective Payee Appointment* form. The designated Protective Payee must sign the form and acknowledge the appointment in the presence of a DSR staff who will sign as a witness.
- B. A head-of-household may appoint a Protective Payee at any time after approval for receipt of DSR assistance.
- ~~B.C. The head-of-household may withdraw their voluntary appointment of a Protective Payee at any time by submitting written notice to the DSR.~~
- ~~C. A Customer may appoint a Protective Payee at any time after approval for receipt of DSR assistance.~~
- D. If the appointment of a Protective Payee is court ordered, a copy of the court order must be provided to support the appointment.
- E. The Protective Payee may be required to verify the monthly assistance payments are used for the basic needs of the Benefit Group.

**317 AUTHORIZED REPRESENTATIVE**

An Authorized Representative may be appointed, voluntarily or involuntarily, at any time after a Customer's application for DSR assistance is approved, to represent the Benefit Group, and act on behalf of the head-of-household, until the appointment is revoked.

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- A. A head-of-household may voluntarily appoint an Authorized Representative by submitting an *Authorized Representative Appointment* form, completed and signed by the head-of-household and the appointed individual.
- B. The head-of-household may withdraw their voluntary appointment of an Authorized Representative at any time by submitting written notice to the DSR.
- C. The Authorized Representative Appointment must be documented in the Benefit Group's case record.
- D. An individual appointed by court order must provide a copy of the court order to be filed in the Customer's case folder.
- E. The financial resources of the Authorized Representative will not be considered in the determination of the Benefit Group's eligibility.

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**-318 INCAPACITATED HEAD-OF-HOUSEHOLD**

In situations where the head-of-household is no longer able to make decisions due to loss of mental capacity (e.g. coma, has no brain function, is in a vegetative state, etc.) and is expected to remain in that condition for an extended period, the case must be closed at the end of the month in which a doctor's statement verifying the above is received.

- A. For two-parent cases, the spouse may apply as a one-parent case if they want to continue receiving DSR assistance.
- B. For one-parent cases, the Caretaker for the child(ren) may apply as a child-only case if they want to receive DSR assistance on behalf of the child(ren).
- C. For child-only cases, the new Caretaker for the child(ren) may apply as a child-only case if they want to receive DSR assistance on behalf of the child(ren).

**SECTION 400: NAHAT'Á (PLANNING)**

**401 PURPOSE**

It is the purpose of the DSR to create a Customer-centered environment that encourages personal change by assisting Customers with identifying specific opportunities that foster a positive outcome.

**402 CASE ASSIGNMENT**

- A. A Program Supervisor II must assign newly approved and transferred cases within five (5) workingbusiness days of approval or transfer.
- B. Assigned Senior Caseworkers and Principal Caseworkers must contact the Customer(s) within five (5) workingbusiness days after assignment to schedule an appointment to develop or review their Personal Responsibility Plan.

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**403 CUSTOMER ORIENTATION AND ASSESSMENTS**

**A. Customer Orientation**

1. Adult(s) and emancipated minor heads of households in a newly approved case must attend and complete a DSR Orientation Session by no later than thirty (30) business days after the date of approval for DSR benefits.
2. The purpose of the Customer Orientation is to provide Customers with basic information on:
  - a. Welfare Reform;
  - b. Department for Self Reliance;
  - c. Customer's Rights and Responsibilities;
  - d. DSR staff's Rights and Responsibilities;
  - e. Time limit for assistance;
  - f. Personal Responsibility Plan requirement;
  - g. Work participation requirements;
  - h. Penalties for non-cooperation/non-compliance;
  - i. Support services; and
  - j. Other pertinent information.
3. Customers, who attended and completed a DSR Orientation Session within the twelve (12) month period prior to their approval date, will be exempted from this requirement, but should be orientated on recent changes by their assigned SCW/PCW.
4. A Customer who does not complete a DSR Orientation Session within the thirty (30) business day period shall be subject to penalty in accordance with Section 802.

**B. Assessments**

Assessments are the systematic collection, documentation, analysis, and use of information of a Customer's knowledge, skills, attitudes, benefits, and social and emotional capacities.

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A.1. Assessments are necessary tools in developing a Personal Responsibility Plan to:

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- 1.a. Develop a comprehensive plan for services;
- 2.b. Establish priorities for service delivery;
- 3.c. Understand the Customer's current status, desired state and needs;
- 4.d. Determine the best ways to move the Customer from the current state to the desired state; and
- 5.e. Justify the actions taken, decisions and referrals made, and services provided.

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2. B.—Assessment Tools include, but are not limited to:

- 1-a. Barriers to Employment Success Inventory: Helps individuals identify their major barriers to obtaining a job or succeeding in their employment.
- 2-b. Picture Interest Career Survey: A visual vocational interest survey to help individuals identify their career interests.
- 3-c. Test of Adult Basic Education: Used to measure basic academic skills commonly found in adult education curricula taught in high school and adult instructional programs.
- 4-d. Informal Assessment Interview: To identify a Customer's priorities, experiences, strengths, and skills.

3. The Test of Adult Basic Education (TABE) must be administered to assess the educational level of Customers who are required to comply with Work Participation requirements.

a. All adults and emancipated Minor Heads-of-Household in a newly approved DSR case must complete a Test of Adult Basic Education (TABE) within thirty (30) business days after approval, unless one of the following exceptions applies:

- i. The Customer, who has been accepted into, or is currently attending, a post-secondary educational institution will not be subject to this requirement.
- ii. A Customer, who has taken the TABE within the six (6)-month period prior to their approval date, may submit their TABE results in lieu of taking their initial TABE Test.
- iii. Caretakers are exempted from this requirement.

b. To track progress, Customers subject to this requirement must update their TABE result at least annually, unless the local office supervisor approves an exemption.

a.c. A Customer who fails to comply with this requirement shall be subject to penalty in accordance with Section 802.

### **404 PERSONAL RESPONSIBILITY PLAN DEVELOPMENT**

A Personal Responsibility Plan outlines the Customer's plan to gain the skills, education, training, and services necessary for employment and/or self-sufficiency.

A. A Personal Responsibility Plan is developed using the following criteria:

- 1. Assessment data;
- 2. Knowledge of short-term and long-term goal(s);
- 3. Customer's current status; and

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4. Assist Customers with identifying steps to achieve short-term and long-term goals.

**B. Initial Personal Responsibility Plan for New Customers**

1. An initial Personal Responsibility Plan is required for each adult Benefit Group member, head-of-household in Child-Only cases, and ~~Custodial~~emancipated Minor Parent. An initial Personal Responsibility Plan must be developed and implemented by no later than thirty (30) ~~working~~business days after an initial application is approved. Failure to develop an initial Personal Responsibility Plan ~~must be by the established due date will result in the Customer being~~ subject to ~~penalties~~imposition of a penalty in accordance with Section 802 of this Policy.
2. Adult Benefit Group members shall develop their Personal Responsibility Plan based on their interests and chosen goals.
3. For Child-Only cases, the head-of-household's Personal Responsibility Plan must focus on the success and well-being of the child(ren).
4. ~~A Direct services staff~~The Customer's assigned Senior Caseworker or Principal Caseworker will facilitate the Personal Responsibility Plan development and provide necessary support and coaching toward the Customer's chosen goals.
5. Assessment results ~~may, if available, must~~ be used and must focus on the Customer's path to gain the skills, abilities and knowledge for self-reliance.
6. At a minimum, an initial Personal Responsibility Plan should identify at least one (1) goal and related objectives.
7. At least one (1) work activity and associated hours must be identified in the initial Personal Responsibility Plan for adult Benefit Group members, including support services, goals and steps to receive incentives.

**C. Personal Responsibility Plan for Ongoing Customers**

1. Assessment results must be used and must focus on the Customer's path to gain the skills, abilities and knowledge for self-reliance.
2. At a minimum, a completed Personal Responsibility Plan should contain strategies to address:
  - a. barriers and issues;
  - b. goals and objectives;
  - c. identifying internal and external resources; and
  - d. work activities and hours, if appropriate.
3. The completed Personal Responsibility Plan must support a Customer's chosen goals, including support services and steps to receive incentives.
4. A Personal Responsibility Plan must be reviewed and, if necessary, updated at least once every four (4) months. ~~Failure~~A Customer who fails to update a Personal



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Responsibility Plan by the established due date will be subject to ~~penalties~~penalty in accordance with Section 802 of this Policy.

### **D. Personal Responsibility Plan for Transferred and Reassigned Cases**

1. For active cases that are transferred or reassigned, the Program Supervisor II must assign the case to a Senior Caseworker or Principal Caseworker within five (5) ~~workingbusiness~~ days from receipt of the case.
2. The Customer's established Personal Responsibility Plan must be reviewed by an assigned Senior Caseworker or Principal Caseworker and updated, as necessary, within five (5) ~~workingbusiness~~ days after assignment.

~~A Personal Responsibility Plan must be reviewed and, if necessary, updated at least once every four (4) months.~~

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## **405 WORK PARTICIPATION REQUIREMENTS**

~~A. Each Adult and emancipated Minor Parent~~Head-of-Household included in a Benefit Group is required to meet the established Minimum Work Participation Hours as a condition to receiving financial requirement for each month of assistance and supportive services provided to the benefit group.

### **A-B. Work Participation Hours**

Beginning the month after a Customer's initial Personal Responsibility Plan is developed and implemented, ~~eachan adult or emancipated Minor Head-of-Household~~ included in a Benefit Group ~~and Minor Parent receiving assistance must be required to~~ participate in authorized work activities for a minimum of twenty-four (24) hours per week, on average, for each month of assistance provided.

1. Work Participation activities identified in a Customer's Personal Responsibility Plan must support their chosen goal(s) and address identified barriers.
2. When a Customer is unable to participate in a Work Activity due to an unforeseen circumstance that requires their immediate attention, any supplemental activities the Customer engages in to address the unforeseen circumstance may be counted, provided the activity is listed in the DSR's Work Participation Activities at Section 405.B of this Policy. A Customer's Personal Responsibility Plan must be revised to reflect these circumstances.
3. Customers subject to Minimum Work Participation Hours requirements must use the DSR *Work Participation Timesheet* form, worksite timecard/timesheet, or other documentation to verify the number of hours they were engaged in authorized Work Participation activities during a Reporting Month.
4. Customer timesheets/timecards are due by the close of business on the fifth (5<sup>th</sup>) day of the month following the month for which they are reporting hours. If the fifth (5<sup>th</sup>) day of the month falls on a weekend, holiday, or authorized office closure day, timesheets/timecards must be received by the close of business on the first workingbusiness day following the weekend, holiday, or authorized closure day.

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5. Customer timesheets/timecards or other documentation may be submitted in person, by mail, fax, or email to any DSR direct service office.
6. When a Customer's Work Participation Activity site is closed due to a Federal, State, or Tribal holiday, or for authorized closures, a Customer will be given credit for the hours they were scheduled to participate in work activities on that day.

**B.C. Pre-Authorized and Authorized Work Participation Activities**

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Work Participation Activities expand the Customer's knowledge, skills and abilities through education, training, and employment, and removes barriers to employment and self-reliance.

**1. Pre-authorized Work Participation Activities**

The following Work Participation Activities are pre-authorized for newly approved Customers up to the time their initial Personal Responsibility Plan is developed and implemented:

- a. Overview sessions such as DSR Orientation, Timesheet, Personal Responsibility Plan;
- b. Participating in assessments such as Test of Adult Basic Education, Inventory Assessment, or Self Identity;
- c. Post-Secondary Education for Customers attending a Post-Secondary institution at the time of application;
- d. Secondary school or course of studies leading to a General Education Diploma certificate for Customers attending high school or enrolled in a General Education Diploma program at the time of application; or
- e. Unsubsidized Employment including self-employment.

**2.- Work Participation Activities are performance contained in**

The following work participation activities, which expand the Customer's knowledge, skills and abilities through education, training, and employment, and removes barriers to employment and self-reliance, may be authorized for Customers in their Personal Responsibility Plan and authorized for Customers, which may include:

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**a. 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.

**b. 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.

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Subsidized Employment may be approved for a Customer once, for up to six months, in a twelve (12) month period.

c. 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. Subsidized Employment may be approved for a Customer once, for up to six months, in a twelve (12) month period.

d. Self-Employment

Engaging in an activity which produces income by working in one's own business, trade or profession (e.g. rug weaving, silversmith, childcare services, itinerant food vendor, etc.) Self-employment should be supplemented by other work activities which assist the Customer in progressing toward self-reliance.

e. Work Experience

An unpaid worksite placement that provides Customers with an opportunity to obtain general skills, training, knowledge, and work habits that improve their employability. The Customer's placement should be short term and not be considered "free labor".

f. Vocational/Technical Educational Training

Participation in vocational-technical education directly related to the preparation of individuals for employment in current or emerging occupations (e.g. health care, computer technology, office management, and skilled trades).

g. 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.

h. 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.

i. Participation in education directly related to employment, where the Customer has not received a high school diploma or General Education Diploma certificate. 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 a storyteller, and other cultural education that leads to becoming self-sufficient.

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- j. Participation in education, other than post-secondary, directly related to employment, where a Customer has a high school diploma or General Education Diploma certificate.

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 a storyteller, and other cultural education that leads to becoming self-sufficient.

- k. Secondary School

Satisfactory attendance at a secondary school or course of studies leading to a High School Diploma or its equivalent such as a General Education Diploma.

- l. Participation in Adult Basic Education, Remedial Education, and English as a Second Language courses.

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- m. 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.

- n. 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. (45 CFR 286.105).

- o. Job Readiness

Activities that provide the knowledge and skills necessary to obtain and keep a job, including training related to 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 (45 CFR 286.105).

- p. Community Service

A structured program activity or service performed without compensation and the activity or service benefits the community as a whole.

**NOTE:** Community Service shall not be counted for more than eight (8) hours per week in a reporting month.

- q. Provision of childcare services to another DSR Customer who is participating in authorized work activities.

**NOTE:** This activity cannot be counted for a Customer to care for their own child(ren) and must be supplemented by other work activities that assist the

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Customer in progressing toward their career goal or expand their knowledge in child development.

r. Assessments

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

s. Orientations

Participation in Orientation Sessions provided by the DSR or other programs.

t. Removal of Barriers to Personal Responsibility Plan Goals

Time spent in removing barriers to Personal Responsibility Plan goals and objectives and complying with the Personal Responsibility Plan. Activities such as obtaining or regaining a driver's license; obtaining appropriate and affordable child care; completing steps necessary to enroll in a post-secondary education/educational/vocational education institution.

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u. Substance Abuse and Drug Intervention

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

v. Preventative Health and Prevention, Intervention or Treatment of Mental/Physical Health-Related Illnesses

Participation and education in prevention, intervention, or treatment of mental/physical health-related illnesses. This includes being a patient of cultural/traditional ceremonies and ensuring that Benefit Group members receive their routine preventative health and dental care services.

w. Providing Support and Care to a Dependent Child with a Special Need(s) Activities performed in accordance with the Navajo teaching and practice of caring for one's own children, who requires full-time care, as verified by a licensed medical professional.

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practice of caring for one's own children. This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge, skills and abilities in provision of home-based care (e.g. CPR, first aide, nutrition, etc.) This activity cannot be the sole work activity authorized for a Customer.

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- x. Providing care to an immediate relative with a medically verified disability who requires full-time care.

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

This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge, skills and abilities in provision of home-based care (e.g. CPR, first aide, nutrition, etc.) This activity cannot be the sole work activity authorized for a Customer.

- y. Study/Research Time

Time spent studying and/or conducting research by Customers participating in an education related work activity. Customers may be authorized one (1) hour of study/research time for each hour of class time authorized.

- z. 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.~~

~~NOTE: Not to exceed six (6) hours per week.~~

Traditional Support and Mentoring

Participating in activities, conducted in a group setting with a curriculum, which uses traditional teachings and methods to support and encourage the mental, physical and emotional development and wellness of 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 other languages and traditions.

- aa. Agricultural Subsistence

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

- bb. Reasonable Transportation Time

Reasonable Transportation Time, ~~which up to two (2) hours per day, may be authorized on a case-by-case basis.~~ Authorized transportation time will be in addition to hours authorized for approved work participation activities. Reasonable transportation time is the average amount of time for a person to travel to and from their residence to a work participation site, may be authorized on a case-by-case basis.

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### **SECTION 500:     ÁDÍLÍÍL (DOING)**

#### **501     PURPOSE**

It is the purpose of the DSR to implement plans of action based on a Customer's identified strengths and barriers while establishing and providing opportunities for Customers to enhance their knowledge, skills, abilities, and experiences to help them become self-reliant.

#### **502     QUALITY CASE MANAGEMENT**

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Quality Case Management is the most essential direct service provided to Customers; it helps Customers increase their knowledge, competency, skills, and abilities to enhance problem solving, coping abilities and obtain resources. The DSR provides guidance for interaction between organizations and resources.

##### **A. Customer Contact**

1. ~~The Quality Case Management includes~~ A good faith effort must be made to have regular monthly follow-up ~~contacts~~ with Customers. The complexity of a case determines how often DSR direct service staff are in contact with a Customer. At least half of the monitoring contacts must be in-person such as, but not limited to, the following: office visit, home visit, Skype meeting or interview, telephone call, or email.
2. A good faith effort is making at least three (3) separate attempts at different times, preferably on different days, to contact and meet with a Customer by letter, telephone calls, home visits, virtual meeting, fax, or email. Each attempt and method by which a Customer was contacted must be narrated in the Customer's case file.

##### **2-3. Customer contacts include discussing the following:**

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- a. Customer Responsibilities;
- b. Personal Responsibility Plan Development;
- a-c. Objectives in the Personal Responsibility Plan;
- b-d. Barriers to completing the objectives;
- e-e. Completion of objectives;
- d-f. Objectives yet to be completed;
- e-g. Customer's comfort with the timelines;
- h. Work Participation Requirements;
- f-i. Due dates, deadlines, approval period, etc.; and
- j. Next contact or appointment;
- k. Penalties; and
- g-l. Appeals and Customer Due Process.

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### **B. Review of Customer's Personal Responsibility Plan**

1. All Personal Responsibility Plans must be reviewed with the Customer at least once every four (4) months to ensure realistic Customer progression toward their goals and self-reliance.
2. The Personal Responsibility Plan review shall include:
  - a. Assessing progress toward established goals and objectives;
  - b. Updating goals and objectives as necessary and appropriate; and
  - c. Reviewing Customer's work participation activities to ensure they support the goals and objectives identified in their Personal Responsibility Plan. As necessary, Customer's work participation activities shall be updated.
3. A new Personal Responsibility Plan shall be developed if there is a significant change in a Customer's circumstances, such as change in residence, medical or physical condition, family composition, career goals, etc.
4. A Customer's Personal Responsibility Plan shall be reviewed more frequently if it is in the best interest of a Customer's progress toward self-reliance, such as monitoring challenges and successes.

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### **C. Case Review**

Case Reviews ensure accurate and timely services and identify necessary and appropriate corrections to reduce potential violations. Case Reviews may include peer reviews and supervisor reviews.

1. Review Customer assessment information.
2. Verify and narrate a Customer's Months of Assistance and the number of Months of Assistance that are countable toward the Time Limit (Countable Months).
3. Verify Customer's continued eligibility for assistance prior to posting a monthly payment or prior to issuing a support service or incentive.
4. When a case is assigned or re-assigned, a case review must be conducted within five (5) workingbusiness days to ensure compliance with applicable work participation and eligibility requirements.
5. If a DSR direct service staff determines an error or incorrect decision was made on a Customer's case, respectivethe staff who made the error must be responsible to correct the error immediatelywithin five (5) business days from the date of discovery, unless that staff member is no longer employed with the DSR. The Program Supervisor II must ensure that corrective action is taken.
6. Prior to initiating an adverse action, the proposed action shall be reviewed to ensure that action is appropriate and supported.



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**D. Case Staffing**

1. Case Staffing is an opportunity to exchange information about a Customer and to gain consultation from other DSR direct service staff. It is a group process to help identify issues, suggest problem resolution strategies and recommend service options.
2. Customers who may need Case Staffing include those who are not making progress or who need to address significant issues.
3. As necessary, Case Staffing must ensure Customers receive appropriate and effective services to provide them the opportunities and support they need to progress towards self-reliance.
4. Prior to initiating an adverse action, the proposed action must be case staffed to ensure the action is appropriate and necessary.

**E. Case Conferencing**

1. Case Conferencing is an opportunity to exchange information with a Customer and with their consent consult with other service providers. It is a time to bring together a multidisciplinary team of experts to review cases, identify resolution strategies and recommend solutions. Bringing the group together increases understanding of the services and expertise available in the community and provides an opportunity for creative problem solving and resource development.
2. Case conferencing is mandatory for Customers who do not have a justifiable reason for not meeting the Minimum Work Participation Hours requirement. The goal is to prevent a penalty being imposed by engaging the Customer in appropriate Work Participation Activities.

**F. Turning-the-Curve Milestones**

DSR direct service staff must continue to support Customers in achieving their established goals and objectives through periodic assessments, consistent monitoring and providing adequate resources. Progression monitoring will apply the Results Based Accountability concept. The DSR will use strength-based management for creating objectives that mark Customers' progression toward their desired outcome.

1. DSR direct service staff will assess Customer progression towards their established goals at a minimum of every four (4) months or sooner, as necessary. This may consist of reviewing Customer case files, contacting Customers, scheduling home visits, etc.
2. The purpose of each assessment is to evaluate the effectiveness of a Customer's Personal Responsibility Plan and their progress. The following questions are guidelines in completing the assessment:
  - a. Are the steps in a Customer's Personal Responsibility Plan delivering results as planned?

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- b. Have there been outside referrals provided to the Customer? If so, is the feedback positive?
- c. Are the steps in the Personal Responsibility Plan still supporting the goal? If so, what evidence supports there is progress?
- d. How have the Personal Responsibility Plan steps influenced the Benefit Group and what skills have been developed?
- e. Is service and case management provided to the Customer reasonable? What other resources could help increase the effectiveness of services?
- f. Is the Personal Responsibility Plan a positive influence on the Benefit Group?
- g. Is there evidence the Personal Responsibility Plan is likely to change? If so, what additional case management services are necessary?

**503 MONTHLY CHANGE REPORTS-REPORT.**

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~~All DSR benefit groups must submit a completed Monthly Change Report provides an opportunity for Customers(MCR) form each month to report or request for a changeany changes in their circumstances which may affect their eligibility, Benefit Group size, or financial for DSR assistance or their monthly assistance amount. When a Change Report is received,~~

- A. A benefit group's monthly assistance payment shall not be processed until the Customer submits a completed MCR, with all required verification documents attached, and the benefit group's continued eligibility is determined.
- B. Customers must submit their MCR in person, by mail, by e-mail, or by fax, unless authorized to provide the required information by phone.
- C. An MCR is considered complete when questions 1-7 are answered and is signed by the head-of-household or, if applicable, their appointed Authorized Representative.
- D. Customers shall be advised to submit a completed MCR prior to the fifth (5<sup>th</sup>) day of each month, so their eligibility can be determined and, if eligible, their monthly assistance payment can be processed timely. Otherwise, if they do not submit their MCR timely, the benefit group's Monthly Assistance payment may be delayed or not processed.
- E. If a change reported on the MCR may affect the Benefit Group's continued eligibility or monthly assistance amount, the Customer shall be informed to submit required verification documents within five (5) business days after submittal of a Customer's completed MCR. Otherwise, if they do not submit the required verification documents timely, the benefit group's Monthly Assistance payment may be delayed or not processed.
- F. Customers must be provided written notification and informed of their appeal rights if their monthly assistance payment will not be processed.

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G. Customers who do not submit a completed MUR for two (2) consecutive months, will be subject to the following:

1. Non-payment; and
2. Case closure

H. Customers must be provided formal written notification and informed of their appeal rights prior to a case closure being imposed. Once the established deadline for requesting an appeal hearing has expired, or the Customer submits a completed and signed *Waiver of Appeal Rights* form, the case closure shall be imposed.

**504 REPORTING CHANGES**

- A. Customers are required to report all changes in their circumstances that may affect their eligibility for DSR assistance no later than five (5) workingbusiness days after a change occurs.
- B. The Customers must be ~~informed, in writing, to provide required verification documents and be provided with~~provided a Checklist that identifies the required documents to be submitted.
- C. Customers ~~have~~will be provided up to five (5) workingbusiness days, from the date of ~~the reported change in their circumstances,~~ to submit the required verification documents to DSR.
- D. Upon receipt of the required verification documents, an assigned DSR direct service staff ~~determines~~will determine if the ~~request or~~ reported change will affect the Benefit Group's eligibility, Benefit Group size, or monthly ~~financial~~ assistance amount.
- E. A decision must be made and a written notification provided to a Customer on all reported changes, preferably within five (5) workingbusiness days, but by no later than ten (10) workingbusiness days from the date the change was requested or reported.
- F. Customers ~~will~~must be informed of their due process and appeal rights if they disagree with a decision concerning ~~their request for or resulting from the reported change in circumstances that adversely affects their Benefit Group's eligibility, Benefit Group size, or monthly financial assistance amount.~~

**504 ADVERSE ACTION REVIEW**

~~All proposed adverse actions must be reviewed by a Program Supervisor II or Principal Caseworker prior to initiating any action with the exception of Intentional Program Violation disqualifications.~~

~~Customers are eligible to seek relief for the following adverse actions: 1) denial; 2) case closure; and 3) penalty.~~

~~If a Program Supervisor II or Principal Caseworker has a direct or apparent conflict of interest, a Program Supervisor II or Principal Caseworker from another DSR direct service office must conduct the proposed adverse action review.~~

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~~An adverse action proposed by a Caseworker or Senior Caseworker must be reviewed by a Program Supervisor II or Principal Caseworker; an adverse action proposed by a Principal Caseworker must be reviewed by a Program Supervisor II; or if an eligibility is denied by a Program Supervisor II, a Program Supervisor II from another DSR direct service office must review the adverse action.~~

~~When a Caseworker, Senior Caseworker or Principal Caseworker proposes to take an adverse action regarding a Customer's application or case, the Customer's case record must be submitted to Program Supervisor II or a Principal Caseworker for an adequate review of the proposed adverse action.~~

~~A Program Supervisor II or a Principal Caseworker must review the proposed adverse action within two (2) working days from the date of receiving a Customer's case record to determine if the proposed adverse action is correct, proper and justified.~~

~~If a Program Supervisor II or Principal Caseworker determines a proposed adverse action is correct, proper and justified, a written decision notice must be sent to the Customer in accordance with Section 804 of this Policy.~~

~~If a Program Supervisor II or a Principal Caseworker determines the proposed action is incorrect, improper or not justified, the case record will be returned to the direct service staff who made the decision immediately with recommendations to bring the case record into compliance in accordance with Sections 809 and 815 of this Policy.~~

~~A Customer has a right to appeal the decision and request for an Appeal Hearing pursuant to Sections 806, 807 and 808 of this Policy, and this provision shall be included in the written decision notice.~~

~~A Customer who was disqualified due to an Intentional Program Violation is not subject to this requirement.~~

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### **505- SUPPORTIVE SERVICE, ACHIEVEMENT AWARDS AND INCENTIVES**

~~The DSR provides~~may provide supportive services, achievement awards and incentives to Customers who ~~are striving for self-reliance, including but not limited, to the following:~~meet established criteria.

#### **A. Supportive Services for Approved Work Participation Activities**

Supportive Services ~~are~~may be provided to assist members of a Needy Family in addressing a barrier(s) to their successful participation in a work participation activity and to transition toward gaining and maintaining employment.

- ~~The~~The Employment Development Specialists are responsible for preparing a Support Service Request for Customers participating in an Education and Career Services (ECS) sponsored activity and submitting the request for approval to the ECS Senior Program and Projects Specialist. For non-ECS sponsored activities, the assigned Senior Caseworker or Principal Caseworker ~~must prepare~~s

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responsible for preparing and submitsubmitting a Support Service request, ~~on behalf of to~~ the Customer, ~~to~~ Program Supervisor II for their review and approval.

2. The following Supportive Services are available to Customers participating in authorized Work Participation activities in accordance with their Personal Responsibility Plan include, but are not limited to, the following:

- a. Worksite related expenses: (e.g. uniforms, tools, safety equipment, etc.).
- b. Fee related expenses including (e.g. testing, background check, physical exams, etc.).
- c. Transportation related expenses, not to exceed a one thousand dollars (\$1,000) lifetime limit, including (e.g. minor vehicle repair, mileage/fuel, tires, and bus passes, etc.).
- d. Childcare related expenses for Customers who do not have access to reliable, appropriate or affordable childcare (e.g. co-payments, fees, etc.).
- e. Short-Term Training related expenses including registration, transportation (e.g. uniforms, tools, safety equipment, housing, meals and lodging, etc.).
- f. Education related expenses including (e.g. books, tuition and required, registration, school supplies, etc.).

~~Supportive Services for Transportation/Fuel, Meals and Lodging are based on the following:~~

### 3. Transportation/Fuel

Meals daily \$15:  costs for	Miles from Residence to Work Participation Activity Site (one-way)	Daily Rate	based on rate of
	25 or less	\$10	Actual
	26—50	\$20	incurred
	51—75	\$30	
	76 or more	\$40	

~~Lodg~~Advance payment for support services ~~are~~ shall be considered on a case-by-case basis.

4. Payments issued to Customers shall require submittal of original receipts for the full amount of the payment issued, with the exception of mileage/fuel. If the total amount of the original receipts submitted does not equal the total amount of the

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payment issued, the Customer will be responsible for reimbursing the DSR the difference.

4. ~~—~~

5. Support Services requests are subject to approval by the local office Program Supervisor II ~~—~~ or the ECS Senior Programs and Projects Specialist and may not be appealed.

**B. Educational and Employment Achievement Awards**

1. The following monetary Achievement Awards ~~will~~ may be provided to reward Benefit Group members who achieve an established educational or employment goal:

~~—~~ The head-of-household may request for Achievement Awards for Benefit Group members:

1. ~~Achievement Awards include, but are not limited to, the following:~~

a. ~~—~~

- a. High Academic Achievement - Minor Child: Offered twice per school year to minor children in the Benefit Group who achieve a 3.5 Grade Point Average, on a 4.0 scale; or all "Excellent"; grades; for a grading period.

- ~~1-b.~~ Academic Improvement – Minor Child and Adult: Offered twice per school year to minor children and adults included in a Benefit Group who made a significant improvement in their overall academic performance from one grading period to the next.

- ~~2-c.~~ Post-Secondary High Academic Achievement - Adult: Offered twice per school year to adult DSR Benefit Group members attending a Post-Secondary educational institution and ~~attain~~ attaining a 3.5 or better Grade Point Average (on a 4.0 scale) during a semester.

- ~~3-d.~~ Perfect Attendance – Minor Child: Offered twice per current school year for minor children in the Benefit Group who achieve Perfect Attendance and have a Grade Point Average of 2.0 or better, on a 4.0 scale; or all "Excellent and Satisfactory"; grades; for the semester.

- ~~4-e.~~ Graduation - Minor Child and Adult: Offered to Benefit Group members graduating from a secondary or post-secondary educational institution.

f. Employment Related Achievement Award

Offered to Benefit Group members, who achieve an employment related criterion, such as: Subsidized Employment completion; recognition by employer; remaining employed for a specified time (e.g. ninety days); etc.

2. Achievement awards must be requested by the assigned Senior Caseworker or Principal Caseworker and are subject to approval by the local office Program Supervisor II and may not be appealed.

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
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**C. Educational and Employment Incentives**

~~Incentives will~~Monetary incentives may be provided to encourage and motivate Benefit Group members to succeed in their education and employment.

The following Educational and Employment incentive may be provided:~~head-of-household may request Incentives for Benefit Group members.~~

Incentives include, but are not limited to, the:

~~Enrichment: Offered to minor children in the Benefit Group who are accepted into an Enrichment Program.~~

~~Learning: Offered once per school year to minor children in the Benefit Group enrolled in school to promote school attendance, improve academic performance improve self-esteem.~~

~~Youth Training: Offered to minor children in the Benefit Group who have been accepted into a Youth Training Program.~~

~~3. Denial of an incentive request is not subject to an appeal.~~

~~Education and Career Services Support Services and Incentives~~

~~1. Adult Benefit Group members selected to participate in an approved Extended Training in accordance with their Personal Responsibility Plan, may be eligible to receive Support Services for expenses associated with the Extended Training, including, but not limited to, the following:~~

~~Actual costs for registration, tuition, room and board, meal plans, books, and other related Extended Training expenses;~~

~~Fees and costs associated with the Extended Training such as, but not limited to, background checks, uniforms, equipment, etc.; and~~

1.

Miles from Residence to Training Site (one-way)	Weekly/Daily Rate		
	Weekly Transportation	Daily Transportation	Daily Meals
-25 or less	\$10 (round trip)	\$10	\$15
-26—50	\$20 (round trip)	\$20	\$15
-51—75	\$30 (round trip)	\$30	\$15
-76 or more	\$40 (round trip)	\$40	\$15

~~Transportation and meals necessary for successful completion of the Extended Training based on the following:~~

~~Work Experience Stipends~~

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## **NAVAJO NATION DEPARTMENT FOR SELF RELIANCE PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

~~Work Experience stipends are to support Customer participation in gaining necessary employment preparation skills, through reducing employment related barriers, such as, but not limited to, appropriate work attire, fuel expenses, necessary work supplies, etc. Customers who are placed at a worksite by Education and Career Services may be eligible for a stipend.~~

Education and Career Services Incentives

### Educational Related Incentive

- Enrichment (e.g. Completion of a series of life skills trainings/workshops such as Substance Abuse, Domestic Violence, budgeting, financial management, etc.).
- 2. Employment Related Incentive (e.g. Work Experience Stipend, etc.)
- 3. Incentive awards must be requested by the assigned Senior Caseworker or Principal Caseworker and are subject to approval by the local office Program Supervisor II and may not be appealed.

### D. Education Related Support Services

Monetary support services may be provided to encourage and motivate children in a Benefit Group to succeed in their education.

1. The following Educational and Employment incentive may be provided:
  - a. Educational Learning (e.g. school clothing, uniforms, school supplies and material, etc.)
  - b. Youth Extended Training (e.g. completion of training, uniforms, supplies, etc.)
2. Education Related Support Services must be requested by the assigned Senior Caseworker or Principal Caseworker and are subject to approval by the local office Program Supervisor II and may not be appealed.
3. Payments issued to Customers to purchase clothing, supplies and materials shall require submittal of original receipts for the full amount of the payment issued. If the total amount of the original receipts submitted does not equal the total amount of the payment issued, the Customer will be responsible for reimbursing the DSR the difference.

## **SECTION 600: BEE NÍÍ SÉEL DOO (GROWING)**

### **601 PURPOSE**

It is the purpose of the DSR to recognize Customers who take responsibility for themselves and their family members toward self-sufficiency.

### **602 EDUCATION AND CAREER SERVICES**

The Education and Career Services enhances and increases employment opportunities for Customers through the Adult Basic Education, Computer Basic Training, Subsidized Adult Employment, Subsidized Youth Employment, Extended Training, and Work Experience

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placement with employers. The Education and Career Services provides case management services for Customers by establishing goals and steps, monitoring progress in Education and Career Services activities, evaluating employability, assessing Customer strengths and barriers, and following-up with Customers after they obtain employment:

- A. Principal Caseworker and Senior Caseworker ~~refers~~shall refer Customers to the Education and Career Services by completing an Education and Career Services referral form and emailing or routing the referral form to the respective Employment Development Specialist, with a courtesy copy to the Education and Career Services Senior Programs and Projects Specialist.
- B. Customers may attend an Education and Career Services overview without a referral from the assigned Senior Caseworker or Principal Caseworker. However, the assigned Senior Caseworker or Principal Caseworker must submit an Education and Career Services referral within five (5) ~~working~~business days after the overview.
- C. Upon completing the Education and Career Services overview, Customers, who are interested in participating in an Education and Career Services Initiative, must complete an Education and Career Services registration packet and assessment.
- D. If a referred Customer has an existing Education and Career Services case record, the assigned Employment Development Specialist ~~completes~~shall complete a case transfer request in accordance with the Case Record Management Procedures.
- E. During a Customer's participation in the Education and Career Services initiatives, the assigned Senior Caseworker or Principal Caseworker must continue with ongoing ~~case management~~Quality Case Management services in accordance with Section 502 of this Policy.
- F. The Training Instructor and Employment Development Specialist shall work together to prepare Customers for the Education and Career Services Initiatives.
- G. ~~An Referred Adult Customer completes~~Customers shall develop an Education and/or Career Goal for the Education and Career Services initiative.
- H. The assigned Employment Development Specialist ~~monitors~~shall regularly monitor and/or ~~evaluates~~evaluate the Customer's progression in the Education and Career Services initiative. This includes requesting for incentives and support services, reviewing and if necessary, updating the Education and/or Career Goal, and contacting the various partners in the initiative (e.g. instructors, employer, etc.).
- I. During the course of a Customer's participation in the Education and Career Services initiative, the assigned Senior Caseworker or Principal Caseworker and assigned Employment Development Specialist shall maintain regular contact with ~~Customers~~. ~~This is the Customer~~ to ensure that Customers ~~receive~~receives full support as needed.
- J. As necessary, the Senior Caseworker or Principal Caseworker ~~arranges~~shall arrange for Customer's transportation to the training site.

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- K. At the conclusion of the Education and Career Services initiative, the assigned Employment Development Specialist and Training Instructor must meet with the assigned Senior Caseworker or Principal Caseworker to complete an Education and Career Services exit report.

**SECTION 700: HÓZHÓ K'EH IINÁ (WALK IN BEAUTY)**

**701 PURPOSE**

The foundation of the DSR is based on the Navajo values and teachings of living life in harmony and balance, or *Hózhó k'eh iiná*. These Navajo values and teachings have been passed down from one generation to the next, and have helped the Navajo people endure and overcome challenges. With these teachings, the purpose of the DSR is taking on the challenge of "turning the curve" from the cycle of dependence by providing assistance and services that will make a difference in the lives of individuals and families so they can progress toward *Hózhó k'eh iiná*.

**702 TRANSITIONAL SUPPORT SERVICES**

Transitional support may be provided to Customers who are no longer eligible for DSR monthly financial assistance due to obtaining ~~full-time~~ sustainable employment, yet require support to meet necessary and appropriate costs as they transition to self-reliance.

- A. When a Customer successfully gains sustainable employment, the assigned DSR caseworker shall determine if the Customer meets eligibility requirements for receipt of Transitional Support Services.

- B. Customers must meet the following eligibility criteria to receive Transitional Support Services:

1. At the time of the request, the Benefit Group's DSR monthly assistance case must be closed, or is in the process of being closed, due to employment income exceeding the DSR Payment Standard.

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**NOTE:** Employees returning to work after –furlough period are ineligible.

2. ~~An~~The adult who obtained employment was a Benefit Group member at the time of case closure.

3. ~~No Benefit Group member shall~~The adult obtaining employment must not have previously received Transitional Support Services.

4. An adult's employment may be verified by one (1) of the following:

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- Personnel Action Form or similar employment form from their employer;
- Employment Offer Letter;
- Employment Verification;
- Worksite visit by DSR direct service staff; or
- Contact with the Employer.

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5. The employed Benefit Group member's Gross Monthly Income must exceed 100% of the National Poverty Guideline (NPG) for the Benefit Group size, unless justification is provided that the Benefit Group's Gross Monthly Income is sufficient to sustain (meet the basic needs of) the family. For Two-Parent cases where both parents obtain employment, their combined Gross Monthly Income must exceed 100% of the NPG for the applicable Benefit Group size.

~~5.6. The Family's Gross Monthly Income must not exceed two hundred percent (200%) of the current NPGational Poverty Guideline for the applicable family-Benefit Group size.~~

~~C. When a Customer successfully gains sustainable employment, an assigned DSR caseworker will offer Transitional Support Services.~~

~~D.C. Customers who meet the eligibility criteria can may receive a once-in-a-lifecone-time series of Transitional Support Service benefit-equalbenefits, for up to three (3) times the Payment Standard amount, at one hundred percent (100%), for the applicable Benefit Group size, months following closure of their DSR assistance case.~~

~~E.D. The total amount of the Transitional Support Benefit shall not exceed three (3) times the Payment Standard for the applicable Benefit Group Size.~~

~~B. Transitional Support Services must assist eligible Customers meet the costs associated with maintaining employment and stabilizing the family to become financially self-reliant.~~

~~C.E. All members of a Benefit Group approved for Transitional Support Services will be ineligible to receive DSR Monthly Assistance for three (3) months from the date of case closure.~~

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**703 SHORT-TERM, NON-RECURRING, SHORT-TERM, BENEFITS**

~~A. Subject to the availability of funds, a DSR direct service staff may request on behalf of a Customer, a one-time Short-Term Non-Recurring Benefits, Short-Term Benefit (NRSTB) may be provided to assist eligible families receiving DSR assistance in addressing a specific crisis or episode of need that will not extend beyond four (4) consecutive months.~~

~~A. Short-Term Non-Recurring Benefits must be available to eligible families experiencing a crisis at the time of application for DSR assistance and to eligible families receiving DSR assistance at the time they experience a crisis.~~

~~B. Non-Recurring, Short-Term Non-Recurring Benefits mustshall not be provided to meet recurring or ongoing needs.~~

~~C. The Short-Term Non-Recurring Benefits shall be the actual amount necessary to address the crisis or episode of need; or five hundred dollars (\$500); whichever is less of Non-Recurring, Short-Term Benefits provided to an eligible benefit group shall not exceed \$1000 in a twelve (12) month period.~~

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D. Eligibility Criteria to receive ~~Short-Term-Non-Recurring, Short-Term~~ Benefits are:

1. A Benefit Group must be currently receiving DSR assistance;
2. A crisis or episode of need must be verified, in writing, and concern one of the following:
  - a. Expenses to temporarily relocate the family, if the family is, or might become homeless due to an unforeseen circumstance such as domestic violence, vandalism, hazardous living conditions, acts of nature, or their home is destroyed by fire.
  - b. Minor repairs to the Benefit Group's primary residence not including major construction activities.
  - c. Housing rental costs to prevent eviction.

**NOTE:** Before a rental payment is authorized, verification must be obtained from the landlord that payment will cancel the eviction.
  - d. Costs to heat or cool the home or for restoring utilities.

**NOTE:** Before a utility payment is authorized, verification must be obtained from the utility company that payment will cancel the disconnection.
  - e. Food, clothing, personal hygiene items, diapers, infant formula, water, bedding, and other basic needs.
  - f. Temporary transportation costs such as a bus pass.
  - g. Necessary repairs to a vehicle owned by a Customer.

**NOTE:** Three (3) estimates for costs of repair and proof of vehicle ownership must be provided prior to any repairs.
  - h. Necessary travel expenses when an immediate family member is hospitalized for an extended period and a Customer's presence is required or necessary.
  - i. Costs to care for a child(ren) who is/are placed with the family by a social services agency or by a Court.

~~4.3~~ Other available resources must have been explored and exhausted; and

~~2.4~~ A Benefit Group must not have received ~~Short-Term~~ a total of \$1000 in Non-Recurring, ~~Short-Term~~ Benefits ~~previously in the twelve (12) month period preceding the date of request.~~

- E. The receipt of ~~Short-Term-Non-Recurring, Short-Term~~ Benefits shall not count as a month of assistance toward the time limit and is non-countable income.
- F. A Customer must submit original receipts for ~~expenses that fund the Short-Term-full amount of the Non-Recurring-Benefits, Short-Term Benefit provided. If no original receipts are not submitted then for the full amount of the Non-Recurring, Short-Term Benefit provided,~~ an improper payment packet must be completed: and the Customer shall be responsible for repaying the difference.

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G. Denial of ~~Short-Term-Non-Recurring, Short-Term~~ Benefits is not subject to an appeal.

**704 EMERGENCY NON-RECURRING, SHORT-TERM, BENEFITS**

Subject to the availability of funds, an Emergency Non-Recurring, Short-Term Benefit (ENRSTB) may be provided to assist eligible families during a government (federal, state, county or Navajo Nation) declared natural disaster, emergency or pandemic.

A. Eligibility Criteria to receive ENRSTB are:

1. A government (federal, state, county or Navajo Nation) declared natural disaster, emergency or pandemic must be in effect at the time of the request;
2. The family must be experiencing an emergency need as a result of the declared natural disaster, emergency or pandemic including, but not limited to, the following:
  - a. Expenses to temporarily relocate the family, if the family is, or might become homeless due to the government declared natural disaster, emergency or pandemic.
  - b. Food, clothing, personal hygiene items, basic household items, water, and other basic needs.
  - c. Minor home repairs.
3. The family's Monthly Countable Gross Income must not exceed 250% of the Federal Poverty Guideline for the applicable family size;
4. The ENRSTB amount provided to an eligible family shall not exceed \$1000 for each event;
5. Other available resources must have been explored and exhausted; and
6. The family must not have previously received an Emergency Non-Recurring, Short-Term Benefits from the DSR for the same event.

**705 DIVERSION**

Subject to the availability of funds, the DSR may provide a Diversion Benefits, ~~which is a once-in-a-lifetime non-recurring payment~~ to divert individuals from on-going monthly assistance by removing a barrier(s) that puts their current sustainable employment at risk, or prevents them ~~from~~ to accepting a full-time employment offer.

A. The Eligibility Criteria for receipt of Diversion benefits are:

1. Must be a ~~parent~~ Custodial Parent;
2. Must have at least one (1) minor child;
3. Must reside in the Service Delivery Area;
4. Must be part of the Service Population;

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
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5. Must meet the Residency requirement;
  6. Must be a United States citizen;
  7. Must not ~~exceed~~ have met the DSR Time Limit;
  8. Must not ~~have been Disqualified~~ be in a Disqualification period for DSR assistance;  
and
  9. The Benefit Group's ~~Gross~~ Monthly Countable Gross Income must not exceed ~~two~~  
~~hundred percent (200%)~~ 250% of the National Poverty Guideline for the applicable  
family size.
- B. Written verification must be obtained from the employer that the Applicant will be  
employed, re-employed or remain employed.
- C. An assessment must be conducted to determine if the Diversion Benefits will remove  
the barrier(s) putting the family at risk of becoming dependent on governmental  
benefits.
- D. The amount of the Diversion ~~Benefits is~~ Benefit shall be the actual ~~expense~~ amount to  
remove the barrier or \$32,000, whichever is less.
- E. Eligible families may receive a Diversion Benefits ~~is a Benefit~~ once in a lifetime  
~~benefit~~ twelve (12) month period.
- F. Customers are exempt from developing a Personal Responsibility Plan and meeting  
Work Participation Requirements.
- G. Receipt of Diversion Benefits will not count toward an adult's TANF time limit.
- H. All members of a Benefit Group receiving a Diversion Benefits payment will be  
ineligible to receive DSR Monthly Assistance for a period of three (3) months,  
beginning on the date the Diversion Benefits payment is issued. I.
- H.I. Denials of Diversion Benefits are not subject to appeal.

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**SECTION 800: COMPLIANCE**

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**801 PURPOSE**

It is the purpose of the DSR to establish policies related to compliance with established  
DSR monthly assistance eligibility criteria, Minimum Work Participation Hours  
requirement, Personal Responsibility Plan requirements and Customer Due Process as  
defined in the Tribal Family Assistance Plan.

**802 PENALTIES**

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- A. Customers who fail to ~~develop an initial Personal Responsibility Plan within comply~~  
~~with the thirty (30) day time period will~~ following DSR requirements be subject to  
penalties in accordance with this Section-, unless exempted.

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1. ~~A Benefit Group shall be subject to a penalty for not meeting~~ Develop an initial Personal Responsibility Plan within thirty (30) business days from the date of approval.
  - B-2. Meet the Minimum Work Participation Hours requirement, for a month of assistance they received.
  3. Review and, if necessary, update their Personal Responsibility Plan at least once every four (4) months.
  4. Attend and complete a DSR Customer Orientation within thirty (30) business days from the date of approval.
  5. Complete a TABE within thirty (30) business days from the date of approval.
- C-B. A Customer ~~will~~shall not be subject to penalty for not meeting the Minimum Work Participation Hours requirement until the month after their Personal Responsibility Plan is developed and implemented.
- D-C. A penalty will be imposed by reducing a Benefit Group's monthly benefit amount in ~~part or in full~~accordance with 802.E.
- E-D. Prior to imposing a First Level penalty, a "Written Warning" shall be issued to a Customer. In addition, the assigned Senior Caseworker or Principal Caseworker must make an ~~honest~~a good faith effort to meet with the Customer to discuss and address the reason(s) for not ~~meeting~~complying with the Minimum Work Participation Hoursapplicable DSR requirement. ~~An assigned Senior Caseworker or Principal Caseworker must review the following sections of the DSR Pathway to Self-Reliance Policy Manual with the Customer:~~
- ~~— Section 206: Customer Responsibilities;~~
  - 2-a. Section 404: Personal Responsibility Plan Development;
  2. Section 405: Work Participation Requirements;
  2. Section 802: Penalties; and
  3. Section 806: Appeals and Customer Due Process.
- An ~~honest~~ good faith effort is making at least three (3) separate attempts to contact and meet with a Customer by letter, telephone calls, home visits, ~~Skype~~virtual meeting, ~~facsimile~~fax, or email. Each attempt and method by which a Customer was contacted must be narrated in the Customer's case file.
- E. After issuing a Written Warning, subsequent non-compliance with the ~~Minimum Work Participation Hours~~applicable DSR requirement will result in imposing a penalty to reduce a Benefit Group's calculated monthly benefit amount ~~in part, or in full~~, in accordance with the following:
1. 1<sup>st</sup> Level: Reduction of a Benefit Group's eligible monthly assistance amount by ~~25~~20%;

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
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2. **2<sup>nd</sup> Level:** Reduction of a Benefit Group's eligible monthly assistance amount by ~~50~~40%;
3. **3<sup>rd</sup> Level:** Reduction of a Benefit Group's eligible monthly assistance amount by ~~75~~80%; and
4. **4<sup>th</sup> Level:** ~~Termination~~Reduction of a Benefit Group's eligible monthly benefits, closure of case, and disqualification of assistance amount by 80% until such time the head-of-household and, if applicable, their spouse for one (1) year from the date of closure. Customer returns to compliance.

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~~If a Customer's Approval Period has ended or will expire at the end of the current month, the 4<sup>th</sup> Level Penalty Disqualification period will begin on the first day of the month after due process is provided, unless a Customer waives their Appeal Rights.~~

~~Example: If a Customer's Approval Period ends on June 30<sup>th</sup>, the Fourth Penalty Decision Notice is mailed on June 8<sup>th</sup> and the twenty (20) working day appeal period ends on July 7<sup>th</sup>. If a Customer waives their Appeal Rights, a Customer's disqualification period will begin on August 1<sup>st</sup>.~~

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~~G.F. Penalties shall be imposed in one (1) month increments until such time a Customer returns to compliance with the Minimum Work Participation Hours requirement or a Customer reaches the 4<sup>th</sup> Level Penalty applicable DSR requirement.~~

~~H.G. Customers who bring their Minimum Work Participation Hours requirement into return to compliance before reaching with the 4<sup>th</sup> Level Penalty applicable DSR requirement shall have their benefit amount restored to 100% of their approved monthly benefit amount for the next benefit month.~~

~~I.H. Non-compliance by a Customer who was previously penalized shall be subject to subsequent penalty as follows:~~

1. If the current non-compliance occurred less than ~~six (6)~~twelve (12) months from the reporting month for which they were previously penalized, the next penalty level must be imposed. ~~For Customers who reached the 4<sup>th</sup> Penalty Level, any subsequent non-compliance with a DSR requirement within twelve (12) months after returning to compliance, will result in reinstatement of the 4<sup>th</sup> Penalty Level.~~
2. If the current non-compliance occurred ~~six (6)~~twelve (12) or more months after the reporting month for which they were previously penalized, the enforcement of penalties starts over beginning with a new Written Warning.

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~~J.I. Customers must be provided written notification and informed of their appeal rights prior to imposing a penalty. Once the established deadline for requesting an Appeal Review has expired, or a Customer submits a completed and signed *Waiver of Appeal Rights* form or a written confirmation that they have waived their appeal rights, the penalty shall be imposed.~~



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J. If a Customer's Approval Period expires, or their case is closed, prior to imposing a penalty and a Customer reapplies and is approved to receive DSR assistance less than twenty-four (24) consecutive months after their Approval Period expires, or their case is closed, the imposition of the penalty shall resume at the point it was at the time of case closure or when their Approval Period ended.

K. If a Customer's Approval Period expires, or their case is closed, prior to imposing a penalty and a Customer's case remains closed for at least twenty-four (24) consecutive months, the penalty shall not be imposed when they reapply and enforcement of penalties starts over beginning with a Written Warning.

L. Exemptions from penalties must be documented in the Customer's case file:

1. Customers shall not be penalized if they are a single custodial parent caring for a child who is under six (6) years of age and can provide verification of inability (as determined by the DSR) to obtain needed childcare due to one (1) of the following reasons (45 CFR, Part 286, §286.150):

- a. Appropriate child care is not available within a reasonable commuting distance from the home;
- b. Informal child care by a relative or other arrangements are unavailable or unsuitable; or
- c. Appropriate and affordable formal child care arrangements are unavailable.

**Customers who refuse to engage in work participation activities when acceptable, appropriate and affordable child care is available shall not be protected from a penalty (45 CFR 286.150(b)).**

2. Additional exemptions from penalties must be evaluated and may be granted on a limited and case-by-case basis, including but not limited to, the following:

- a. Death of an immediate family member;
- b. Hospitalization of self;
- c. Hospitalization of an immediate family member requiring the Customer's continuous presence;
- d. Unforeseen short-term disability; or
- e. Natural disaster.

The above reasons are not an exhaustive list of possible circumstances for an exemption from penalty.

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**803 INTENTIONAL PROGRAM VIOLATION**

A. An Intentional Program Violation (Intentional Program Violation) occurs when a Customer intentionally commits one (1) of the following acts for the purpose of

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becoming eligible for assistance, remaining eligible for assistance, or increasing the amount of financial assistance:

1. Making a false or misleading statement related to eligibility;
  2. Misrepresenting, concealing or withholding facts;
  3. Failing to report income;
  4. Disposing of assets for the sole purpose of becoming or remaining eligible for assistance; or
  5. Depositing a DSR monthly financial-assistance payment via mobile banking app or device, then attempting to depositing or cashing the same check at another venue.
- B. DSR staff must report any potential Intentional Program Violation they suspect, or become aware of, to the DSR Fraud Investigation Unit.
- C. The DSR Fraud Investigation Unit determines if the referral will be accepted for investigation and, if accepted, an investigation will be conducted.
- D. Upon completion of an investigation, DSR Fraud Investigation Unit shall submits written results of a bona fide or non-bona fide investigation to the Program Supervisor II whose direct service office served the Customer ~~and who was investigated~~.
- E. In the event that the DSR Fraud Investigation Unit determines that a Customer may have committed a criminal violation, it will collaborate and coordinate with the appropriate Navajo Nation authorities regarding the matter.
- F. If the DSR Fraud Investigation Unit determines a referral is non-bona fide, no further action will be taken.
- G. A determination by the DSR Fraud Investigation Unit that an Intentional Program Violation was committed by a Customer ~~who is the head of household shall result in disqualification of that head of household all benefit group members being disqualified~~ to receive DSR assistance for this length of time period in accordance with the following:
1. ~~One (1) year~~ Six (6) months for the first offense;
  2. ~~Two (2) years~~ Twelve (12) months for the second offense;
  3. Permanently for the third offense.
- H. The DSR Fraud Investigation Unit shall provide a written ~~Decision~~ Determination Notice to the head-of-household, by no later than five (5) ~~working~~ business days after making the Intentional Program Violation determination, which informs him or her of the Intentional Program Violation determination, the length of disqualification for DSR assistance and their right to appeal the determination.

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- I. An Intentional Program Violation Disqualifications shall not be imposed until a Customer's appeal rights have been exhausted.
- J. If a Customer submits a *Request for Appeal Hearing* to appeal the Intentional Program Violation determination, the request will be immediately forwarded to the Compliance DSR Hearing Officer who will schedule an Appeal Hearing by no later than ten (10) working business days from the date the request is received.

**804 ADVERSE ACTION REVIEW**

- A. Adverse Action Reviews shall be conducted prior to taking the following proposed adverse actions:
  - 1. Denial
  - 2. Case Closure
  - 3. Decrease
  - 4. No Payment
  - 5. Penalty.
- B. Proposed actions subject to Adverse Action Review must be thoroughly reviewed by a Program Supervisor II or Principal Caseworker prior to initiating the action, with the exception of Certified Overpayments and Intentional Program Violation closures and disqualifications.
- C. An adverse action proposed by a Principal Caseworker must be reviewed by a Program Supervisor II.
- D. An adverse action proposed by a Program Supervisor II must be reviewed by a Program Supervisor II from another DSR direct service office.
- E. If a Program Supervisor II and all Principal Caseworkers at a local office have a direct or apparent conflict of interest, a Program Supervisor II or Principal Caseworker from another DSR direct service office must conduct the proposed adverse action review.
- F. Adverse Action Reviews must be conducted within three (3) business days from the date of receiving a Customer's case record to determine if the proposed adverse action is correct and justified.
- G. If a Program Supervisor II or Principal Caseworker determines a proposed adverse action is correct and justified, the staff, who initiated the proposed action, must provide a written decision notice, which includes appeal rights, to the Customer within three (3) business days from the review date.
- H. If a Program Supervisor II or a Principal Caseworker determines the proposed action is incorrect and/or not justified, the case record will be returned to the direct service staff who made the decision immediately with recommendations to bring the case record into compliance in accordance with Section 816 of this Policy.

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- I. A Customer has the right to appeal the adverse action decision and request for an Appeal Hearing pursuant to Sections 807, and 808 of this Policy.

**805 ADVANCE WRITTEN NOTIFICATION**

- A. Customers must be provided written notification for any of the following decisions:
1. Approval or Denial of an *Application for Assistance*;
  2. Case Closure;
  3. Monthly Assistance Payment Increase;
  4. Monthly Assistance Payment Decrease;
  5. No Payment for the next benefit month;
  6. Disqualification;
  7. Imposing a Penalty;
  8. Underpayment or Overpayment; or
  9. Changes or Requests Affecting Benefit Group Size.
- B. Customers have twenty (20) workingbusiness days to dispute a decision before it is implemented, unless one (1) of the following exceptions applies, then the action may be implemented prior to the end of the appeal period:
1. A favorable decision to approve a Customer's application or increase a Benefit Group's monthly assistance amount;
  2. The head-of-household submits a completed and signed *Waiver of Appeal Rights* form, or a written confirmation that they have waived their appeal rights;
  3. The head-of-household voluntarily closes their case or voluntarily removes a Benefit Group member from their case, using the *Voluntary Withdrawal/Closure/Removal* form, waiving their appeal rights;
  4. The head-of-household submits a *Withdrawal of Request for Appeal Hearing* waiving their appeal rights prior to a decision being made on the Appeal;
  5. An overturned decision;
  6. A Benefit Group or Benefit Group member who relocates outside the Service Delivery Area (Section 309. B. of this Policy). The case shall close effective on the last day of the month in which the Benefit Group or a Benefit Group member relocated;
  7. Upon verification of the death of the head-of-household, the designated next-of-kin shall be informed of the case closure and given an opportunity to apply on behalf of the minor child(ren), if applicable; or
  8. A Needy Family's income type and income amount are the same as the previous month.

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- C. If a Customer does not submit a *Request for Appeal Hearing* by the close of business on the last day of the twenty (20) ~~working~~business day appeal period, the decision shall be implemented.

**805806 CASE CLOSURE**

- A. Pursuant to Section 504804 of this Policy, all proposed case closures, with the exception of Intentional Program Violation disqualifications, shall be reviewed by a respective Program Supervisor II or Principal Caseworker prior to being initiated.

- B. A Benefit Group's case may be closed for one (1) of the following reasons:

1. Disqualification

- a. Reaching 4<sup>th</sup> Level Penalty;
- b. Intentional Program Violation;
- c. Fleeing to avoid prosecution, custody or confinement after conviction for a crime or an attempt to commit a crime that is a felony under Federal or State law, which must be verified by the DSR Fraud Investigation Unit; ~~or~~
- d. d. Violating a condition of probation or parole imposed under Federal or State law, which must be verified by the DSR Fraud Investigation Unit.
- e. Double Presentment of a DSR assistance payment.

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2. A Benefit Group no longer meets all of the eligibility criteria (NonFinancialNon-Financial, Financial, and if applicable, Supplemental) for receipt of DSR assistance.

~~2.3. Voluntary Closure—must be submitted in writing~~

- a. ~~Written notice~~A Customer's request for voluntary closure must be submitted within five (5) working days consistent with Section 503 of this Policy.
- b. ~~A DSR direct service staff must provide quality case management service in contacting a Customer in an effort to obtain a signed writing using the Voluntary Withdrawal/Closure/Removal Request form or a signed written request which includes a statement they are waiving their appeal rights.~~

4. Failure to submit a Monthly Change Report for two (2) consecutive months.

- ~~3.5.~~ Failure to cooperate with a Fraud Investigation Unit Investigator who is conducting an investigation of a potential Intentional Program Violation.

~~4.6.~~ Death of the head-of-household.

- ~~5.7.~~ Change in the head-of-household consistent with Section 306 of this Policy.

~~6.8.~~ Expiration of Certification Period and no submittal of re-application.

- C. Customers must be provided written notice and provided twenty (20) ~~working~~business days to appeal a decision to close their case or a Customer must submit a completed and signed *Waiver of Appeal Rights* form before a case closure is implemented.

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### **806807 APPEALS AND CUSTOMER DUE PROCESS**

The DSR respects and advocates for Customers to exercise their appeal rights to dispute a decision or adverse action made on their application or case. The following due process must be followed:

A. A head-of-household ~~has a right to request for an impartial review of~~ may appeal a decision made regarding their application or case if ~~he or she disagrees with the DSR,~~ by submitting a ~~written request~~ Request for Appeal Hearing form to any DSR direct service-office within twenty (20) ~~working business~~ days from the ~~postmark~~ date of ~~a on~~ their decision notice.

~~A written request must include the head-of-household's name, mailing address, telephone number, date of the notice that the head-of-household does not agree with, and reason(s) for not agreeing.~~

B. If a head-of-household is appealing more than one (1) decision, he or she must submit separate requests for each decision he or she is appealing, and separate Appeal Hearings must be scheduled.

C. A head-of-household ~~has a right to~~ may withdraw his or her appeal and ~~must complete request by submitting a Withdrawal of Appeal Hearing Request form or to any type of written request, DSR office at any time prior to the Appeal Hearing decision. The written withdrawal must be submitted to any DSR direct service office being rendered.~~

D. If a head-of-household ~~chooses to~~ is withdrawing more than one (1) appeal, he or she ~~must submit a separate Withdrawal of Appeal Hearing Withdrawal, he or she Request forms for each appeal he or she is withdrawing.~~

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E. By submitting a Withdrawal of Appeal Hearing Request form, a head-of-household acknowledges the original decision will be implemented immediately, and they have waived their right to an appeal. ~~Upon signing and submitting a Withdrawal of Appeal Hearing Request form, he or she has waived their right to appeal.~~

~~A decision that resulted in an appeal shall not be implemented until after a Customer has exhausted or waived their appeal rights.~~

### **807—APPEAL REVIEW**

~~A DSR direct service office must forward a Customer's Request for Appeal Hearing form to a Compliance Officer within one (1) working day from the date on the Request for Appeal Hearing form.~~

~~A Compliance Officer must conduct an impartial appeal review within five (5) working days from the date a Request for Appeal Hearing is received.~~

~~**EXCEPTION:** A Request for Appeal Hearing regarding an Intentional Program Violation notice issued by the DSR-Fraud Investigation Unit must be forward directly to the DSR-Compliance Hearing Officer on the same day it was received.~~

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- A. If a Compliance Officer decides that an adverse action or decision was incorrect, improper or not justified, a Compliance Officer must notify the Program Supervisor II, in writing, no later than three (3) working days from the date the Compliance Officer rendered a decision.
- A. A Program Supervisor II must work with the Caseworker, Senior Caseworker and Principal Caseworker to self-correct the case error and notify the Customer, in writing, for a correction no later than three (3) working days from the date on an appeal review decision.
- A. If a Compliance Officer determines that an adverse action or decision was correct, proper and justified, a *Request for Appeal Hearing* form shall be submitted to the Compliance Hearing Officer no later than one (1) working day from the date on the Appeal Hearing decision. Proceed to Section 808 of this Policy.

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**808 APPEAL HEARING**

- A. Appeal Hearings shall be conducted by the Compliance DSR Hearing Officer to provide an opportunity for Customers who do not agree/disagree with a decision or adverse action made regarding their application or case, for which he or she can present to provide information disputing that decision and documents to support their appeal.
- B. For an Intentional Program Violation notice issued by The DSR office receiving a Customer's *Request for Appeal Hearing* form must forward the DSR Fraud Investigation Unit, request to the Compliance DSR Hearing Officer must contact a head-of-household, by calling the telephone number listed on their *Application for DSR Assistance*, to schedule and conduct an appeal hearing with a Customer within ten (10) working days one (1) business day from the date a *Request for Appeal Hearing* it is received from a DSR direct service office.
- C. The DSR Compliance Hearing Officer must contact at the head-of-household, by calling within two (2) business days after receiving the telephone number listed on their *Application Request for DSR Assistance, Appeal Hearing* form to schedule and arrange for at the date, time and location of an the appeal hearing, and notify respectively the applicable Program Supervisor II, Caseworker, Senior Caseworker and Principal Caseworker whose decision or action is being appealed, of the scheduled appeal hearing.
- D. The Compliance DSR Hearing Officer must conduct an Appeal Hearing within ten (10) working, render a decision and provide written notification to the Customer, by no later than ten (10) business days from the date at the *Request for Appeal Hearing* form is received from a Compliance Officer the local DSR office.
- E. If a head-of-household fails to appear for their scheduled appeal hearing and they do not reschedule before the close of business on the same day of the scheduled hearing, the decision being appeal/appealed will be final.

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F. A head-of-household may reschedule their appeal hearing only one-time by contacting the DSR Hearing Officer, in person, by phone, by e-mail, or by fax, before the close of business the same day.

If a Compliance Officer decides that an adverse action or decision was incorrect, improper or not justified, a Compliance Officer must notify the Program Supervisor II, in writing, no later than three (3) working days from day of the date the Compliance Officer rendered a decision scheduled hearing.

G. If the Compliance DSR Hearing Officer determines that an adverse action or overturns the decision was: 1) incorrect, or 2) a case management error, the Compliance:

1. The DSR Hearing Officer must notify the Program Supervisor II, in writing, within three (3) working business days from the appeal hearing decision.
2. The Program Supervisor II must work with the applicable Caseworker, Senior Caseworker and/or Principal Caseworker to self-correct the incorrect or case management error and notify the head-of-household, in writing, of the correction within three (3) working business days from the date on the appeal hearing decision notice is received from the DSR Hearing Officer; and
3. In addition to the self-correction, the Program Supervisor II must develop an Individual Performance Improvement Plan must be completed with the applicable staff within three (3) working business days by the respective Caseworker, Senior Caseworker and Principal Caseworker from the date on the appeal hearing decision is received.

H. If the Compliance DSR Hearing Officer determines an adverse action or upholds the decision was correct, or correct for another reason for which it was determined not a case management error, the Compliance, the DSR Hearing Officer must notify the:

1. The respective Program Supervisor II within one (1) working business day from the appeal hearing decision; and
2. The Compliance Hearing Officer must notify the The head-of-household, in writing, within three (3) working business days from the date of the decision; and notify the
3. The respective Program Supervisor II, Caseworker, Senior Caseworker or Principal Caseworker whose decision or action is being appealed.

I. The decision of the Compliance DSR Hearing Officer shall be the final, with no further appeals.

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**809 INTERNAL REVIEWS**

Case reviews shall be conducted to ensure accuracy and compliance with the requirements of Public Law 104-193, 45 CFR Part 286, the Navajo Nation Tribal Family Assistance Plan, and DSR Pathway to Self-Reliance Policy Manual, and DSR Compliance Procedures. Errors discovered during an Internal Review shall be remedied to prevent future errors. If an error or incorrect decision was made, the staff who made the error shall be responsible to correct the error immediately, unless that staff is no longer employed with the DSR. The Program Supervisor II shall ensure that corrective action is taken.

**810 DATA COLLECTION AND REPORTING**

Complete and accurate information shall be collected and reported by the established due date to comply with 45 CFR Part 286, Subpart E – Data Collection and Reporting Requirements.

**811 PROGRAM INTEGRITY**

To protect the DSR's integrity, all potential internal and external fraudulent activities shall be investigated. In addition, all DSR staff are subject to a background check and must obtain a favorable result for continued employment.

**812 RECORDS MANAGEMENT**

All case records shall be maintained in accordance with applicable Federal and Navajo Nation laws, regulations, and internal ~~record~~records management procedures ~~encompassing, including~~ scanning and paperless efforts.

**813 PROFESSIONAL ETHICS AND STANDARDS**

Each DSR staff shall strictly adhere to the DSR's Professional and Ethical Standards of Employee Conduct and the Navajo Nation Access to Information and Privacy Act to uphold the integrity of the DSR and protect the confidentiality of DSR Customers.

**814 IMPROPER PAYMENTS**

All Potential Improper Payments. ~~Including,~~ including a payment that should not have been made or that was made in an incorrect amount, shall be handled in accordance with the DSR Improper Payment Procedures.

**815 CASE MANAGEMENT VIOLATIONS**

If a DSR staff determines an error or incorrect decision was made, the staff who made the error is responsible to correct the error immediately, unless the staff is no longer employed with the DSR. -The Supervisor shall ensure corrective action is taken.

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### **SECTION 900: GLOSSARY**

#### **901 PURPOSE**

This section defines the words, terms and acronyms used in this Policy Manual may differ from the terms or words as used by the general public.

#### **902 DEFINITIONS**

##### Acceptable

Attendance: An attendance rate of at least 80% during a grading period.

Achievement Award: An incentive that is provided as a monetary award to a Benefit Group member who has achieved an established educational or employment goal.

Adoptive Parent: A person, who legally adopts a child, and has legal documentations, such as a court order, to display such adoption.

Adult: An individual who is eighteen (18) years of age or older, or a child under eighteen (18) years of age emancipated by a court of competent jurisdiction.

Appeal: A written request made by a DSR Customer, who is the head-of-household, of a DSR benefit group, to someone other than the caseworker request a review or examine of a decision made on their DSR application or assistance or service case.

Appeal Hearing: A meeting conducted in an informal setting with proceeding where a Customer to attempt to resolve, who is appealing a decision or adverse action made on their application or case, has an opportunity to provide information and documents to support their position that the decision made was wrong or unfair.

Applicant: An individual who submits an application requesting DSR assistance or services, whether they are included in the request or not.

Application: The form, *Application for Assistance*, which is completed and submitted to apply for DSR assistance. The application must include, at minimum, the Applicant's name, Social Security Number, Date of Birth, Mailing Address, Physical Residential Address, and signature.

Asset: Funds in a checking, saving, and/or certificates of deposit accounts, or savings account.

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**Benefit Group:** Members of a Needy Family who meet eligibility requirements for receipt of DSR assistance, who are included in the benefit payment amount, and whose income and resources are considered in determining eligibility for DSR assistance.

**Benefit Month:** A month for which a Customer is approved to receive a monthly assistance payment.

**Biological Parent:** A parent, who has conceived (biological mother) or sired (biological father), a child and whose genes are therefore transmitted to the child.

**Business Day:** A day the Navajo Nation offices are open for regular business, Monday to Friday, 8:00 a.m. to 5:00 p.m.

**Caretaker:** An individual adult, other than the Custodial biological or adoptive Parent(s) of a minor child, who is appointed or is volunteering to provide full-time care to, has Legal Guardianship/Custody of the minor child, an adult caretaker related by blood or marriage who is the primary caretaker of at least one minor child(ren), or an unrelated adult caretaker who has Legal Custody of at least one minor child(ren), on whose behalf they are applying, unless a time-limited exception applies as provided in Section 310.

**Case Staffing:** A meeting, involving two (2) or more SR staff, to develop and enhance case management and services provided to Customers. Case staffing may include, but is not limited, to reviewing formal and informal assessments, developing strategies to address barriers and issues, identifying appropriate Customer work activities and resources, reviewing and updating Customer goals and objectives, and reviewing Customer progression.

**Certification Period:** The number of months for which a household is certified to receive benefits.

**Compliance**

**Hearing Officer:** ~~DSR support service staff who reviews, hears and decides on administrative appeals for DSR assistance, cases and services.~~

**Compliance Officer:** ~~DSR direct services staff who reviews adverse actions and conducts case reviews.~~

**Common-Law**

**Marriage:** A marriage as defined by 9 N.N.C. § 4(E) that meets the following four (4) necessary elements: 1) a present intention of the parties to be husband and wife; 2) a present consent between the parties to be husband and wife; 3) actual cohabitation; and 4) an actual holding out of the parties within their community to be married. This does not include marriage through 9 N.N.C. § 4(A)-(D).

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**Custodial Parent:** A ~~eustodial~~biological or adoptive parent who has physical custody of, and is responsible for the care of, ~~at~~their minor child(ren).

**Customer:** An eligible individual receiving DSR assistance and services.

**Decision Notice:** Written notification provided to a Customer explaining a decision made on their DSR application or assistance.

**Double Presentment:** Cashing or depositing the same check twice, where the check is deposited via mobile device, then the paper check is cashed or is deposited in a different bank as well.

**Due Process:** A Customer's right to be provided written notification of a decision made on their DSR application for assistance or case; be provided twenty (20) ~~working~~business days to appeal the decision before the decision is implemented; and an opportunity to be heard.

**Emancipation:** The legal court process that allows a minor under the age of 18 years to assume responsibility for their own welfare. When a minor becomes emancipated, their parent(s) is/are no longer legally obligated to support the minor.

**Employee:** A person employed for wages or salary at a non-executive level, which includes blue collar, white collar, artisan, hired-hand, hired man, hired help, or personnel workforce.

**Employer:** A person or organization that employs and compensates individuals.

**Employment Income:** Income, excluding in-kind service, received as wages, salaries or commission from employment by another.

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**Exclusion:** An individual who is not included in a Benefit Group.

**Exemption:** Release or excused from having to comply with a DSR requirement for a specified period, due to a justifiable reason or special circumstance.

**Family:** ~~A social unit consisting of at least one (1) minor child who lives with their parent(s) or related/unrelated caretaker.~~

**Federally Designated  
Near Reservation**

**Community:** A community designated as a "Near Reservation" location pursuant to Federal Register Vol. 44 No. 9, Friday January 12, 1979, page 2693.

**Financial Assistance:** A monthly ~~benefit~~payment provided to meet a family's~~benefit~~ group's on-going basic needs; ~~non-assistance benefit payments provided to eligible families;~~ and supportive services provided to

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~~families that are unemployed or underemployed benefit group members participating in authorized work participation activities.~~

**Fraud:** Intentional false representation of facts through deceit or omission that results in the approval of benefits the Customer was not entitled to receive.

**Full-Time Employment:** Employment for an average of 32 or more hours per week during a month.

**Full-Time Student:** An individual enrolled in an institution of learning and enrolled in the appropriate number of ~~credit~~ hours of instruction deemed as full time by the individual institution.

**Gift:** A donation in the form of cash, other financial instruments, or goods that are given voluntarily without requiring something in return.

**Good Faith Effort:** Making a reasonable effort to comply with a provision(s) of this policy. For Quality Case Management purposes, making at least three (3) separate attempts at different times, preferably on different days, to contact and meet with a Customer by letter, telephone calls, home visits, virtual meeting, fax or e-mail.

**Gross Income:** The total amount of countable earned or unearned income a person receives from all sources before any deductions.

**Head-of-Household:** The individual designated to apply on behalf of the Needy Family who shall represent, and is responsible for, the Benefit Group.

**Household:** Individuals living together and functioning as a unit, with a head of household who may or may not be related to the members of the household.

**Incentive:** A monetary award to encourage and motivate Benefit Group members to succeed in their education and employment and/or completion of their Personal Responsibility Plan education goals, which is dependent on the availability of funds.

**Immediate Relative:** An individual who is related by blood, legal marriage, or adoption, as: father; mother; son; daughter; brother; sister; grandmother; grandfather; uncle; aunt; husband; wife; stepfather; stepmother; stepson; stepdaughter; stepsister; stepbrother; half-brother; or half-sister.

**Income:** Money received from employment, benefit, property, winnings from gaming, in-kind goods or services, gifts, contributions, or other sources available to meet basic needs and expenses.

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**Informal Fair  
Hearing:**

A meeting conducted in an informal setting between a Caseworker or Senior Caseworker, a Customer, and an assigned Compliance Officer to try to resolve an issue, complaint, or appeal before proceeding to a formal hearing.

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**In-Kind Income:**

Compensation received in non-monetary form (e.g. room and board, jewelry, food, household goods, livestock, wood/propane, or vehicle maintenance, etc.) for a service(s) performed that is not converted to cash.

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**Intake Month:**

The calendar month in which a *DSR Application for Assistance* is received and accepted.

**Legal Custody:**

An individual, other than the ~~custodial~~ legal parent, who has been appointed by a court of competent jurisdiction as having custody of a minor child.

**Legal Marriage:**

The matrimonial union of two (2) individuals through a legal commitment; religious ceremony; or a traditional ceremony; or a Common-Law Marriage and all such marriages meet the requirements of 9 N.N.C. §§ 4 and 5.

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**Legal Parent:**

A parent listed on a child's birth certificate; or a parent for whom paternity has been established by a court, paternity test or by a signed and notarized Acknowledgement of Paternity; or a legal adoptive parent. An individual whose Parental Rights have been terminated by a court is not considered a Legal Parent.

**Long-Term:**

Continuous for at least six (6) months.

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**Mandatory**

**Deductions:**

Deductions from income that are required by law, Court Order or Garnishment, such as: Federal and State Withholding Taxes; Federal Insurance Contributions Act Tax; Medicare; health and medical Insurance Premiums; Child Support; alimony payments; and court ordered restitution payments.

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**Minor Child:**

An individual under the age of eighteen (18) years of age; or an individual who has not attained nineteen (19) years of age and is a full-time student in secondary school.

**Minor Parent:**

An individual who has not attained eighteen (18) years of age, is not emancipated, and is the custodial parent of a minor child.

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**National Poverty**

**Guideline:** The federal poverty measure, issued annually by the U.S. Department of Health and Human Services, which is used to determine financial eligibility for certain federal programs.

**Needy Family:** A group of individuals, which includes at least one (1) minor child living together under one (1) head of household, and whose countable Gross Monthly Income does not exceed 200% of the federal poverty guideline for the applicable family size and meets all other eligibility criteria established for receipt of DSR assistance.

**Net Income:** The total amount of income that is available after mandatory deductions are made from gross income.

**Overpayment:** A payment made to a Benefit Group that is certified as exceeding the amount the Benefit Group was eligible to receive.

**Overturn Decision:** The act or process made by an authorized DSR employee by reversing any decision that is incorrect, improper, or not justified regarding a Customer's application and/or benefits.

**Payment Standard:** The DSR Benefit Group's monthly assistance amount based on the Benefit Group size.

**Penalty:** A reduction of a Benefit Group's monthly assistance amount imposed due to failure to comply with Personal Responsibility Plan requirement and the Minimum Work Participation Hours DSR requirement.

**Per Capita Payment:** A distribution of Tribal funds or royalties per individual tribal member as established by individual tribes.

**Post-Secondary:** Education and/or training after high school.

**Prospective-**

**Prospective-**

**Retrospective:** The concept used to determine an eligible Benefit Group's assistance amount. The countable income the Benefit Group anticipates (Prospective) or receives (Retrospective) in the Income Month is used to determine their monthly assistance amount.

**Reporting Month:** The month for which a Customer is required to meet the Minimum Work Participation Hours requirement due to receiving DSR assistance for that month.

**New Application:** An application submitted by a head-of-household who is applying for DSR assistance for the first time or an application submitted by a head-of-household who previously received DSR assistance but

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

	has had a break in assistance of more than two (2) months of assistance.
Prospective:	For new applications, <u>use</u> using the amount of income the Benefit Group anticipates or expects during the Intake Month to determine the Benefit Group's eligibility and, if eligible, to determine the Benefit Group's monthly assistance payment amount for the first two months of assistance.
Retrospective:	After the first two (2) months of assistance is provided, a Benefit Group's eligibility and monthly assistance amount is determined using the actual income the <u>Needy</u> Family received two (2) months before the Benefit Month (e.g. the monthly assistance amount for the Benefit Month of October is determined using the actual income received in August).
Resources:	Monetary or non-monetary types which may include but not limited to: income, revenues, assets, properties, other services, other benefits and valuables that are or could be available to a DSR Customer.
Residence:	A physical location where a Customer currently resides which may include, but not limited to, a hogan, mobile home, house, apartment, vehicle, or shelter.
Secondary School:	<u>High school (Grades 9 through 12) or an educational institution where an individual can pursue obtaining a High School Equivalency Diploma.</u>
Self-Employment:	Operating one's own business.
Self-Employment Income:	Income received from operating one's own business where the usual employment withholdings (e.g. Federal/State Taxes, Self Employed Contributions Act Tax and Medicare) are not deducted from the income.
School Age:	A minor child between five (5) and eighteen (18) years of age.
Self-Reliance:	A state or goal a family pursues to prepare the adults for employment and/or prevent the future dependence of the minor children on governmental benefits.
Service Delivery Area:	The geographic area served by the DSR, as defined in the Navajo Nation's approved Tribal Family Assistance Plan.

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**Service Population:** All families living on the Navajo Nation, including trust lands. Additionally, families living within the city limits of a designated near-reservation community where a head-of-household or a Benefit Group member has a Navajo Census Number.

**Stepparent:** A ~~eustodial parent's~~Custodial Parent's spouse who is not the biological or adoptive parent of the ~~eustodial parent's~~Custodial Parent's child(ren).

**Stipend:** A payment provided to reimburse Customers for out-of-pocket expenses (e.g. transportation/fuel, meals, etc.) incurred while participating in a Work Experience placement to gain knowledge, skills and experience in their chosen career goal.

**Subsidized Private Employment:** Employment in the private sector for which 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.

**Subsidized Public Employment:** Employment in the public sector for which 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.

**Support Service:** A service that removes a barrier to employment or education/training, provided to a Benefit Group member engaged in an approved work participation activity.

**Sustainable Employment:** Employment at a wage which meets or exceeds the National Poverty Guideline amount for the applicable Benefit Group size, unless justification is provided that the Benefit Group's Gross Monthly Income is sufficient to sustain (meet the basic needs of) the family.

**Terminated Income:** Income that was received regularly (daily, weekly, bi-weekly, or monthly) that is no longer received. If the last pay check was received prior to the date a new application is submitted, it is considered non-countable. If a check is received after the date of application, then the income is considered countable in the Income Month. Termination Income does not apply to on-going cases.

**Termination of Parental Rights:** An individual whose Parental Rights have been severed by a court of a competent jurisdiction. The individual is not considered a Custodial Parent.

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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE**  
**PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**Time Limit:** The maximum number of Countable Months of DSR assistance (whether or not consecutive) that can be provided to an adult, unless a Hardship Exemption is granted.

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**Underemployed:** An individual who is employed, including self-employment, but whose countable monthly income is less than the Payment Standard for the applicable Benefit Group size.

**Underpayment:** A payment made to a benefit group that is certified as being less than the amount the benefit group was eligible to receive.

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**Upheld Decision:** The act or process made by an authorized DSR employee by supporting any decision that is correct, proper and justified regarding a customer's application and/or benefit assistance.

**Unsubsidized Employment:** Employment where the employer is responsible for all employment related expenses, including salary, wages, insurance, and benefits.

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**Welfare Reform:** The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) which eliminated Aid to Families with Dependent Children's open-ended entitlement and created a block grant for states and tribes to provide time-limited assistance for needy families, with work requirements for most recipients.

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**Working Day:** A day the Navajo Nation offices are open for regular business, Monday to Friday, 8:00 a.m. to 5:00 p.m.

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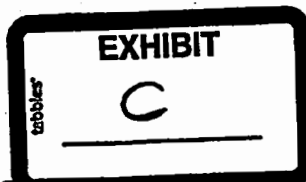
**ATTACHMENTS:**

- A. Designated Near Reservation Communities
- B. Navajo Nation Privacy and Access to Information Act

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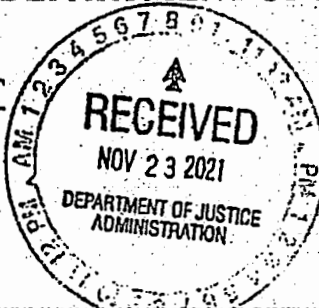
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# NAVAJO NATION DEPARTMENT OF JUSTICE

## DOCUMENT REVIEW REQUEST FORM



DOJ
11/23/21 @ 8:39a
DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline
DOC #: 17734
SAS #:
UNIT: H596

☐ RESUBMITTAL

\*\*\* FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

CLIENT TO COMPLETE			
DATE OF REQUEST:	11/22/2021	DIVISION:	Division of Social Services
CONTACT NAME:	Anthony Dineyazhe	DEPARTMENT:	Department for Self Reliance
PHONE NUMBER:	928-810-8592	E-MAIL:	Anthony.dineyazhe@nntanf.org
TITLE OF DOCUMENT: Review Document #17734 Department for Self Reliance Policy Manual			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 11/23/2021 @ 10:15am		REVIEWING ATTORNEY/ADVOCATE: LBJ/CP	
DATE TIME OUT OF UNIT: 2/19/22 @ 10:40am JH			
DOJ ATTORNEY / ADVOCATE COMMENTS			
emailed AD on 12/1 @ 10:55am, emailed edits on 12/6 @ 12pm			
See memo, sufficient. Please use updated version emailed on 2/15/22			
REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
		LBJ	2/15/22 2:15pm
DOJ Secretary Called: Anthony Dineyazhe		for Document Pick Up on 2/15/22 at 10:40am By: JH	
PICKED UP BY: (Print)		DATE / TIME:	

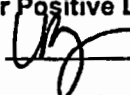
NNDOJ/DRRF-July 2013

17

**SECTION 164 REVIEW FORM**Title of Document: DSR Policy Manual Revision Contact Name: DINEYAZHE, ANTHONYProgram/Division: DIVISION OF SOCIAL SERVICESEmail: anthony.dineyazhe@nntanf.org Phone Number: 928-810-8595Division Director Approval for 164A: 

**Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.**

**Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council**

<input checked="" type="checkbox"/>	<b>Statement of Policy or Positive Law:</b>			Sufficient	Insufficient
	1. OAG:	<u></u>	Date: <u>2/15/22</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)</b>				
	1. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

**Section 164(B) Final approval rests with the President of the Navajo Nation**

<input type="checkbox"/>	<b>Grant/Funding Agreement or amendment:</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Subcontract/Contract expending or receiving funds or amendment:</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>M.O.A. or Letter of Assurance expending or receiving funds or amendment:</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

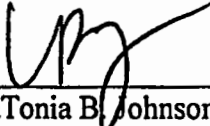
DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

MEMORANDUM

TO: Anthony Dineyazhe, Senior Program and Project Specialist  
Department of Self-Reliance  
Division of Social Services

FROM:

  
LaTonia B. Johnson, Assistant Attorney General  
Human Services Government Unit  
Navajo Nation Department of Justice

DATE: February 15, 2022

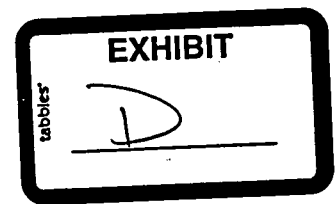
SUBJECT: Document No. 17334: Department of Self-Reliance Manual

The Department of Justice (DOJ) has reviewed the above-mentioned document and after clarification and edits made between DOJ and Department of Self-Reliance (DSR), the document is sufficient. In an email dated February 15, 2022, I have emailed you the final version for processing. When this document is being considered by Health, Education, and Human Services Committee (HEHSC), please ensure that DSR submits an underline and strike-out version to display the amendments. The underline and strike-out version will allow HEHSC to review and consider the amendments.

Lastly, is noted that DSR submitted this document using the 164A process under Statement of Policy. Pursuant to 2 N.N.C. § 110 (W), a Statement of Policy is defined as "written statement submitted to federal, state or local government by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government." Given that this document does not meet the above-mentioned definition, this document should have been processed under the executive review process as "other" with review by the Executive Director of the Division of Social Services and DOJ. In the future, please ensure that this document or similar documents are processed under the correct process.

If you have any questions regarding this memorandum, please contact me via email at [lajohnson@nndoj.org](mailto:lajohnson@nndoj.org). Thank you.

LBJ/lk.71



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**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE  
PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**SECTION 100: GENERAL INFORMATION**

**101 INTRODUCTION**

Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Action of 1996, provides the Navajo Nation Department for Self Reliance guidance in administering the Tribal Temporary Assistance for Needy Families (TANF) program.

Key principles are:

- A. Welfare programs should help people move from Welfare-to-Work.
- B. Welfare should be short-term and transitional and not a way of life.
- C. Parents should receive the child care and health care services to ensure their children are not at risk as parents move from Welfare-to-Work.
- D. Child support programs should get tougher and more effective in securing support from absent parents.
- E. States, Tribes and localities should develop diverse and creative solutions to the factors contributing to poverty and dependency.

**102 WELFARE REFORM**

Welfare Reform gave tribes flexibility to design a program that will promote the following TANF purposes:

- A. Provide assistance to needy families so that children may be cared for in their homes or in homes of relatives.
- B. End the dependency of needy parents on government benefits by promoting job preparation, work and marriage.
- C. Prevent and reduce the incidence of out of wedlock pregnancies and establish annual numerical goals to prevent and reduce the incidence of these pregnancies.
- D. Encourage the formation and maintenance of two-parent families.

**103 NAVAJO NATION DEPARTMENT FOR SELF-RELIANCE**

The Navajo Nation Department for Self Reliance (DSR) serves Customers living on the Navajo Nation and Navajo families living in communities designated as "Near Reservation" locations pursuant to the Federal Register Vol. 44 No. 9, January 12, 1979. (Attachment 1).

The DSR is committed to quality and timely services, treating Customers with dignity and respect, maintaining regular contact with Customers, and coordinating and collaborating with other entities to foster positive changes in Customers.

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE  
PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**SECTION 200: T'ÁÁ HWÓ ÁJÍT'ÉEGO (SELF RELIANCE)**

**201 T'ÁÁ HWÓ ÁJÍT'ÉEGO**

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

**202 VISION STATEMENT**

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

**203 MISSION STATEMENT**

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

**204 SERVICE DELIVERY MODEL**

The DSR Service Delivery Model has four (4) progressive stages of learning and personal development that result in successful outcomes of DSR families.

NITSÁHÁKEES (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 encouraging personal change by assisting Customers in identifying specific opportunities that foster a positive outcome.

ÁDÍÍLÍÍ (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, abilities, and experiences to help them become self-reliant.

BEE NÍÍSÉELDOO (Growing):

To recognize Customers taking responsibility for themselves and their family members toward self-sufficiency.

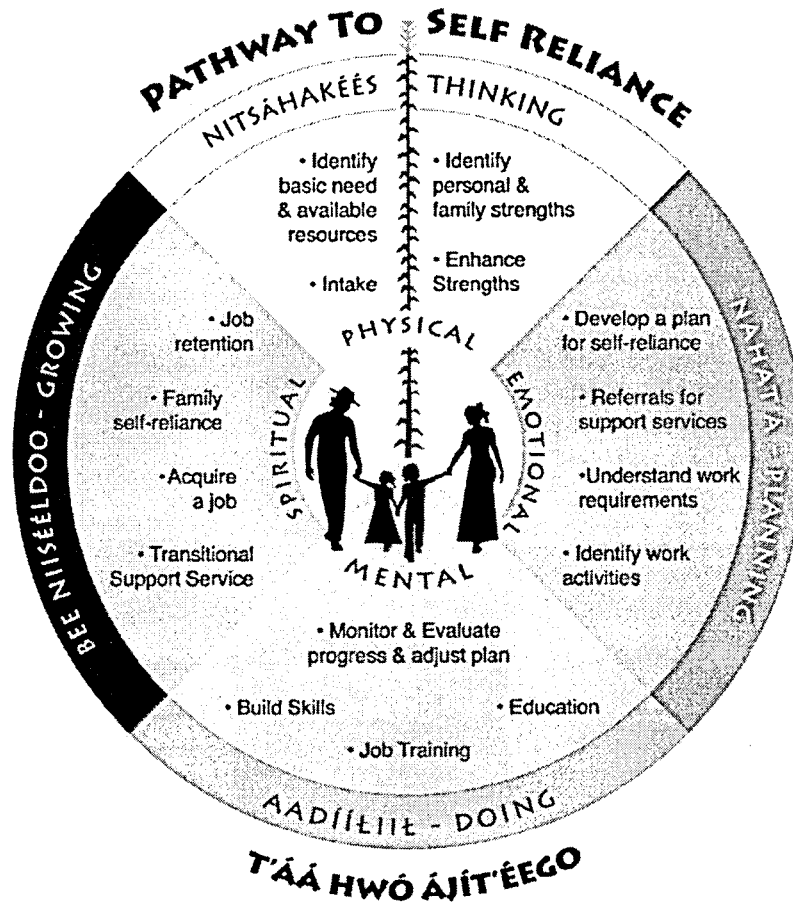
These four (4) traditional teachings guide and serve as a model for development of one's well-being and promote value in sustaining Hózhó k'eh iiná.

**Figure 1** depicts the pathway the DSR promotes for Customers to reach self-reliance.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE  
PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

**Figure 1.**



**205 CUSTOMER RIGHTS**

Each Customer has a right to:

- A. Be treated with respect and dignity.
- B. Have their privacy recognize and respected including protection of any information that identifies the Customer and their family in accordance with the Navajo Nation Privacy and Access to Information Act, (Attachment 2).
- C. Be treated fairly regardless of race, ethnicity, national origin, religion, gender, age, disability, sexual orientation, or source of income.
- D. Apply for and receive assistance and services at any DSR direct service office of their choice.
- E. Receive a copy of the DSR Pathway to Self Reliance Policy Manual and an orientation on these Policies.
- F. Develop a Personal Responsibility Plan based on their interests and chosen career goals.
- G. Receive services provided in an appropriate manner with consideration of their limitations.

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE  
PATHWAY TO SELF RELIANCE POLICY MANUAL, AS AMENDED**

- H. Make written or verbal complaints and receive resolution of their issues or concerns.
- I. Due process to appeal an action taken or not taken by the DSR regarding their application, assistance, or case.
- J. Receive copies of documents they submitted and notices the DSR generated.
- K. Withdraw their application before a decision is made by the DSR.
- L. Bring a person of their choice to appointments and/or hearings.
- M. Be fully informed of any decisions or changes affecting the services and assistance they currently receive.
- N. Voluntarily close their case at any time.
- O. Decide which minor child(ren) to be included in their Benefit Group.
- P. Refuse assistance and services offered by the DSR.

**206 CUSTOMER RESPONSIBILITIES**

Each Customer has a responsibility to:

- A. Treat others with respect and dignity.
- B. Provide accurate and complete information about their present conditions, previous services and other information relating to his or her situation.
- C. Cooperate with DSR in the determination of their eligibility and the monitoring of their on-going eligibility, including investigations.
- D. Comply with all scheduled appointments, including arriving on time, or contacting the DSR direct service staff to reschedule appointments in a timely manner.
- E. Complete a DSR Customer Orientation Session within thirty (30) business days after approval, unless exempted as provided in this Policy Manual.
- F. Complete a Test of Adult Basic Education (TABE) within thirty (30) business days after approval, unless exempted as provided in this Policy Manual.
- G. Participate in the development and completion of their Personal Responsibility Plan within thirty (30) business days after the date on the Approval Decision Notice.
- H. Commit to achieving their Personal Responsibility Plan goals and objectives.
- I. Review and update their Personal Responsibility Plan at least once every four (4) months or as situations change.
- J. Comply with Work Participation Requirements. This applies to adult(s) and emancipated minor parent(s) who are included in a Benefit Group and receiving assistance.
- K. Submit a Monthly Change Report each month to report changes which have occurred in the last 30 days, if any, which may affect eligibility for DSR assistance. A benefit group's monthly assistance payment will not be processed until a complete MCR is submitted and the benefit group's continued eligibility is determined.

**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE  
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- L. Report any changes in their circumstances which may affect their eligibility, benefit amount, and/or their Personal Responsibility Plan, within five (5) business days from the change.
- M. Follow through with all referrals to internal and external resources.
- N. Use monthly assistance payments for its intended purposes.

**207 DSR EMPLOYEE RESPONSIBILITIES**

- A. Each DSR employee is responsible to:
  - 1. Treat each Customer with respect, dignity and in a professional manner.
  - 2. Uphold and protect the confidentiality of DSR Customers in accordance with the Navajo Nation Privacy and Access to Information Act, the DSR Professional and Ethical Standards of Employee Conduct, and this Policy.
  - 3. Abide by the DSR Professional and Ethical Standards of Employee Conduct.
  - 4. Provide Customers with a copy of the DSR Pathway to Self-Reliance Policy Manual, if requested.
  - 5. Explain to the Customer their rights and responsibilities.
  - 6. Provide each Customer an *Application for Assistance* and other necessary forms.
  - 7. Ensure Customers understand DSR requirements and consequences for noncompliance.
  - 8. Ensure all Customers understand that if they do not agree with a decision made regarding their application or assistance, they have the right to appeal the decision.
- B. Each DSR Direct Service Employee is responsible to:
  - 1. Assist Customers with completing the *Application for Assistance* and other necessary forms.
  - 2. Assist Customers to understand and identify their needs, interests, strengths and weaknesses as they begin to pursue self-sufficiency.
  - 3. Document all interactions with Customers in case notes.
  - 4. Assist Customers to pursue all opportunities and resources available to him or her.
  - 5. Make payment adjustments in a timely manner when Customers reports a change in their circumstance.
  - 6. Verify information provided by Customers.
  - 7. Provide accurate and timely determination of eligibility for DSR assistance and services.
  - 8. At a minimum, communicate and follow-up with Customers on a monthly basis, including providing advance notice of decisions or changes affecting Customers' eligibility and assistance.
  - 9. Provide adequate notice prior to home visits.

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10. Provide transportation in accordance with the DSR Customer Transportation Procedures.
11. Prepare for and keep each appointment, regardless of early release or administrative leave.
12. Make every effort to keep an appointment. If for any reason, a staff is not able to keep an appointment, the staff must arrange with their supervisor to contact the Customer to reschedule the appointment or have another staff member meet with the Customer.
13. Participate in the development and monitoring of the Customer's Personal Responsibility Plan.
14. Obtain Tribal Assistance System certification within six (6) months after beginning the Pathway to Quality Services training series.
15. Report a potential Intentional Program Violation committed by a Customer or a member of the Customer's Benefit Group to the Fraud Investigation Unit when a staff suspects or becomes aware of an Intentional Program Violation. A DSR direct service staff who does not report a potential Intentional Program Violation for which they are aware of may be subject to disciplinary action in accordance with the Navajo Nation Personnel Policies Manual.

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**SECTION 300: NITSÁHÁKEES (THINKING)**

**301 PURPOSE**

It is the purpose of the DSR to promote personal responsibility by educating Customers on welfare reform, reducing dependency on public assistance by creating educational and career opportunities, assisting eligible needy families to meet their basic needs, and addressing social dilemmas by identifying and providing referrals to key resources.

**302 PRE-APPLICATION SCREENING**

- A. Prior to submitting an application, all individuals interested in applying for DSR assistance and services shall be screened to determine eligibility for DSR assistance and benefits.
- B. Individuals have the right to refuse a pre-application screening. The refusal must be documented manually in their case record, and he/she shall be allowed to proceed with an *Application for Assistance*.
- C. DSR direct service staff must provide information about the application process and basic eligibility criteria, so the individual can make an informed decision on whether they want to proceed with applying for DSR assistance and benefits.

**303 APPLICATION**

The DSR operates with two (2) types of applications: *Request for Diversion Benefits* and *Application for Assistance*.

**A. *Request for Diversion Benefits*:**

An individual, who is potentially eligible for Diversion Benefits, may apply for the Diversion Benefits by submitting a *Request for Diversion Benefits* form.

**B. *Application for Assistance*:**

- 1. New applicants and current Customers re-applying for continued assistance, must apply for DSR Assistance by submitting a DSR *Application for Assistance* to any DSR direct service office, in person, by mail, fax, or email.
- 2. The *Application for Assistance* must list all individuals residing in the home with the applicant.
- 3. A Needy Family (see definition) shall not have more than one (1) active case.
- 4. A Legal Custodial Parent, who resides with his/her minor child(ren), must be included in the benefit group, either as the Head-of-Household (HOH), Spouse of the HOH, or as the other parent of a minor child in the benefit group, unless excluded for one of the reasons listed at 307(A), 307(B) or 307(C).
- 5. The effective date of eligibility for DSR assistance must be the date on which an application is received by a DSR direct service office, except for:

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- a. Application(s) received during non-business hours, including a holiday or recognized Navajo Nation official closure, shall be date stamped for the next business day.
  - b. To prevent duplication of assistance, a Benefit Group receiving similar assistance from a State or other Tribal TANF, or Navajo Nation General Assistance during an Intake Month shall have their Effective Date for DSR assistance begin on the day after their assistance with the other program ends. An applicant must provide written verification indicating that the other assistance has ended.
  - c. A Benefit Group that meets all of the following criteria shall be given the option of having their Effective Date begin on the first day of the following month in order to avoid having a partial month of assistance count toward their sixty (60) Countable Month Time Limit:
    - i. resides in a near reservation community;
    - ii. includes an adult member; and
    - iii. applies within the last five (5) business days of an Intake Month.
- C. An Applicant has the right to withdraw his or her application before a decision is rendered by:
- 1. Submitting the DSR *Voluntary Withdrawal/Closure/Removal Request* form; or
  - 2. Submitting a written statement which must indicate they are requesting to withdraw their application and are waiving their right to appeal.

**304 INTERVIEWS**

All eligibility determination interviews must be scheduled and conducted timely, preferably within five (5) business days from the date an application is received at a DSR office. In no instance shall an eligibility determination interview be scheduled and/or conducted beyond fifteen (15) business days from the date an application is received at a DSR office, unless the applicant requests an Interview Date beyond the fifteen (15) business days.

**A. Application for Diversion Benefits:**

An eligibility interview must be scheduled and conducted on the same day a request is made. For a two-parent application, including those that include stepparent, both parents must be present at the interview. At an applicant's request, a third party may be present.

Refer to Section 705 of this Policy for the eligibility criteria and requirements for Diversion Benefits.

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**B. Application for DSR Assistance:**

1. Eligibility determination interview must be scheduled on the same day an application is received, to be conducted preferably within five (5) business days from the Application Date.
2. The following process must be implemented:
  - a. A direct service staff must interview all applicants to determine their eligibility for DSR assistance.
  - b. Eligibility interviews must be conducted in-person, including home visit, unless a justifiable reason exists to utilize a different method.
  - c. For two-parent applications, including those that include a stepparent, both parents must be present at the interview, unless a justifiable reason exists to utilize a different method.
  - d. An eligibility checklist requesting verification documents must be given to a head-of-household. Verification documents must be submitted within ten (10) business days from the date of interview.
  - e. At an applicant's request, a third party may be present during an interview.

**C. An eligibility interview may be conducted by telephone or virtual platform if a justifiable reason exists including, but is not limited to, the following:**

1. Customer is temporarily absent from the Service Delivery Area for employment, educational or training purposes.
2. Customer is in a medical or non-medical treatment facility.
3. Hospitalization of an immediate family member requiring the Customer's continuous presence.
4. Customer is incapacitated preventing him or her from traveling.
5. Severe inclement weather condition that prevents the Customer from traveling.
6. Customer who has to travel one-hundred (100) or more miles, one-way, from the DSR office.
7. DSR office is closed to the public due to safety reasons.

**305 REQUIRED DOCUMENTS**

- A. To verify the age and U.S. citizenship of applicants and Customers, to prevent duplication of assistance, and to verify the eligibility of family residing in a federally designated Near Reservation Community, the following documents must be submitted with an *Application for Assistance* or a *Request for Diversion Benefits*:**

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**1. Birth Certificate**

An official Birth Certificate must be submitted for the head-of-household and all members of the Benefit Group, to verify their age and U.S. citizenship, except for the following situations:

- a. A newborn child may be included in a Benefit Group without an official Birth Certificate for a period not to exceed ninety (90) calendar days after birth. If an official Birth Certificate is not submitted by the end of the ninety (90) calendar day period, the newborn child must be removed from the Benefit Group until such time an official Birth Certificate is submitted to the DSR.
- b. An adult, who does not have an official Birth Certificate, must submit an Affidavit of Birth issued by the Navajo Office of Vital Records, in lieu of an official Birth Certificate.

**2. Social Security Card**

A Social Security Card must be submitted for the head-of-household and all members of the Benefit Group to prevent duplication of DSR assistance, except for the following situation:

- A newborn child may be included in the Benefit Group for a period not to exceed ninety (90) calendar days after birth. If a Social Security Card is not submitted by the end of the ninety (90) calendar day period, the child must be removed from the Benefit Group until such time their Social Security Card is submitted to the DSR.

**3. Identification Card**

A valid picture Identification Card must be submitted for the head-of-household, adult benefit group members and Minor Parents to verify their identity. An Identification Card with a picture such as a valid driver's license, valid employee identification card, state or tribal issued identification card, passport, military and/or dependent identification card, or school identification card are acceptable forms of identification. Use of library, shopping or warehouse membership cards with a picture are not acceptable.

**4. Certificate of Indian Blood**

For benefit groups residing within the city limits of a federally designated Near Reservation Community, a Navajo Certificate of Indian Blood or Navajo Nation Tribal ID Card must be submitted for the head-of-household, or a benefit group member, to qualify the benefit group for DSR assistance.

- B. An adult or minor parent's name on their Social Security Card and Identification Card must match. If they do not match, the adult or minor parent shall be provided 180 calendar days, unless an extension is granted, to submit a Social Security Card and Identification Card that have matching names. On a case-by-case basis, the timeline may be extended for up to an additional 180 calendar days beyond the initial 180 calendar days period.



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- C. If an adult or minor parent does not submit a Social Security Card and Identification Card that have matching names by the established deadline, including any extensions granted, the adult or minor parent must be removed from the benefit group or, if the adult is the head-of-household, the case must be closed.

**306 NEEDY FAMILY**

The DSR defines a “*needy family*” as a group of individuals, which includes at least one (1) minor child, living together under one (1) head-of-household and whose countable Gross Monthly Income does not exceed 200% of the federal poverty guideline for the applicable family size and meets all other eligibility criteria established for receipt of DSR assistance.

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

- A. Their Custodial Legal Parent(s); or
- B. Their Custodial Legal Parent and a stepparent by legal marriage; or
- C. Their related or unrelated adult Caretaker.

**307 INELIGIBILITY FOR ASSISTANCE**

- A. Applications for DSR assistance submitted by the following shall not be approved:
  - 1. Adults who have met the DSR Time Limit for Assistance, except if they are applying for continued assistance and are granted a Hardship Exemption from the Time Limit requirement; or
  - 2. Adults who have received Diversion Benefits or Transitional Support Services and are currently in the three (3) month Disqualification Period.
- B. A Custodial Parent(s), who is/are ineligible for DSR assistance due to one (1) of the following reasons, must not be included in the benefit group and their income and assets must be counted in determining the Benefit Group’s eligibility:
  - 1. Is not a United States citizen; or
  - 2. Is ineligible to receive DSR assistance due to one (1) of the following reasons:
    - a. 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 or Tribes for the following reasons:
      - i. programs funded under Title IV of the Social Security Act, which includes TANF;
      - ii. programs funded under Title XIX of the Social Security Act;
      - iii. programs funded under the Supplemental Nutrition Assistance Program, formerly the Food Stamp Act of 1977; or
      - iv. receipt of benefits in two (2) or more States under the Supplemental Security Income program under Title XVI.

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- b. 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; or
  - c. Currently violating a condition of probation or parole imposed by Federal or State law.
- C. An individual, who meets one of the following situations, must not be included in a Benefit Group, and their income and assets shall be disregarded in determining eligibility for DSR assistance:
  - 1. An individual receiving Supplemental Security Income (SSI);
  - 2. A relative or non-relative Caretaker;
  - 3. A dependent child who turns nineteen (19) years of age;
  - 4. A protective payee(s); or
  - 5. An authorized representative(s).
- D. An individual included in a DSR Benefit Group at the time they begin receiving Supplemental Security Income benefits shall be removed from the Benefit Group as of the last day of the month in which they begin receiving Supplemental Security Income benefits.
- E. A Custodial Parent receiving non-SSI disability benefits shall have the option of being excluded from a DSR Benefit Group and have their income and assets disregarded, or be included in the DSR Benefit Group and have their income and assets counted in determining the Benefit Group's eligibility for DSR assistance.

**308 ELIGIBILITY FOR ASSISTANCE**

Customers must meet non-financial, financial and, if applicable, supplemental eligibility requirements in order to receive DSR assistance.

**309 NON-FINANCIAL ELIGIBILITY REQUIREMENTS**

**A. Minor Child**

All DSR Benefit Groups must include at least one (1) eligible minor child.

- 1. In addition, all school age minor children in the Benefit Group must be enrolled in school as a full-time student with acceptable attendance. During the summer break, submittal of a final report card, or a document on official school letterhead, verifying the minor child completed the previous school year, shall be deemed as meeting this requirement.

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2. An eighteen (18) year old, who is a full-time student in secondary school, may be included in the Benefit Group, as a minor child, up to the time they obtain their high school diploma or turn nineteen (19) years of age, whichever occurs first, and must be removed from the Benefit Group as of the last day of the month in which they receive a high school diploma or turn 19 years of age, whichever occurs first.
3. A minor child, who received a high school diploma before the age of eighteen (18) years must be enrolled in a post-secondary educational institution to remain eligible for continued DSR assistance up to the time they turn eighteen (18) years of age. During the summer months, submittal of an acceptance letter for the summer or fall semester shall be deemed as meeting this requirement until such time they are enrolled in a post-secondary educational institution.

**B. Service Delivery Area**

1. The DSR Service Delivery Area is:
  - a. The territorial boundaries of the Navajo Nation, including trust lands, fee lands, and the satellite communities of Alamo, To'hajiilee, and Ramah.
  - b. The city limits of a Designated Near Reservation community where the identified head-of-household or a Benefit Group member has a Navajo Census Number. The Designated "Near Reservation" communities for the Navajo Nation are listed in the Federal Register Vol. 44 No 9, Friday, January 12, 1979, pp. 2693 (See Appendix, "On or Near Reservation Designation for the Navajo Nation").
2. The head-of-household and all members of the Benefit Group must have resided within the DSR's Service Delivery Area for at least thirty (30) consecutive days at the time of an initial application, or when adding a new member(s) to a benefit group, unless one of the circumstances listed at Section 309.B.(3) applies.
3. Approved DSR Customers, who are temporarily absent from the Service Delivery Area for one (1) of the following reasons, are considered domiciled at their permanent residence and may continue to receive assistance during their temporary absence on the condition they meet and comply with the criteria established at Section 309. B. 4 herein:
  - a. An adult Benefit Group member receiving education or training in accordance with their Personal Responsibility Plan.
  - b. An employed adult Benefit Group member whose worksite is outside of the reasonable daily commuting distance and stays near their worksite on the days they are scheduled to work.
  - c. A Customer receiving medical or non-medical treatment.
  - d. A Customer whose presence is required during an immediate family member's medical or non-medical treatment.
  - e. A Customer receiving services in a domestic violence shelter or facility.

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4. Approved DSR Customers who are temporarily absent from the Service Delivery Area for one (1) of the reasons listed at Section 309. B. 3 herein may continue to receive DSR assistance subject to the following conditions:
  - a. The temporary absence from the Service Delivery Area must not exceed ninety (90) calendar days from the date the Customer(s) leaves the Service Delivery Area, unless a justifiable reason exists to extend the temporary absence for up to an additional ninety (90) calendar days. If an extension is granted, the Customer's current Personal Responsibility Plan must be updated to include or extend appropriate work activities. Under no circumstance shall a temporary absence exceed one-hundred eighty (180) calendar days from the date a Customer or Benefit Group member first leaves the Service Delivery Area.
  - b. Customers receiving medical or non-medical treatment must comply with their treatment plan as prescribed or outlined by a certified and/or licensed physician, counselor or therapist.
  - c. Customers gaining education, training or on-the-job training must remain enrolled and making satisfactory progress in the educational or training program.
  - d. Customers receiving domestic violence services must comply with their service plan as developed by a person trained in domestic violence.
5. A Benefit Group or Benefit Group member who relocates outside the Service Delivery Area shall be ineligible to receive DSR assistance as of the last day of the month in which they relocated.

**C. Service Population**

The DSR Service Population includes:

1. All eligible tribal and non-tribal families, living on the Navajo Nation, including trust lands, fee lands, and the satellite communities of Alamo, To'hajiilee and Ramah; and
2. All eligible families, including child-only cases, living within the city limits of a designated near reservation community where the head-of-household, or a Benefit Group member, has a Navajo Census Number.

**D. Residency**

1. All Benefit Group members must have resided with the head-of-household for at least thirty (30) consecutive days at the time of initial application, or as of the date the individual is being added to a Benefit Group, unless one (1) of the following exceptions applies:
  - a. A Benefit Group member who is temporarily absent from the home for no more than thirty (30) consecutive days, due to receiving medical or non-medical treatment;

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- b. The head-of-household or a Benefit Group member is temporarily absent from the home, for no more than thirty (30) consecutive days, due to employment;
  - c. A Benefit Group Member's presence is required during an immediate family member's medical or non-medical treatment;
  - d. Minor child(ren) residing in a dormitory while attending a school located in the State of Arizona, New Mexico or Utah; or
  - e. Minor child(ren) whose Custodial Parent(s) have deceased and is/are placed in the care of a Caretaker or Stepparent.
2. For approved on-going cases, all Benefit Group members must continue to reside with the head of household, except if one (1) of the criteria under 309. C. (3) herein occurs.
  3. A newborn child may be included in the Benefit Group beginning the month following their date of birth if the new born meets all other eligibility criteria and requirements.

**E. Citizenship**

The head-of-household and all Benefit Group members must be United States citizens and must be verified by an official birth certificate; affidavit of birth; or certificate of naturalization.

**F. Time Limit**

1. The DSR Time Limit for an adult or emancipated minor head-of-household to receive DSR assistance must not exceed sixty (60) Countable Months, whether or not consecutive. The time limit does not apply to minor children, including unemancipated Minor Parents in a Benefit Group.
2. Any and all prior months of TANF assistance funded with the TANF Block Grant, including State and other Tribal TANF, shall be counted towards the Time Limit, unless an exemption or disregard criteria is met (45 CFR, Part §286.125).
3. An application submitted by, or which includes, an Adult who has received sixty (60) Countable Months of TANF Assistance shall not be approved, except if it is an application for continued assistance and the adult has been granted a Hardship Exemption.

**G. Hardship Exemption**

1. A hardship exemption from the DSR Time Limit may be granted to a Customer experiencing a condition that hampers or inhibits his or her ability to maintain work or enter into work related activities. If a hardship exemption is granted, the month is not counted towards their sixty (60) month time limit. A Customer who is granted a hardship exemption is included in the overall work participation rate. (45 CFR §286.120).

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2. Examples of a hardship include, but are not limited to, the following:
  - a. Victim of domestic violence whose participation in work activities may cause an immediate threat to his or her own safety or the safety of his or her children;
  - b. Customer who has a medical condition that prevents him or her from participating in work activities and the condition is confirmed, in writing, by a physician;
  - c. Customer with significant cognitive, physical, and/or mental impairment that limit his or her educational and job skills attainment and/or their ability to secure and retain employment due to an impairment, for which a documentation of his or her condition must be submitted;
  - d. Customer responsible for providing full-time care of an elderly person or a disabled dependent, for which a documentation must be submitted;
  - e. Families who are homeless due to vandalism, hazardous living conditions, acts of nature, or their home was destroyed by fire and is uninhabitable; or
  - f. Families who are homeless due to eviction.

**310 SUPPLEMENTAL ELIGIBILITY CRITERIA**

In addition to meeting non-financial and financial eligibility criteria, Caretakers, Two Parent Families, Stepparents and Minor Parents must meet applicable Supplemental Eligibility Criteria.

**A. Caretakers**

1. Caretakers must have Legal Guardianship/Custody of the minor child(ren) on whose behalf they are applying, unless the following time-limited exception applies:
  - a. A Caretaker, related by blood or marriage to the minor child(ren) on whose behalf he or she is applying or receiving assistance and does not have Legal Guardianship/Custody of the minor child(ren), shall be allowed a one-time opportunity to include the child(ren) in the Benefit Group for up to twelve (12) months, without establishment of Legal Guardianship/Custody, on the condition they agree to comply with the following:
    - i. Provide documentation (birth certificate, family card, etc.) verifying that he or she is related by blood or marriage to the minor child(ren);
    - ii. Provide documentation (e.g., court order, Social Services referral, notarized Power of Attorney, etc.) designating him/her as the primary care provider for the minor child(ren);
    - iii. Initiate the process of obtaining Legal Guardianship/Custody by no later than three (3) months after initial approval for DSR assistance; or, for Caretakers in on-going cases, three (3) months after implementation of this requirement; and

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- iv. At each Personal Responsibility Plan review, provide verification of actively pursuing legal Guardianship/Custody for the minor child(ren).
  - b. If, at any time during the twelve (12)-month period, the Relative Caretaker does not comply with the established conditions, the minor child(ren) shall be deleted from the Benefit Group and cannot be included in the Benefit Group until Legal Guardianship/Custody is obtained.
  - c. If Legal Guardianship/Custody has not been established for the child(ren) by the end of the twelve (12) month period, a review will be conducted to determine if the Caretaker made a “Good Faith” effort to obtain Legal Guardianship/Custody.
  - d. If the review determines that the Caretaker made a “Good Faith” effort, but was unable to obtain Legal Guardianship of the minor child(ren) due to a reason(s) beyond their control, with the approval of the local office Program Supervisor II, the Caretaker may be given up to an additional twelve (12) months to obtain Legal Guardianship/Custody of the minor child(ren).
  - e. If the review determines that the Customer did not make a “Good Faith” effort to obtain Legal Guardianship/Custody, the minor child(ren) will be removed from the benefit group at the end of the month in which the twelve (12)-month period ends and the minor child(ren) will be ineligible to be included in the Benefit Group until Legal Guardianship/Custody is obtained.
  - f. Under no circumstance shall a minor child be included in a Benefit Group for more than twenty-four (24) months after initial approval without the Relative Caretaker obtaining Legal Guardianship/Custody of the minor child.
- 2. The income and resources of a Caretaker shall not be considered in determining the Benefit Group’s eligibility for DSR assistance.
  - 3. A Caretaker will not be subject to Work Participation requirements.

**B. Two-Parent Assistance**

- 1. In situations where two (2) Custodial Parents reside with the minor child(ren) they are applying with, the parents must apply together for Two-Parent Assistance, unless one of the exceptions listed at 307(B) or 307(C)(1) applies, and must meet the following criteria:
  - a. The parents and the minor child(ren) in the benefit group must reside in the same home or in close proximity to one another where they are able to function as a family and have regular physical contact. For the purpose of this section, close proximity is defined as within a two (2) mile radius.
- 2. In situations where a Custodial Parent and a Stepparent are in a Common-Law Marriage and they do not have a common child they are applying with, the parent(s) must sign an *Affirmation of Common-Law Marriage* form in order for the Stepparent to be eligible to be included in a Two-Parent benefit group.

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3. If the parents are Caretakers for an eligible minor child(ren) in their care, the minor child(ren) must be included in the Two-Parent Assistance case.
4. If one or both parents are ineligible to be included in the benefit group due to one of the reasons listed at 307.B., or 307.C.(1), assistance and services will be provided as a one-parent or child-only case until such time the parent(s) regain(s) their eligibility.

**C. Stepparents**

A Stepparent, who is legally married to the Custodial Parent of a minor child(ren), in the benefit group and meets the DSR eligibility criteria and requirements may be included in a Benefit Group.

**D. Minor Parents**

**1. Emancipated Minor Head-of-Household**

- a. A Custodial Minor Head-of-Household under the age of eighteen (18) may apply for DSR assistance on their own behalf if they are emancipated, which must be verified by a court order.
- b. An emancipated Minor Head-of-Household receiving monthly assistance shall be subject to Work Participation, Personal Responsibility Plan, and Time Limit requirements.

**2. Non-emancipated Minor Parent**

A minor parent, who is not emancipated, is considered a minor child and their legal parent or their court appointed guardian remains legally responsible for him or her until they reach the age of eighteen.

- a. A Custodial Minor Parent under the age of eighteen (18) who is not emancipated may receive DSR assistance in accordance with the following requirements:
  - i. If the Minor Parent(s) resides with their Custodial Parent(s), the Custodial Parent(s) must apply on their own, the Minor Parent(s) and the Minor Parent's child(ren). A Custodial Parent, who resides with his/her minor child(ren), must be included in the benefit group, unless excluded for one of the reasons listed at 307(A), 307(B) or 307(C).
  - ii. For Minor Parents who do not reside with their Custodial Parent, an adult Caretaker must apply on behalf of the Minor Parent(s) and the Minor Parent's child(ren).
  - iii. Minor Parents who have not attained a high school diploma or General Education Diploma must be attending a high school, or an equivalency program.
  - iv. The Custodial Minor Parent(s) must be living in a place of residence maintained by a parent, legal guardian, or an adult Caretaker.



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- b. An unemancipated Minor Parent included in a benefit group shall not be subject to Work Participation, Personal Responsibility Plan, and Time Limit requirements.

**311 FINANCIAL ELIGIBILITY CRITERIA**

A Needy Family must not exceed the Total Countable Assets, Gross Countable Monthly Income, and Net Countable Income eligibility criteria to be eligible to receive DSR assistance payments.

**A. Total Countable Assets**

**1. Countable Assets**

Funds in a checking and/or savings bank account(s) that holds money for a Benefit Group member shall be verified with a monthly financial statement and counted toward the established asset limit, except if it is disregarded in accordance with Federal, State, or Tribal law, judgement, or settlement.

- 2. Earned and unearned income deposited into a checking or savings bank account shall be considered countable income, unless disregarded pursuant to Section 311.B.2. (Non-Countable Income), in the month it is received.
- 3. Any income listed at Section 311. B.2. (Non-Countable Income), that is deposited into a checking and/or savings bank account(s) will not be counted as a Countable Asset.
- 4. A Needy Family's Total Countable Assets must not exceed three thousand dollars (\$3,000) per month.
- 5. If a Needy Family's Total Countable Assets exceed \$3,000 per month, the Benefit Group is ineligible for DSR monthly assistance.

**B. Income Types**

**1. Countable Income**

The following income are counted in determining eligibility for DSR assistance, unless disregarded in accordance with Federal, State or Tribal law, judgement or settlement:

**a. Earned Income**

**i. Employment Income**

Income received as wage, salary or commission, bonus or tips from permanent, temporary, full-time, or part-time employment.

**ii. Self-Employment Income**

Income received from operating one's own business where the usual employment withholdings such as Federal and/or State Taxes, Self-Employed Contributions Act, and Medicare are not deducted from the income.

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**b. Unearned Income**

Income derived from sources other than employment, including, but not limited to:

- i. Child Support Payments;
  - ii. Social Security Benefits - Retirement, Survivors, and Disability Insurance;
  - iii. Retirement Benefits, including Federal, State, Tribal, and railroad;
  - iv. Interest and dividend statement from a financial institution;
  - v. Royalty payments such as oil, gas and other minerals;
  - vi. Rental/lease of properties/land;
  - vii. Per capita payments derived from Tribal owned trust or income producing enterprises, unless excluded by federal statute;
  - viii. Unemployment Insurance Compensation;
  - ix. Vacation/Sick/Severance payments;
  - x. Lottery and Gambling winnings;
  - xi. Insurance Settlements;
  - xii. Worker's Compensation;
  - xiii. Disability payments to individuals included in the Benefit Group, except for military disability compensation;
  - xiv. Foster Care payments received for Minor Children included in the Benefit Group; and
  - xv. After one-year from the date a payment is received from the Land Buy-Back Program, pursuant to the Claims Resolution Act of 2010, Pub. L. No. 111-291, Section 101(f).
- c. Earned and unearned income deposited into a bank account or pre-paid debit card, including through on-line payment systems (e.g. PayPal, Zelle, Apple Pay, Google Pay, etc.), will be considered countable income, unless disregarded, in the month it is received.

**2. Non-Countable Income**

Income derived from the following source are not counted in the determination of eligibility for DSR assistance:

- a. Workforce Innovation and Opportunity Act and Native Employment Works program payments;
- b. Job Corps payments;
- c. Educational grants, scholarships, student work study, student loans, and other awards from a recognized source to the extent the money is used for educational expenses only;

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- d. Low Income Home Energy Assistance Program or any other Emergency Energy Assistance Program;
- e. Supplemental assistance from public or private agencies to help the Benefit Group meet emergency situations or balance of need not met by the DSR, such as Community Services Block Grant; Emergency Assistance; Title IVB, Subpart 1 of the Social Security Act; Housing and Urban Development; and other utility allowances;
- f. Wages of dependent children eighteen (18) years or younger in the Benefit Group who are enrolled students;
- g. The value of food produced in home farming for the Benefit Group's consumption;
- h. Reimbursements for job related expenses such as travel, lodging, meals, or mileage;
- i. Value of supplemental food assistance received under the Child Nutrition Act, the National School Lunch Act and the United States Department of Agriculture Supplemental Nutrition Assistance Program;
- j. Payments made under the United States Housing Act – Annual Contributions Contract, Housing and Urban Development community development block grant funds and Escrow Accounts in the Family Self Sufficiency Program;
- k. Cash value of the United States Department of Agriculture Commodities Food Assistance;
- l. Relocation assistance or allowances under the Housing Act, including payments made under Title II of the Uniform Relocation and Real Property Acquisition Policy, and the Navajo-Hopi Relocation Act (P.L. 93-531);
- m. Tax-exempt portions of payments made under the Alaska Native Claims Settlement Act;
- n. Agent Orange Settlements or payments made under the Radiation Exposure Compensations Act for injuries or death of nuclear testing or uranium mining;
- o. Benefits received under Title III and VI, Nutrition Program for the Elderly–Older Americans Act;
- p. Payments to public service volunteers, e.g. Foster Grandparent Program, community services programs, AmeriCorps, plasma donation, recycling, etc.;
- q. Terminated Income (Does not apply to on-going cases);
- r. In-Kind Income (Compensation received in non-monetary form, such as room and board, livestock, etc.) for a service(s) performed, that is not converted to cash;
- s. Gifts received in the form of cash or non-cash, given voluntarily without requiring something in return;

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- t. Foster Care payments received for minor children not included in the Benefit Group;
- u. Military service-related Benefits including, but not limited to, the following: education and training, health care, disability, dependency and indemnity, or survivor's compensation;
- v. The first three hundred dollars (\$300) of the Needy Family's Net Monthly Earned Income;
- w. The first one hundred dollars (\$100) of the Needy Family's Net Monthly Unearned Income;
- x. All income earned from participation in the DSR's Subsidized Adult Employment;
- y. Federal and State Income Tax Returns;
- z. Allowances or stipend payments received to cover living expenses while participating in an educational or training program;
- aa. Payments excluded by federal statute or court order; and
- bb. Payment from the Land Buy-Back Program for Tribal Nations is tax exempt, for a one-year period, starting on the date a payment is received, and that payment will not affect benefits received or are eligible to receive under any federal or federally-assisted program, pursuant to the Claims Resolution Act of 2010, Pub. L. No. 111-291, Section 101(f).

**C. Gross Countable Monthly Income**

A Needy Family's Gross Countable Monthly Income is the total amount of earned and unearned income received, before mandatory and allowable deductions are applied.

1. For new applications, a Needy Family's "Prospective" (anticipated) Gross Countable Monthly Income for the Intake Month will be used to determine the Benefit Group's eligibility for DSR assistance.  
  
Income received weekly, bi-weekly or which fluctuates will be converted to a monthly amount resulting in a Gross Countable Monthly Income.
2. For on-going cases (after the first two months of assistance), the Benefit Group's eligibility will be determined using the "Retrospective" concept, in which a Needy Family's actual income received in the income month is used to determine eligibility for the benefit month.
3. If a Needy Family's Gross Countable Monthly Income exceeds the current National Poverty Guidelines adjusted at two hundred percent (200%) for the applicable Benefit Group size, the Benefit Group is **ineligible** to receive DSR Assistance.
4. If a Needy Family's Gross Countable Monthly Income is below the current National Poverty Guidelines adjusted at two hundred percent 200% for the

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applicable Benefit Group size, proceed to Net Countable Monthly Income provision.

**D. Net Countable Monthly Income**

A Needy Family's Net Countable Monthly Income is the total amount of earned and unearned income received from non-disregarded income sources after applying mandatory and allowable deductions.

1. For new applications, the Needy Family's "Prospective" (anticipated) Net Countable Monthly Income for the Intake Month will be used to determine the Benefit Group's eligibility for DSR assistance.
2. For on-going cases (after the first two months of assistance), the Benefit Group's eligibility will be determined using the "Retrospective" concept.

The Retrospective concept is where, at the time a Benefit Group's eligibility is being determined, the Net Countable Monthly Income received in the prior month (Income Month) is used to determine eligibility for the next month (Benefit Month).

**EXAMPLE:** During the month of September, a Benefit Group's eligibility for an October (Benefit Month) assistance payment is determined using actual income received in August (Income Month).

3. The Monthly Income Worksheet is used to determine the Needy Family's Eligible Monthly Assistance Amount (see **Chart 1**).
4. Countable Monthly Earned Income

The Needy Family's Countable Monthly Earned Income (Monthly Income Worksheet #8) is determined as follows:

- a. If a Needy Family has income from employment by others, subtract the following verified Mandatory Deductions (Monthly Income Worksheet #4b) from the Gross Monthly Employment Income (Monthly Income Worksheet #4a):
  - i. Federal and/or State Withholding Taxes;
  - ii. Federal Insurance Contributions Act Tax;
  - iii. Medicare;
  - iv. Health and medical insurance premiums;
  - v. Court ordered child support and/or alimony payments; and
  - vi. Court ordered restitution payments.

**NOTE:** If Mandatory Deductions cannot be verified, apply a twenty percent (20%) deduction to the Gross Monthly Employment Income.

- b. If the Needy Family has Self-Employment Income (Monthly Income Worksheet #5a), subtract twenty percent (20%) of the Gross Self-Employment

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Income (Monthly Income Worksheet #5b) for expenses incurred, including taxes and/or insurance.

- c. Calculate the Needy Family's Net Monthly Earned Income (Monthly Income Worksheet #6) by:
  - i. Adding Gross Monthly Employment (Monthly Income Worksheet #4a and Gross Self-Employment Income (Monthly Income Worksheet 5a); then
  - ii. Subtracting Mandatory Deductions (Monthly Income Worksheet #4b) and Self-Employment Deductions (Monthly Income Worksheet # 5b).
- d. Employment Allowance

If the Needy Family's Net Monthly Earned Income (Monthly Income Worksheet #6) is greater than zero, the Needy Family is eligible for an Employment Allowance of up to three hundred dollars (\$300) in accordance with the following:

- i. If the Needy Family's Net Earned Income is less than three hundred dollars (\$300), the Employment Allowance will be the Net Earned Income.
    - ii. If the Needy Family's Net Earned Income is three hundred dollars (\$300) or greater, the Employment Allowance will be three hundred dollars (\$300).
  - e. The Needy Family's Countable Monthly Earned Income (Monthly Income Worksheet #8) is the Net Countable Earned Income (Monthly Income Worksheet #6) minus, if applicable, the Employment Allowance (Monthly Income Worksheet #7).
5. Countable Monthly Unearned Income

A Needy Family's Countable Monthly Unearned Income (Monthly Income Worksheet #13) is calculated as follows:

- a. If a Needy Family member(s) receives Unemployment Insurance Compensation benefit payments:
  - i. Calculate the Gross Unemployment Insurance Compensation amount (Monthly Income Worksheet #9a) by adding the Unemployment Insurance Compensation payments received during the Income Month.
  - ii. Calculate the Unemployment Insurance Compensation Deduction (Monthly Income Worksheet #9b) by multiplying the Gross Unemployment Insurance Compensation amount by thirty-three percent (33%). The Unemployment Insurance Compensation deduction is for work search related expenses and does not apply to any other type of unearned income.

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- b. Calculate Other Unearned Income (Monthly Income Worksheet #10) by adding all other sources of Unearned Income.
- c. Calculate Net Monthly Unearned Income (#11) by adding Gross Unemployment Insurance Compensation amount (Monthly Income Worksheet #9a) and Other Unearned Income (Monthly Income Worksheet #10), then, if applicable, subtracting the Unemployment Insurance Compensation Deduction (Monthly Income Worksheet #9b).
- d. If a Needy Family's Net Monthly Unearned Income (Monthly Income Worksheet #11) is greater than zero, the Needy Family is eligible for an Unearned Income Disregard (Monthly Income Worksheet #12) of up to one-hundred dollars (\$100) in accordance with the following:
  - i. If a Needy Family's Net Unearned Income is less than one hundred dollars (\$100), the Employment Allowance will be the Net Unearned Income Amount (Monthly Income Worksheet #11).
  - ii. If a Needy Family's Net Unearned Income is one-hundred dollars (\$100) or greater, the Employment Allowance will be one-hundred dollars (\$100).
- e. A Needy Family's Countable Monthly Unearned Income (Monthly Income Worksheet #13) is calculated by subtracting the Unearned Income Disregard amount (Monthly Income Worksheet #12), from the Net Monthly Unearned Income (Monthly Income Worksheet #11).

**6. Total Countable Monthly Income**

Calculate a Needy Family's Total Countable Monthly Income (Monthly Income Worksheet #14) by adding the Countable Monthly Earned Income (Monthly Income Worksheet # 8) and the Countable Monthly Unearned Income (Monthly Income Worksheet # 13).

**7. Net Countable Monthly Income**

Calculate a Needy Family's Net Countable Monthly Income (Monthly Income Worksheet #16) by subtracting the Dependent Care Deduction (Monthly Income Worksheet #15), if applicable, from the Total Countable Monthly Income (Monthly Income Worksheet #14).

**8. Dependent Care Deduction**

Expenses incurred by the Custodial Parent(s) for the care of a child(ren) younger than thirteen (13) years of age may be deducted from the Countable Monthly Earned Income in accordance with the following:

- a. The dependent care expense is:
  - i. required to allow the Custodial Parent(s) to participate in work participation activities; and
  - ii. verified by an original bill or receipt.

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- b. The Custodial Parent must have paid or is personally responsible for paying the dependent care expense.
  - c. The dependent care expense can be for a child(ren) who is/are not included in the Benefit Group.
  - d. The maximum Dependent Care Deduction shall be one hundred and fifty dollars (\$150) per month for each eligible child.
9. If a Needy Family's Net Countable Monthly Income (Monthly Income Worksheet #16) is equal to or exceeds the Payment Standard for the applicable Benefit Group Size, the Benefit Group shall be **ineligible** to receive DSR assistance.
10. If a Needy Family's Net Countable Monthly Income (Monthly Income Worksheet #16) is less than the Payment Standard for the applicable Benefit Group size and the Benefit Group meets all other eligibility criteria, proceed to determining the Benefit Group's Eligible Monthly Assistance Amount.

**312 MONTHLY ASSISTANCE AMOUNT DETERMINATION**

The current DSR Payment Standard shall be used to determine the Monthly Assistance Amount a Benefit Group is eligible to receive.

- A. The Monthly Assistance Amount a Benefit Group is eligible to receive shall be the difference between a Need Family's Total Net Countable Income and the Payment Standard for the applicable Benefit Group size.
- B. For new approvals, the Monthly Assistance Amount a Benefit Group is eligible to receive for the first two (2) months of assistance is determined by subtracting the Needy Family's Total Countable Income for the Intake Month from the Payment Standard for the applicable Benefit Group size.
- C. For ongoing cases, after the first two (2) months of assistance, the Monthly Assistance Amount a Benefit Group is eligible to receive is determined by subtracting a Needy Family's Actual Net Countable Income for the Income Month from the Payment Standard for the applicable Benefit Group size.

**EXAMPLE:** During the month of September, a Benefit Group's eligibility for an October (Benefit Month) assistance payment is determined using the Family's actual Total Countable Income received in August (Income Month).

**313 MONTHLY ASSISTANCE PAYMENTS**

- A. The DSR Payment Standard for the applicable Benefit Group size is the maximum amount of assistance a Benefit Group may receive each month.
- B. If a Benefit Group has countable income, the monthly assistance amount the Benefit Group receives shall be the difference between the Payment Standard for the applicable Benefit Group size, and a Benefit Group's Net Countable Monthly Income.



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- C. The amount a Benefit Group is eligible to receive may change when:
  - 1. a penalty is imposed;
  - 2. an overpayment is collected;
  - 3. an underpayment is remedied; or
  - 4. a pro-rated monthly payment is issued.
- D. Monthly benefit payments will be issued using the DSR's established payment method.
- E. Subject to the availability of funds, the DSR may establish a Winter Assistance Payment Standard to assist DSR Benefit Groups in meeting the increased costs for basic needs during the winter months, including home heating and additional expenses incurred for food, clothing and utilities (water, electricity, etc.) while children are at home on their winter school break. The DSR Winter Payment Standard for the applicable Benefit Group size will be the maximum amount of assistance a Benefit Group may receive. A Benefit Group that received DSR's Winter Assistance will not be eligible for school clothing assistance, emergency assistance, and low-income heating and energy assistance provided by the Navajo Nation with other funding sources.

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**Chart 1: Eligible Monthly Assistance Amount**

		<b>Monthly Income Worksheet</b>
<b>MONTHLY EARNED INCOME</b>		
	Gross Monthly Employment Income (GMEI)	4a.
Minus	Mandatory Deductions (Actual or 20% of GMEI)	4b.
Plus	Gross Monthly Self-Employment Income (GMSEI)	5a.
Minus	Self-Employment Deduction (20% of GMSEI)	5b.
<hr/>		
EQUALS	Net Monthly Earned Income (NMEI)	6.
Minus	Employment Allowance (up to \$300 of NMEI, if eligible)	7.
<hr/>		
EQUALS	<b>Countable Monthly Earned Income</b>	8.
<b>MONTHLY UNEARNED INCOME</b>		
	Unemployment Insurance Compensation (UIC)	9.a.
Minus	UIC Deduction (33%)	9.b.
Plus	Other Unearned Income	10.
<hr/>		
EQUALS	Net Monthly Earned Income	11.
Minus	Unearned Income Disregard (up to \$100.00)	12.
<hr/>		
EQUALS	<b>Countable Monthly Earned Income</b>	13.
<b>COUNTABLE MONTHLY INCOME</b>		
	Countable Earned Income	8.
Plus	Countable Unearned Income	13.
<hr/>		
EQUALS	Total Countable Monthly Income	14.
Minus	Dependent Care Deduction (if eligible)	15.
<hr/>		
EQUALS	<b>Net Countable Monthly Income</b>	16.
<b>ELIGIBLE MONTHLY ASSISTANCE AMOUNT</b>		
	Payment Standard for the Applicable Benefit Group Size	17.
Minus	Net Countable Monthly Income	16.
<hr/>		
EQUALS	<b>ELIGIBLE MONTHLY ASSISTANCE AMOUNT</b>	18.
	(If zero or negative, Benefit Group is ineligible)	

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**314 ELIGIBILITY DECISION**

A decision shall be rendered on all applications for DSR assistance and written notification provided to the Customer, preferably within five (5) business days after the Interview Date, by no later than fifteen (15) business days after the Interview Date.

**315 CERTIFICATION PERIOD**

Benefit Groups determined eligible for DSR assistance may be certified to receive DSR assistance for a period not to exceed twelve (12) benefit months with the understanding that, if there is a change in their circumstances, their eligibility may be re-determined at any point during the Certification Period.

- A. A Benefit Group may request to continue receiving assistance beyond the end of their Certification Period by submitting a new application, and have their eligibility re-determined prior to the end of their current Certification Period.
- B. A Benefit Group that is not approved for continued assistance by the end of their current Certification Period shall have their case closed effective the last day of their Certification Period.

**316 PROTECTIVE PAYEE**

A Protective Payee may be appointed, voluntarily or involuntarily, to receive Monthly Assistance Payments on behalf of the Benefit Group.

- A. A head-of-household may voluntarily appoint a Protective Payee by completing a *Protective Payee Appointment* form. The designated Protective Payee must sign the form and acknowledge the appointment in the presence of a DSR staff who will sign as a witness.
- B. A head-of-household may appoint a Protective Payee at any time after approval for receipt of DSR assistance.
- C. The head-of-household may withdraw their voluntary appointment of a Protective Payee at any time by submitting written notice to the DSR.
- D. If the appointment of a Protective Payee is court ordered, a copy of the court order must be provided to support the appointment.
- E. The Protective Payee may be required to verify the monthly assistance payments are used for the basic needs of the Benefit Group.

**317 AUTHORIZED REPRESENTATIVE**

An Authorized Representative may be appointed, voluntarily or involuntarily, at any time after a Customer's application for DSR assistance is approved, to represent the Benefit Group, and act on behalf of the head-of-household, until the appointment is revoked.

- A. A head-of-household may voluntarily appoint an Authorized Representative by submitting an *Authorized Representative Appointment* form, completed and signed by the head-of-household and the appointed individual.

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- B. The head-of-household may withdraw their voluntary appointment of an Authorized Representative at any time by submitting written notice to the DSR.
- C. The Authorized Representative Appointment must be documented in the Benefit Group's case record.
- D. An individual appointed by court order must provide a copy of the court order to be filed in the Customer's case folder.
- E. The financial resources of the Authorized Representative will not be considered in the determination of the Benefit Group's eligibility.

**318 INCAPACITATED HEAD-OF-HOUSEHOLD**

In situations where the head-of-household is no longer able to make decisions due to loss of mental capacity (e.g. coma, has no brain function, is in a vegetative state, etc.) and is expected to remain in that condition for an extended period, the case must be closed at the end of the month in which a doctor's statement verifying the above is received.

- A. For two-parent cases, the spouse may apply as a one-parent case if they want to continue receiving DSR assistance.
- B. For one-parent cases, the Caretaker for the child(ren) may apply as a child-only case if they want to receive DSR assistance on behalf of the child(ren).
- C. For child-only cases, the new Caretaker for the child(ren) may apply as a child-only case if they want to receive DSR assistance on behalf of the child(ren).

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**SECTION 400: NAHAT'Á (PLANNING)**

**401 PURPOSE**

It is the purpose of the DSR to create a Customer-centered environment that encourages personal change by assisting Customers with identifying specific opportunities that foster a positive outcome.

**402 CASE ASSIGNMENT**

- A. A Program Supervisor II must assign newly approved and transferred cases within five (5) business days of approval or transfer.
- B. Assigned Senior Caseworkers and Principal Caseworkers must contact the Customer(s) within five (5) business days after assignment to schedule an appointment to develop or review their Personal Responsibility Plan.

**403 CUSTOMER ORIENTATION AND ASSESSMENTS**

A. Customer Orientation

- 1. Adult(s) and emancipated minor heads of households in a newly approved case must attend and complete a DSR Orientation Session by no later than thirty (30) business days after the date of approval for DSR benefits.
- 2. The purpose of the Customer Orientation is to provide Customers with basic information on:
  - a. Welfare Reform;
  - b. Department for Self Reliance;
  - c. Customer's Rights and Responsibilities;
  - d. DSR staff's Rights and Responsibilities;
  - e. Time limit for assistance;
  - f. Personal Responsibility Plan requirement;
  - g. Work participation requirements;
  - h. Penalties for non-cooperation/non-compliance;
  - i. Support services; and
  - j. Other pertinent information.
- 3. Customers, who attended and completed a DSR Orientation Session within the twelve (12) month period prior to their approval date, will be exempted from this requirement, but should be orientated on recent changes by their assigned SCW/PCW.
- 4. A Customer who does not complete a DSR Orientation Session within the thirty (30) business day period shall be subject to penalty in accordance with Section 802.

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**B. Assessments**

Assessments are the systematic collection, documentation, analysis, and use of information of a Customer's knowledge, skills, attitudes, benefits, and social and emotional capacities.

1. Assessments are necessary tools in developing a Personal Responsibility Plan to:
  - a. Develop a comprehensive plan for services;
  - b. Establish priorities for service delivery;
  - c. Understand the Customer's current status, desired state and needs;
  - d. Determine the best ways to move the Customer from the current state to the desired state; and
  - e. Justify the actions taken, decisions and referrals made, and services provided.
2. Assessment Tools include, but are not limited to:
  - a. Barriers to Employment Success Inventory: Helps individuals identify their major barriers to obtaining a job or succeeding in their employment.
  - b. Picture Interest Career Survey: A visual vocational interest survey to help individuals identify their career interests.
  - c. Test of Adult Basic Education: Used to measure basic academic skills commonly found in adult education curricula taught in high school and adult instructional programs.
  - d. Informal Assessment Interview: To identify a Customer's priorities, experiences, strengths, and skills.
3. The Test of Adult Basic Education (TABE) must be administered to assess the educational level of Customers who are required to comply with Work Participation requirements.
  - a. All adults and emancipated Minor Heads-of-Household in a newly approved DSR case must complete a Test of Adult Basic Education (TABE) within thirty (30) business days after approval, unless one of the following exceptions applies:
    - i. The Customer, who has been accepted into, or is currently attending, a post-secondary educational institution will not be subject to this requirement.
    - ii. A Customer, who has taken the TABE within the six (6)-month period prior to their approval date, may submit their TABE results in lieu of taking their initial TABE Test.
    - iii. Caretakers are exempted from this requirement.
  - b. To track progress, Customers subject to this requirement must update their TABE result at least annually, unless the local office supervisor approves an exemption.

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- c. A Customer who fails to comply with this requirement shall be subject to penalty in accordance with Section 802.

**404 PERSONAL RESPONSIBILITY PLAN DEVELOPMENT**

A Personal Responsibility Plan outlines the Customer's plan to gain the skills, education, training, and services necessary for employment and/or self-sufficiency.

A. A Personal Responsibility Plan is developed using the following criteria:

- 1. Assessment data;
- 2. Knowledge of short-term and long-term goal(s);
- 3. Customer's current status; and
- 4. Assist Customers with identifying steps to achieve short-term and long-term goals.

B. Initial Personal Responsibility Plan for New Customers

- 1. An initial Personal Responsibility Plan is required for each adult Benefit Group member, head-of-household in Child-Only cases, and emancipated Minor Parent. An initial Personal Responsibility Plan must be developed and implemented by no later than thirty (30) business days after an initial application is approved. Failure to develop an initial Personal Responsibility Plan by the established due date will result in the Customer being subject to imposition of a penalty in accordance with Section 802 of this Policy.
- 2. Adult Benefit Group members shall develop their Personal Responsibility Plan based on their interests and chosen goals.
- 3. For Child-Only cases, the head-of-household's Personal Responsibility Plan must focus on the success and well-being of the child(ren).
- 4. The Customer's assigned Senior Caseworker or Principal Caseworker will facilitate the Personal Responsibility Plan development and provide necessary support and coaching toward the Customer's chosen goals.
- 5. Assessment results, if available, must be used and must focus on the Customer's path to gain the skills, abilities and knowledge for self-reliance.
- 6. At a minimum, an initial Personal Responsibility Plan should identify at least one (1) goal and related objectives.
- 7. At least one (1) work activity and associated hours must be identified in the initial Personal Responsibility Plan for adult Benefit Group members, including support services, goals and steps to receive incentives.

C. Personal Responsibility Plan for Ongoing Customers.

- 1. Assessment results must be used and must focus on the Customer's path to gain the skills, abilities and knowledge for self-reliance.

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2. At a minimum, a completed Personal Responsibility Plan should contain strategies to address:
    - a. barriers and issues;
    - b. goals and objectives;
    - c. identifying internal and external resources; and
    - d. work activities and hours, if appropriate.
  3. The completed Personal Responsibility Plan must support a Customer's chosen goals, including support services and steps to receive incentives.
  4. A Personal Responsibility Plan must be reviewed and, if necessary, updated at least once every four (4) months. A Customer who fails to update a Personal Responsibility Plan by the established due date will be subject to penalty in accordance with Section 802 of this Policy.
- D. Personal Responsibility Plan for Transferred and Reassigned Cases
1. For active cases that are transferred or reassigned, the Program Supervisor II must assign the case to a Senior Caseworker or Principal Caseworker within five (5) business days from receipt of the case.
  2. The Customer's established Personal Responsibility Plan must be reviewed by an assigned Senior Caseworker or Principal Caseworker and updated, as necessary, within five (5) business days after assignment.

**405 WORK PARTICIPATION REQUIREMENTS**

- A. Each Adult and emancipated Minor Head-of-Household included in a Benefit Group is required to meet the established Minimum Work Participation Hours requirement for each month of assistance provided to the benefit group.
- B. Work Participation Hours
- Beginning the month after a Customer's initial Personal Responsibility Plan is developed and implemented, an adult or emancipated Minor Head-of-Household included in a Benefit Group must participate in authorized work activities for a minimum of twenty-four (24) hours per week, on average, for each month of assistance provided.
1. Work Participation activities identified in a Customer's Personal Responsibility Plan must support their chosen goal(s) and address identified barriers.
  2. When a Customer is unable to participate in a Work Activity due to an unforeseen circumstance that requires their immediate attention, any supplemental activities the Customer engages in to address the unforeseen circumstance may be counted, provided the activity is listed in the DSR's Work Participation Activities at Section 405.B of this Policy. A Customer's Personal Responsibility Plan must be revised to reflect these circumstances.



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3. Customers subject to Minimum Work Participation Hours requirements must use the DSR *Work Participation Timesheet* form, worksite timecard/timesheet, or other documentation to verify the number of hours they were engaged in authorized Work Participation activities during a Reporting Month.
4. Customer timesheets/timecards are due by the close of business on the fifth (5<sup>th</sup>) day of the month following the month for which they are reporting hours. If the fifth (5<sup>th</sup>) day of the month falls on a weekend, holiday, or authorized office closure day, timesheets/timecards must be received by the close of business on the first business day following the weekend, holiday, or authorized closure day.
5. Customer timesheets/timecards or other documentation may be submitted in person, by mail, fax, or email to any DSR direct service office.
6. When a Customer's Work Participation Activity site is closed due to a Federal, State, or Tribal holiday, or for authorized closures, a Customer will be given credit for the hours they were scheduled to participate in work activities on that day.

**C. Pre-Authorized and Authorized Work Participation Activities**

Work Participation Activities expand the Customer's knowledge, skills and abilities through education, training, and employment, and removes barriers to employment and self-reliance.

**1. Pre-authorized Work Participation Activities**

The following Work Participation Activities are pre-authorized for newly approved Customers up to the time their initial Personal Responsibility Plan is developed and implemented:

- a. Overview sessions such as DSR Orientation, Timesheet, Personal Responsibility Plan;
- b. Participating in assessments such as Test of Adult Basic Education, Inventory Assessment, or Self Identity;
- c. Post-Secondary Education for Customers attending a Post-Secondary institution at the time of application;
- d. Secondary school or course of studies leading to a General Education Diploma certificate for Customers attending high school or enrolled in a General Education Diploma program at the time of application; or
- e. Unsubsidized Employment including self-employment.

**2. Work Participation Activities**

The following work participation activities, which expand the Customer's knowledge, skills and abilities through education, training, and employment, and removes barriers to employment and self-reliance, may be authorized for Customers in their Personal Responsibility Plan:

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a. 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.

b. 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. Subsidized Employment may be approved for a Customer once, for up to six months, in a twelve (12) month period.

c. 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. Subsidized Employment may be approved for a Customer once, for up to six months, in a twelve (12) month period.

d. Self-Employment

Engaging in an activity which produces income by working in one's own business, trade or profession (e.g. rug weaving, silversmith, childcare services, itinerant food vendor, etc.) Self-employment should be supplemented by other work activities which assist the Customer in progressing toward self-reliance.

e. Work Experience

An unpaid worksite placement that provides Customers with an opportunity to obtain general skills, training, knowledge, and work habits that improve their employability. The Customer's placement should be short term and not be considered "free labor".

f. Vocational/Technical Educational Training

Participation in vocational-technical education directly related to the preparation of individuals for employment in current or emerging occupations (e.g. health care, computer technology, office management, and skilled trades).

g. 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.

h. 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.

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- i. Participation in education directly related to employment, where the Customer has not received a high school diploma or General Education Diploma certificate. 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 a storyteller, and other cultural education that leads to becoming self-sufficient.
- j. Participation in education, other than post-secondary, directly related to employment, where a Customer has a high school diploma or General Education Diploma certificate.

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 a storyteller, and other cultural education that leads to becoming self-sufficient.

- k. Secondary School

Satisfactory attendance at a secondary school or course of studies leading to a High School Diploma or its equivalent such as a General Education Diploma.

- l. Participation in Adult Basic Education, Remedial Education, and English as a Second Language courses.
- m. 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.

- n. 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. (45 CFR 286.105).

- o. Job Readiness

Activities that provide the knowledge and skills necessary to obtain and keep a job, including training related to 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 (45 CFR 286.105).

- p. Community Service

A structured program activity or service performed without compensation and the activity or service benefits the community as a whole.

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**NOTE:** Community Service shall not be counted for more than eight (8) hours per week in a reporting month.

- q. Provision of childcare services to another DSR Customer who is participating in authorized work activities.

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

- r. Assessments

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

- s. Orientations

Participation in Orientation Sessions provided by the DSR or other programs.

- t. Removal of Barriers to Personal Responsibility Plan Goals

Time spent in removing barriers to Personal Responsibility Plan goals and objectives and complying with the Personal Responsibility Plan. Activities such as obtaining or regaining a driver's license; obtaining appropriate and affordable child care; completing steps necessary to enroll in a post-secondary educational/vocational institution.

- u. Substance Abuse and Drug Intervention

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

- v. Prevention, Intervention or Treatment of Mental/Physical Health-Related Illnesses

Participation and education in prevention, intervention, or treatment of mental/physical health-related illnesses. This includes being a patient of cultural/traditional ceremonies and ensuring that Benefit Group members receive their routine preventative health and dental care services.

- w. Providing Support and Care to a Dependent Child with a Special Need(s) who requires full-time care, as verified by a licensed medical professional.

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practice of caring for one's own children. This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge, skills and abilities in provision of home-based care (e.g. CPR, first aide, nutrition, etc.) This activity cannot be the sole work activity authorized for a Customer.

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- x. Providing Care to an Immediate Relative with a Medically Verified Disability who requires full-time care.

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

This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge, skills and abilities in provision of home-based care (e.g. CPR, first aide, nutrition, etc.) This activity cannot be the sole work activity authorized for a Customer.

- y. Study/Research Time

Time spent studying and/or conducting research by Customers participating in an education related work activity. Customers may be authorized one (1) hour of study/research time for each hour of class time authorized.

- z. Traditional Support and Mentoring

Participating in activities, conducted in a group setting with a curriculum, which uses traditional teachings and methods to support and encourage the mental, physical and emotional development and wellness of 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 other languages and traditions.

- aa. Agricultural Subsistence

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

- bb. Reasonable Transportation Time

Reasonable Transportation Time, up to two (2) hours per day, may be authorized on a case-by-case basis. Authorized transportation time will be in addition to hours authorized for approved work participation activities. Reasonable transportation time is the average amount of time for a person to travel to and from their residence to a work participation site.

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**SECTION 500: ÁDÍLÍÍŁ (DOING)**

**501 PURPOSE**

It is the purpose of the DSR to implement plans of action based on a Customer's identified strengths and barriers while establishing and providing opportunities for Customers to enhance their knowledge, skills, abilities, and experiences to help them become self-reliant.

**502 QUALITY CASE MANAGEMENT**

Quality Case Management is the most essential direct service provided to Customers; it helps Customers increase their knowledge, competency, skills, and abilities to enhance problem solving, coping abilities and obtain resources. The DSR provides guidance for interaction between organizations and resources.

**A. Customer Contact**

1. A good faith effort must be made to have regular monthly follow-up contacts with Customers. The complexity of a case determines how often DSR direct service staff are in contact with a Customer. At least half of the monitoring contacts must be in-person such as, but not limited to, the following: office visit, home visit, Skype meeting or interview, telephone call, or email.
2. A good faith effort is making at least three (3) separate attempts at different times, preferably on different days, to contact and meet with a Customer by letter, telephone calls, home visits, virtual meeting, fax, or email. Each attempt and method by which a Customer was contacted must be narrated in the Customer's case file.
3. Customer contacts include discussing the following:
  - a. Customer Responsibilities;
  - b. Personal Responsibility Plan Development;
  - c. Objectives in the Personal Responsibility Plan;
  - d. Barriers to completing the objectives;
  - e. Completion of objectives;
  - f. Objectives yet to be completed;
  - g. Customer's comfort with the timelines;
  - h. Work Participation Requirements;
  - i. Due dates, deadlines, approval period, etc.;
  - j. Next contact or appointment;
  - k. Penalties; and
  - l. Appeals and Customer Due Process.

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**B. Review of Customer's Personal Responsibility Plan**

1. All Personal Responsibility Plans must be reviewed with the Customer at least once every four (4) months to ensure realistic Customer progression toward their goals and self-reliance.
2. The Personal Responsibility Plan review shall include:
  - a. Assessing progress toward established goals and objectives;
  - b. Updating goals and objectives as necessary and appropriate; and
  - c. Reviewing Customer's work participation activities to ensure they support the goals and objectives identified in their Personal Responsibility Plan. As necessary, Customer's work participation activities shall be updated.
3. A new Personal Responsibility Plan shall be developed if there is a significant change in a Customer's circumstances, such as change in residence, medical or physical condition, family composition, career goals, etc.
4. A Customer's Personal Responsibility Plan shall be reviewed more frequently if it is in the best interest of a Customer's progress toward self-reliance, such as monitoring challenges and successes.

**C. Case Review**

Case Reviews ensure accurate and timely services and identify necessary and appropriate corrections to reduce potential violations. Case Reviews may include peer reviews and supervisor reviews.

1. Review Customer assessment information.
2. Verify and narrate a Customer's Months of Assistance and the number of Months of Assistance that are countable toward the Time Limit (Countable Months).
3. Verify Customer's continued eligibility for assistance prior to posting a monthly payment or prior to issuing a support service or incentive.
4. When a case is assigned or re-assigned, a case review must be conducted within five (5) business days to ensure compliance with applicable work participation and eligibility requirements.
5. If a DSR direct service staff determines an error or incorrect decision was made on a Customer's case, the staff who made the error must be responsible to correct the error within five (5) business days from the date of discovery, unless that staff member is no longer employed with the DSR. The Program Supervisor II must ensure that corrective action is taken.
6. Prior to initiating an adverse action, the proposed action shall be reviewed to ensure that action is appropriate and supported.

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**D. Case Staffing**

1. Case Staffing is an opportunity to exchange information about a Customer and to gain consultation from other DSR direct service staff. It is a group process to help identify issues, suggest problem resolution strategies and recommend service options.
2. Customers who may need Case Staffing include those who are not making progress or who need to address significant issues.
3. As necessary, Case Staffing must ensure Customers receive appropriate and effective services to provide them the opportunities and support they need to progress towards self-reliance.
4. Prior to initiating an adverse action, the proposed action must be case staffed to ensure the action is appropriate and necessary.

**E. Case Conferencing**

1. Case Conferencing is an opportunity to exchange information with a Customer and with their consent consult with other service providers. It is a time to bring together a multidisciplinary team of experts to review cases, identify resolution strategies and recommend solutions. Bringing the group together increases understanding of the services and expertise available in the community and provides an opportunity for creative problem solving and resource development.
2. Case conferencing is mandatory for Customers who do not have a justifiable reason for not meeting the Minimum Work Participation Hours requirement. The goal is to prevent a penalty being imposed by engaging the Customer in appropriate Work Participation Activities.

**F. Turning-the-Curve Milestones**

DSR direct service staff must continue to support Customers in achieving their established goals and objectives through periodic assessments, consistent monitoring and providing adequate resources. Progression monitoring will apply the Results Based Accountability concept. The DSR will use strength-based management for creating objectives that mark Customers' progression toward their desired outcome.

1. DSR direct service staff will assess Customer progression towards their established goals at a minimum of every four (4) months or sooner, as necessary. This may consist of reviewing Customer case files, contacting Customers, scheduling home visits, etc.
2. The purpose of each assessment is to evaluate the effectiveness of a Customer's Personal Responsibility Plan and their progress. The following questions are guidelines in completing the assessment:
  - a. Are the steps in a Customer's Personal Responsibility Plan delivering results as planned?



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- b. Have there been outside referrals provided to the Customer? If so, is the feedback positive?
- c. Are the steps in the Personal Responsibility Plan still supporting the goal? If so, what evidence supports there is progress?
- d. How have the Personal Responsibility Plan steps influenced the Benefit Group and what skills have been developed?
- e. Is service and case management provided to the Customer reasonable? What other resources could help increase the effectiveness of services?
- f. Is the Personal Responsibility Plan a positive influence on the Benefit Group?
- g. Is there evidence the Personal Responsibility Plan is likely to change? If so, what additional case management services are necessary?

**503 MONTHLY CHANGE REPORT**

All DSR benefit groups must submit a completed Monthly Change Report (MCR) form each month to report any changes in their circumstances which may affect their eligibility for DSR assistance or their monthly assistance amount.

- A. A benefit group's monthly assistance payment shall not be processed until the Customer submits a completed MCR, with all required verification documents attached, and the benefit group's continued eligibility is determined.
- B. Customers must submit their MCR in person, by mail, by e-mail, or by fax, unless authorized to provide the required information by phone.
- C. An MCR is considered complete when questions 1-7 are answered and is signed by the head-of-household or, if applicable, their appointed Authorized Representative.
- D. Customers shall be advised to submit a completed MCR prior to the fifth (5<sup>th</sup>) day of each month, so their eligibility can be determined and, if eligible, their monthly assistance payment can be processed timely. Otherwise, if they do not submit their MCR timely, the benefit group's Monthly Assistance payment may be delayed or not processed.
- E. If a change reported on the MCR may affect the Benefit Group's continued eligibility or monthly assistance amount, the Customer shall be informed to submit required verification documents within five (5) business days after submittal of a Customer's completed MCR. Otherwise, if they do not submit the required verification documents timely, the benefit group's Monthly Assistance payment may be delayed or not processed.
- F. Customers must be provided written notification and informed of their appeal rights if their monthly assistance payment will not be processed.

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- G. Customers who do not submit a completed MUR for two (2) consecutive months, will be subject to the following:
  - 1. Non-payment; and
  - 2. Case closure
- H. Customers must be provided formal written notification and informed of their appeal rights prior to a case closure being imposed. Once the established deadline for requesting an appeal hearing has expired, or the Customer submits a completed and signed *Waiver of Appeal Rights* form, the case closure shall be imposed.

**504 REPORTING CHANGES**

- A. Customers are required to report all changes in their circumstances that may affect their eligibility for DSR assistance no later than five (5) business days after a change occurs.
- B. The Customers must be provided a Checklist that identifies the required documents to be submitted.
- C. Customers will be provided up to five (5) business days, from the date of the reported change, to submit the required verification documents to DSR.
- D. Upon receipt of the required verification documents, an assigned DSR direct service staff will determine if the reported change will affect the Benefit Group's eligibility, Benefit Group size, or monthly assistance amount.
- E. A decision must be made and a written notification provided to a Customer on all reported changes, preferably within five (5) business days, but by no later than ten (10) business days from the date the change was requested or reported.
- F. Customers must be informed of their due process and appeal rights if they disagree with a decision resulting from the reported change.

**505 SUPPORTIVE SERVICE, ACHIEVEMENT AWARDS AND INCENTIVES**

The DSR may provide supportive services, achievement awards and incentives to Customers who meet established criteria.

**A. Supportive Services for Approved Work Participation Activities**

Supportive Services may be provided to assist members of a Needy Family in addressing a barrier(s) to their successful participation in a work participation activity and to transition toward gaining and maintaining employment.

- 1. The Employment Development Specialists are responsible for preparing a Support Service Request for Customers participating in an Education and Career Services (ECS) sponsored activity and submitting the request for approval to the ECS Senior Program and Projects Specialist. For non-ECS sponsored activities, the assigned Senior Caseworker or Principal Caseworker is responsible for preparing and submitting a Support Service request to the Program Supervisor II for approval.

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2. The following Supportive Services are available to Customers participating in authorized Work Participation activities in accordance with their Personal Responsibility Plan:
  - a. Worksite related expenses (e.g. uniforms, tools, safety equipment, etc.).
  - b. Fee related expenses (e.g. testing, background check, physical exams, etc.).
  - c. Transportation related expenses (e.g. minor vehicle repair, mileage/fuel, tires, bus passes, etc.).
  - d. Childcare related expenses (e.g. co-payments, fees, etc.).
  - e. Training related expenses (e.g. uniforms. Tools, safety equipment, housing, meals, etc.).
  - f. Education related expenses (e.g. books, tuition, registration, school supplies, etc.).
3. Advance payment for support services shall be considered on a case-by-case basis.
4. Payments issued to Customers shall require submittal of original receipts for the full amount of the payment issued, with the exception of mileage/fuel. If the total amount of the original receipts submitted does not equal the total amount of the payment issued, the Customer will be responsible for reimbursing the DSR the difference.
5. Support Services requests are subject to approval by the local office Program Supervisor II or the ECS Senior Programs and Projects Specialist and may not be appealed.

**B. Educational and Employment Achievement Awards**

1. The following monetary Achievement Awards may be provided to reward Benefit Group members who achieve an established educational or employment goal:
  - a. High Academic Achievement - Minor Child:

Offered twice per school year to minor children in the Benefit Group who achieve a 3.5 Grade Point Average, on a 4.0 scale; or all "Excellent" grades; for a grading period.
  - b. Academic Improvement – Minor Child and Adult:

Offered twice per school year to minor children and adults included in a Benefit Group who made a significant improvement in their overall academic performance from one grading period to the next.
  - c. Post-Secondary High Academic Achievement - Adult:

Offered twice per school year to adult DSR Benefit Group members attending a Post-Secondary educational institution and attaining a 3.5 or better Grade Point Average (on a 4.0 scale) during a semester.

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d. Perfect Attendance – Minor Child:

Offered twice per current school year for minor children in the Benefit Group who achieve Perfect Attendance and have a Grade Point Average of 2.0 or better, on a 4.0 scale; or all “Excellent and Satisfactory” grades; for the semester.

e. Graduation - Minor Child and Adult:

Offered to Benefit Group members graduating from a secondary or post-secondary educational institution.

f. Employment Related Achievement Award:

Offered to Benefit Group members, who achieve an employment related criterion, such as: Subsidized Employment completion; recognition by employer; remaining employed for a specified time (e.g. ninety days); etc.

2. Achievement awards must be requested by the assigned Senior Caseworker or Principal Caseworker and are subject to approval by the local office Program Supervisor II and may not be appealed.

C. Educational and Employment Incentives

Monetary incentives may be provided to encourage and motivate Benefit Group members to succeed in their education and employment.

The following Educational and Employment incentives may be provided:

1. Educational Related Incentive

- Enrichment (e.g. Completion of a series of life skills trainings/workshops such as Substance Abuse, Domestic Violence, budgeting, financial management, etc.).

2. Employment Related Incentive (e.g. Work Experience Stipend, etc.)

3. Incentive awards must be requested by the assigned Senior Caseworker or Principal Caseworker and are subject to approval by the local office Program Supervisor II and may not be appealed.

D. Education Related Support Services

Monetary support services may be provided to encourage and motivate children in a Benefit Group to succeed in their education.

1. The following Educational and Employment incentive may be provided:

- a. Educational Learning (e.g. school clothing, uniforms, school supplies and material, etc.)
- b. Youth Extended Training (e.g. completion of training, uniforms, supplies, etc.)

2. Education Related Support Services must be requested by the assigned Senior Caseworker or Principal Caseworker and are subject to approval by the local office Program Supervisor II and may not be appealed.

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3. Payments issued to Customers to purchase clothing, supplies and materials shall require submittal of original receipts for the full amount of the payment issued. If the total amount of the original receipts submitted does not equal the total amount of the payment issued, the Customer will be responsible for reimbursing the DSR the difference.

**SECTION 600: BEE NÍÍ SÉEL DOO (GROWING)**

**601 PURPOSE**

It is the purpose of the DSR to recognize Customers who take responsibility for themselves and their family members toward self-sufficiency.

**602 EDUCATION AND CAREER SERVICES**

The Education and Career Services enhances and increases employment opportunities for Customers through the Adult Basic Education, Computer Basic Training, Subsidized Adult Employment, Subsidized Youth Employment, Extended Training, and Work Experience placement with employers. The Education and Career Services provides case management services for Customers by establishing goals and steps, monitoring progress in Education and Career Services activities, evaluating employability, assessing Customer strengths and barriers, and following-up with Customers after they obtain employment:

- A. Principal Caseworker and Senior Caseworker shall refer Customers to the Education and Career Services by completing an Education and Career Services referral form and emailing or routing the referral form to the respective Employment Development Specialist, with a courtesy copy to the Education and Career Services Senior Programs and Projects Specialist.
- B. Customers may attend an Education and Career Services overview without a referral from the assigned Senior Caseworker or Principal Caseworker. However, the assigned Senior Caseworker or Principal Caseworker must submit an Education and Career Services referral within five (5) business days after the overview.
- C. Upon completing the Education and Career Services overview, Customers, who are interested in participating in an Education and Career Services Initiative, must complete an Education and Career Services registration packet and assessment.
- D. If a referred Customer has an existing Education and Career Services case record, the assigned Employment Development Specialist shall complete a case transfer request in accordance with the Case Record Management Procedures.
- E. During a Customer's participation in the Education and Career Services initiatives, the assigned Senior Caseworker or Principal Caseworker must continue with ongoing Quality Case Management services in accordance with Section 502 of this Policy.
- F. The Training Instructor and Employment Development Specialist shall work together to prepare Customers for the Education and Career Services Initiatives.

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- G. Referred Adult Customers shall develop an Education and/or Career Goal for the Education and Career Services initiative.
- H. The assigned Employment Development Specialist shall regularly monitor and/or evaluate the Customer's progression in the Education and Career Services initiative. This includes requesting for incentives and support services, reviewing and if necessary, updating the Education and/or Career Goal, and contacting the various partners in the initiative (e.g. instructors, employer, etc.).
- I. During the course of a Customer's participation in the Education and Career Services initiative, the assigned Senior Caseworker or Principal Caseworker and assigned Employment Development Specialist shall maintain regular contact with the Customer to ensure that Customers receives full support as needed.
- J. As necessary, the Senior Caseworker or Principal Caseworker shall arrange for Customer's transportation to the training site.
- K. At the conclusion of the Education and Career Services initiative, the assigned Employment Development Specialist and Training Instructor must meet with the assigned Senior Caseworker or Principal Caseworker to complete an Education and Career Services exit report.

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**SECTION 700: HÓZHÓ K'EH IINÁ (WALK IN BEAUTY)**

**701 PURPOSE**

The foundation of the DSR is based on the Navajo values and teachings of living life in harmony and balance, or *Hózhó k'eh iiná*. These Navajo values and teachings have been passed down from one generation to the next, and have helped the Navajo people endure and overcome challenges. With these teachings, the purpose of the DSR is taking on the challenge of “turning the curve” from the cycle of dependence by providing assistance and services that will make a difference in the lives of individuals and families so they can progress toward *Hózhó k'eh iiná*.

**702 TRANSITIONAL SUPPORT SERVICES**

Transitional support may be provided to Customers who are no longer eligible for DSR monthly financial assistance due to obtaining sustainable employment, yet require support to meet necessary and appropriate costs as they transition to self-reliance.

A. When a Customer successfully gains sustainable employment, the assigned DSR caseworker shall determine if the Customer meets eligibility requirements for receipt of Transitional Support Services.

B. Customers must meet the following eligibility criteria to receive Transitional Support Services:

1. At the time of the request, the Benefit Group's DSR monthly assistance case must be closed, or is in the process of being closed, due to employment income exceeding the DSR Payment Standard.

**NOTE:** Employees returning to work after furlough period are ineligible.

2. The adult who obtained employment was a Benefit Group member at the time of case closure.
3. The adult obtaining employment must not have previously received Transitional Support Services.
4. An adult's employment may be verified by one (1) of the following:
  - a. Personnel Action Form or similar employment form from their employer;
  - b. Employment Offer Letter;
  - c. Employment Verification;
  - d. Worksite visit by DSR direct service staff; or
  - e. Contact with the Employer.

5. The employed Benefit Group member's Gross Monthly Income must exceed 100% of the National Poverty Guideline (NPG) for the Benefit Group size, unless justification is provided that the Benefit Group's Gross Monthly Income is sufficient to sustain (meet the basic needs of) the family. For Two-Parent cases, where both parents obtain employment, their combined Gross Monthly Income must exceed 100% of the NPG for the Benefit Group size.

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6. The Family's Gross Monthly Income must not exceed two hundred percent (200%) of the current NPG for the applicable Benefit Group size.
- C. Customers who meet the eligibility criteria may receive a one-time series of Transitional Support Service benefits, for up to three (3) months following closure of their DSR assistance case.
- D. The total amount of the Transitional Support Services benefit shall not exceed three (3) times the Payment Standard for the applicable Benefit Group size.
- E. All members of a Benefit Group approved for Transitional Support Services will be ineligible to receive DSR Monthly Assistance for three (3) months from the date of case closure.

**703 NON-RECURRING, SHORT-TERM, BENEFITS**

- A. Subject to the availability of funds, a Non-Recurring, Short-Term Benefit (NRSTB) may be provided to assist eligible families receiving DSR assistance in addressing a specific crisis or episode of need that will not extend beyond four (4) consecutive months.
- B. Non-Recurring, Short-Term Benefits shall not be provided to meet recurring or ongoing needs.
- C. The amount of Non-Recurring, Short-Term Benefits provided to an eligible benefit group shall not exceed \$1000 in a twelve (12) month period.
- D. Eligibility Criteria to receive Non-Recurring, Short-Term Benefits are:
  1. A Benefit Group must be currently receiving DSR assistance;
  2. A crisis or episode of need must be verified, in writing, and concern one of the following:
    - a. Expenses to temporarily relocate the family, if the family is, or might become homeless due to an unforeseen circumstance such as domestic violence, vandalism, hazardous living conditions, acts of nature, or their home is destroyed by fire.
    - b. Minor repairs to the Benefit Group's primary residence not including major construction activities.
    - c. Housing rental costs to prevent eviction.

**NOTE:** Before a rental payment is authorized, verification must be obtained from the landlord that payment will cancel the eviction.
    - d. Costs to heat or cool the home or for restoring utilities.

**NOTE:** Before a utility payment is authorized, verification must be obtained from the utility company that payment will cancel the disconnection.
    - e. Food, clothing, personal hygiene items, diapers, infant formula, water, bedding, and other basic needs.
    - f. Temporary transportation costs such as a bus pass.



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- g. Necessary repairs to a vehicle owned by a Customer.  
**NOTE:** Three (3) estimates for costs of repair and proof of vehicle ownership must be provided prior to any repairs.
  - h. Necessary travel expenses when an immediate family member is hospitalized for an extended period and a Customer's presence is required or necessary.
  - i. Costs to care for a child(ren) who is/are placed with the family by a social services agency or by a Court.
- 3. Other available resources must have been explored and exhausted; and
  - 4. A Benefit Group must not have received a total of \$1000 in Non-Recurring, Short-Term Benefits in the twelve (12) month period preceding the date of request.
- E. The receipt of Non-Recurring, Short-Term Benefits shall not count as a month of assistance toward the time limit and is non-countable income.
  - F. A Customer must submit original receipts for the full amount of the Non-Recurring, Short-Term Benefit provided. If original receipts are not submitted for the full amount of the Non-Recurring, Short-Term Benefit provided, an improper payment packet must be completed and the Customer shall be responsible for repaying the difference.
  - G. Denial of Non-Recurring, Short-Term Benefits is not subject to an appeal.

**704 EMERGENCY NON-RECURRING, SHORT-TERM, BENEFITS**

Subject to the availability of funds, an Emergency Non-Recurring, Short-Term Benefit (ENRSTB) may be provided to assist eligible families during a government (federal, state, county or Navajo Nation) declared natural disaster, emergency or pandemic.

**A. Eligibility Criteria to receive ENRSTB are:**

- 1. A government (federal, state, county or Navajo Nation) declared natural disaster, emergency or pandemic must be in effect at the time of the request;
- 2. The family must be experiencing an emergency need as a result of the declared natural disaster, emergency or pandemic including, but not limited to, the following:
  - a. Expenses to temporarily relocate the family, if the family is, or might become homeless due to the government declared natural disaster, emergency or pandemic.
  - b. Food, clothing, personal hygiene items, basic household items, water, and other basic needs.
  - c. Minor home repairs.
- 3. The family's Monthly Countable Gross Income must not exceed 250% of the Federal Poverty Guideline for the applicable family size;
- 4. The ENRSTB amount provided to an eligible family shall not exceed \$1000 for each event;
- 5. Other available resources must have been explored and exhausted; and

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6. The family must not have previously received an Emergency Non-Recurring, Short-Term Benefits from the DSR for the same event.

**705 DIVERSION**

Subject to the availability of funds, the DSR may provide a Diversion Benefits to divert individuals from on-going monthly assistance by removing a barrier(s) that puts their current sustainable employment at risk, or prevents them from accepting a full-time employment offer.

A. The Eligibility Criteria for receipt of Diversion benefits are:

1. Must be a Custodial Parent;
2. Must have at least one (1) minor child;
3. Must reside in the Service Delivery Area;
4. Must be part of the Service Population;
5. Must meet the Residency requirement;
6. Must be a United States citizen;
7. Must not have met the DSR Time Limit;
8. Must not be in a Disqualification period for DSR assistance; and
9. The Benefit Group's Monthly Countable Gross Income must not exceed 250% of the National Poverty Guideline for the applicable family size.

B. Written verification must be obtained from the employer that the Applicant will be employed, re-employed or remain employed.

C. An assessment must be conducted to determine if the Diversion Benefits will remove the barrier(s) putting the family at risk of becoming dependent on governmental benefits.

D. The amount of the Diversion Benefit shall be the actual amount to remove the barrier or \$2,000, whichever is less.

E. Eligible families may receive a Diversion Benefit once in a twelve (12) month period.

F. Customers are exempt from developing a Personal Responsibility Plan and meeting Work Participation Requirements.

G. Receipt of Diversion Benefits will not count toward an adult's TANF time limit.

H. All members of a Benefit Group receiving a Diversion Benefits payment will be ineligible to receive DSR Monthly Assistance for a period of three (3) months, beginning on the date the Diversion Benefits payment is issued.

I. Denials of Diversion Benefits are not subject to appeal.

**SECTION 800: COMPLIANCE**

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**801 PURPOSE**

It is the purpose of the DSR to establish policies related to compliance with established DSR monthly assistance eligibility criteria, Minimum Work Participation Hours requirement, Personal Responsibility Plan requirements and Customer Due Process as defined in the Tribal Family Assistance Plan.

**802 PENALTIES**

- A. Customers who fail to comply with the following DSR requirements be subject to penalties in accordance with this Section, unless exempted.
  - 1. Develop an initial Personal Responsibility Plan within thirty (30) business days from the date of approval.
  - 2. Meet the Minimum Work Participation Hours requirement, for a month of assistance they received.
  - 3. Review and, if necessary, update their Personal Responsibility Plan at least once every four (4) months.
  - 4. Attend and complete a DSR Customer Orientation within thirty (30) business days from the date of approval.
  - 5. Complete a TABE within thirty (30) business days from the date of approval.
- B. A Customer shall not be subject to penalty for not meeting the Minimum Work Participation Hours requirement until the month after their Personal Responsibility Plan is developed and implemented.
- C. A penalty will be imposed by reducing a Benefit Group's monthly benefit amount in accordance with 802.E.
- D. Prior to imposing a First Level penalty, a "Written Warning" shall be issued to a Customer. In addition, the assigned Senior Caseworker or Principal Caseworker must make a good faith effort to meet with the Customer to discuss and address the reason(s) for not complying with the applicable DSR requirement.

A good faith effort is making at least three (3) separate attempts to contact and meet with a Customer by letter, telephone calls, home visits, virtual meeting, fax, or email. Each attempt and method by which a Customer was contacted must be narrated in the Customer's case file.
- E. After issuing a Written Warning, subsequent non-compliance with the applicable DSR requirement will result in imposing a penalty to reduce a Benefit Group's calculated monthly benefit amount in accordance with the following:
  - 1. **1<sup>st</sup> Level:** Reduction of a Benefit Group's eligible monthly assistance amount by 20%;
  - 2. **2<sup>nd</sup> Level:** Reduction of a Benefit Group's eligible monthly assistance amount by 40%;

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3. **3<sup>rd</sup> Level:** Reduction of a Benefit Group's eligible monthly assistance amount by 80%; and
  4. **4<sup>th</sup> Level:** Reduction of a Benefit Group's eligible monthly assistance amount by 80% until such time the Customer returns to compliance.
- F. Penalties shall be imposed in one (1) month increments until such time a Customer returns to compliance with the applicable DSR requirement.
- G. Customers who return to compliance with the applicable DSR requirement shall have their benefit amount restored to 100% of their approved monthly benefit amount for the next benefit month.
- H. Non-compliance by a Customer who was previously penalized shall be subject to subsequent penalty as follows:
1. If the current non-compliance occurred less than twelve (12) months from the reporting month for which they were previously penalized, the next penalty level must be imposed. For Customers who reached the 4<sup>th</sup> Penalty Level, any subsequent non-compliance with a DSR requirement within twelve (12) months after returning to compliance, will result in reinstatement of the 4<sup>th</sup> Penalty Level.
  2. If the current non-compliance occurred twelve (12) or more months after the reporting month for which they were previously penalized, the enforcement of penalties starts over beginning with a new Written Warning.
- I. Customers must be provided written notification and informed of their appeal rights prior to imposing a penalty. Once the established deadline for requesting an Appeal Review has expired, or a Customer submits a completed and signed *Waiver of Appeal Rights* form or a written confirmation that they have waived their appeal rights, the penalty shall be imposed.
- J. If a Customer's Approval Period expires, or their case is closed, prior to imposing a penalty and a Customer reapplies and is approved to receive DSR assistance less than twenty-four (24) consecutive months after their Approval Period expires, or their case is closed, the imposition of the penalty shall resume at the point it was at the time of case closure or when their Approval Period ended.
- K. If a Customer's Approval Period expires, or their case is closed, prior to imposing a penalty and a Customer's case remains closed for at least twenty-four (24) consecutive months, the penalty shall not be imposed when they reapply and enforcement of penalties starts over beginning with a Written Warning.
- L. Exemptions from penalties must be documented in the Customer's case file:
1. Customers shall not be penalized if they are a single custodial parent caring for a child who is under six (6) years of age and can provide verification of inability (as determined by the DSR) to obtain needed childcare due to one (1) of the following reasons (45 CFR, Part 286, §286.150):

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- a. Appropriate child care is not available within a reasonable commuting distance from the home;
- b. Informal child care by a relative or other arrangements are unavailable or unsuitable; or
- c. Appropriate and affordable formal child care arrangements are unavailable.

**Customers who refuse to engage in work participation activities when acceptable, appropriate and affordable child care is available shall not be protected from a penalty (45 CFR 286.150(b)).**

2. Additional exemptions from penalties must be evaluated and may be granted on a limited and case-by-case basis, including but not limited to, the following:
  - a. Death of an immediate family member;
  - b. Hospitalization of self;
  - c. Hospitalization of an immediate family member requiring the Customer's continuous presence;
  - d. Unforeseen short-term disability; or
  - e. Natural disaster.

The above reasons are not an exhaustive list of possible circumstances for an exemption from penalty.

**803 INTENTIONAL PROGRAM VIOLATION**

- A. An Intentional Program Violation (Intentional Program Violation) occurs when a Customer intentionally commits one (1) of the following acts for the purpose of becoming eligible for assistance, remaining eligible for assistance, or increasing the amount of financial assistance:
  1. Making a false or misleading statement related to eligibility;
  2. Misrepresenting, concealing or withholding facts;
  3. Failing to report income;
  4. Disposing of assets for the sole purpose of becoming or remaining eligible for assistance; or
  5. Depositing a DSR monthly assistance payment via mobile banking app or device, then depositing or cashing the same check at another venue.
- B. DSR staff must report any potential Intentional Program Violation they suspect, or become aware of, to the DSR Fraud Investigation Unit.
- C. The DSR Fraud Investigation Unit determines if the referral will be accepted for investigation and, if accepted, an investigation will be conducted.
- D. Upon completion of an investigation, DSR Fraud Investigation Unit shall submit written results of a bona fide or non-bona fide investigation to the Program Supervisor II whose direct service office served the Customer who was investigated.

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- E. In the event that the DSR Fraud Investigation Unit determines that a Customer may have committed a criminal violation, it will collaborate and coordinate with the appropriate Navajo Nation authorities regarding the matter.
- F. If the DSR Fraud Investigation Unit determines a referral is non-bona fide, no further action will be taken.
- G. A determination by the DSR Fraud Investigation Unit that an Intentional Program Violation was committed by a Customer shall result in all benefit group members being disqualified to receive DSR assistance for a length of time in accordance with the following:
  - 1. Six (6) months for the first offense.
  - 2. Twelve (12) months for the second offense.
  - 3. Permanently for the third offense.
- H. The DSR Fraud Investigation Unit shall provide a written Determination Notice to the head-of-household, by no later than five (5) business days after making the Intentional Program Violation determination, which informs him or her of the Intentional Program Violation determination, the length of disqualification for DSR assistance and their right to appeal the determination.
- I. An Intentional Program Violation Disqualifications shall not be imposed until a Customer's appeal rights have been exhausted.
- J. If a Customer submits a *Request for Appeal Hearing* to appeal the Intentional Program Violation determination, the request will be immediately forwarded to the DSR Hearing Officer who will schedule an Appeal Hearing by no later than ten (10) business days from the date the request is received.

**804 ADVERSE ACTION REVIEW**

- A. Adverse Action Reviews shall be conducted prior to taking the following proposed adverse actions:
  - 1. Denial
  - 2. Case Closure
  - 3. Decrease
  - 4. No Payment
  - 5. Penalty.
- B. Proposed actions subject to Adverse Action Review must be thoroughly reviewed by a Program Supervisor II or Principal Caseworker prior to initiating the action, with the exception of Certified Overpayments and Intentional Program Violation closures and disqualifications.
- C. An adverse action proposed by a Principal Caseworker must be reviewed by a Program Supervisor II.

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- D. An adverse action proposed by a Program Supervisor II must be reviewed by a Program Supervisor II from another DSR direct service office.
- E. If a Program Supervisor II and all Principal Caseworkers at a local office have a direct or apparent conflict of interest, a Program Supervisor II or Principal Caseworker from another DSR direct service office must conduct the proposed adverse action review.
- F. Adverse Action Reviews must be conducted within three (3) business days from the date of receiving a Customer's case record to determine if the proposed adverse action is correct and justified.
- G. If a Program Supervisor II or Principal Caseworker determines a proposed adverse action is correct and justified, the staff, who initiated the proposed action, must provide a written decision notice, which includes appeal rights, to the Customer within three (3) business days from the review date.
- H. If a Program Supervisor II or a Principal Caseworker determines the proposed action is incorrect and/or not justified, the case record will be returned to the direct service staff who made the decision immediately with recommendations to bring the case record into compliance in accordance with Section 816 of this Policy.
- I. A Customer has the right to appeal the adverse action decision and request for an Appeal Hearing pursuant to Sections 807, and 808 of this Policy.

**805 ADVANCE WRITTEN NOTIFICATION**

- A. Customers must be provided written notification for any of the following decisions:
  - 1. Approval or Denial of an *Application for Assistance*;
  - 2. Case Closure;
  - 3. Monthly Assistance Payment Increase;
  - 4. Monthly Assistance Payment Decrease;
  - 5. No Payment for the next benefit month;
  - 6. Disqualification;
  - 7. Imposing a Penalty;
  - 8. Underpayment or Overpayment; or
  - 9. Changes or Requests Affecting Benefit Group Size.
- B. Customers have twenty (20) business days to dispute a decision before it is implemented, unless one (1) of the following exceptions applies, then the action may be implemented prior to the end of the appeal period:
  - 1. A favorable decision to approve a Customer's application or increase a Benefit Group's monthly assistance amount;

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2. The head-of-household submits a completed and signed *Waiver of Appeal Rights* form, or a written confirmation that they have waived their appeal rights;
  3. The head-of-household voluntarily closes their case or voluntarily removes a Benefit Group member from their case, using the *Voluntary Withdrawal/Closure/Removal* form, waiving their appeal rights;
  4. The head-of-household submits a *Withdrawal of Request for Appeal Hearing* waiving their appeal rights prior to a decision being made on the Appeal;
  5. An overturned decision;
  6. A Benefit Group or Benefit Group member who relocates outside the Service Delivery Area (Section 309. B. of this Policy). The case shall close effective on the last day of the month in which the Benefit Group or a Benefit Group member relocated;
  7. Upon verification of the death of the head-of-household, the designated next-of-kin shall be informed of the case closure and given an opportunity to apply on behalf of the minor child(ren), if applicable; or
  8. A Needy Family's income type and income amount are the same as the previous month.
- C. If a Customer does not submit a *Request for Appeal Hearing* by the close of business on the last day of the twenty (20) business day appeal period, the decision shall be implemented.

**806 CASE CLOSURE**

- A. Pursuant to Section 804 of this Policy, all proposed case closures, with the exception of Intentional Program Violation disqualifications, shall be reviewed by a respective Program Supervisor II or Principal Caseworker prior to being initiated.
- B. A Benefit Group's case may be closed for one (1) of the following reasons:
1. Disqualification
    - a. Reaching 4<sup>th</sup> Level Penalty.
    - b. Intentional Program Violation.
    - c. Fleeing to avoid prosecution, custody or confinement after conviction for a crime or an attempt to commit a crime that is a felony under Federal or State law, which must be verified by the DSR Fraud Investigation Unit.
    - d. Violating a condition of probation or parole imposed under Federal or State law, which must be verified by the DSR Fraud Investigation Unit.
    - e. Double Presentment of a DSR assistance payment.
  2. A Benefit Group no longer meets all of the eligibility criteria (Non-Financial, Financial, and if applicable, Supplemental) for receipt of DSR assistance.



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3. Voluntary Closure

A Customer's request for voluntary closure must be submitted in writing using the *Voluntary Withdrawal/Closure/Removal Request* form or a signed written request which includes a statement they are waiving their appeal rights.

4. Failure to submit a Monthly Change Report for two (2) consecutive months.

5. Failure to cooperate with a Fraud Investigation Unit Investigator who is conducting an investigation of a potential Intentional Program Violation.

6. Death of the head-of-household.

7. Change in the head-of-household consistent with Section 306 of this Policy.

8. Expiration of Certification Period and no submittal of re-application.

C. Customers must be provided written notice and provided twenty (20) business days to appeal a decision to close their case or a Customer must submit a completed and signed *Waiver of Appeal Rights* form before a case closure is implemented.

**807 APPEALS AND CUSTOMER DUE PROCESS**

The DSR respects and advocates for Customers to exercise their appeal rights to dispute a decision or adverse action made on their application or case. The following due process must be followed:

A. A head-of-household may appeal a decision made regarding their application or case by submitting a *Request for Appeal Hearing* form to any DSR office within twenty (20) business days from the postmark date on their decision notice.

B. If a head-of-household is appealing more than one (1) decision, he or she must submit separate requests for each decision he or she is appealing, and separate Appeal Hearings must be scheduled.

C. A head-of-household may withdraw his or her appeal request by submitting a *Withdrawal of Appeal Hearing Request* form to any DSR office at any time prior to the Appeal Hearing decision being rendered.

D. If a head-of-household is withdrawing more than one (1) appeal, he or she must submit a separate *Withdrawal of Appeal Hearing Request* forms for each appeal he or she is withdrawing.

E. By submitting a *Withdrawal of Appeal Hearing Request* form, a head-of-household acknowledges the original decision will be implemented immediately, and they have waived their right to an appeal.

**808 APPEAL HEARING**

A. Appeal Hearings shall be conducted by the DSR Hearing Officer to provide an opportunity for Customers who disagree with a decision made regarding their application or case to provide information and documents to support their appeal.

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- B. The DSR office receiving a Customer's *Request for Appeal Hearing* form must forward the request to the DSR Hearing Officer within one (1) business day from the date it is received.
- C. The DSR Hearing Officer must contact the head-of-household within two (2) business days after receiving the *Request for Appeal Hearing* form to schedule the date, time and location of the appeal hearing, and notify the applicable Program Supervisor II of the scheduled appeal hearing.
- D. The DSR Hearing Officer must conduct an Appeal Hearing, render a decision and provide written notification to the Customer, by no later than ten (10) business days from the date the *Request for Appeal Hearing* form is received from the local DSR office.
- E. If a head-of-household fails to appear for their scheduled appeal hearing and they do not reschedule before the close of business on the day of the scheduled hearing, the decision being appealed will be final.
- F. A head-of-household may reschedule their appeal hearing only one-time by contacting the DSR Hearing Officer, in person, by phone, by e-mail, or by fax, before the close of business on the day of the scheduled hearing.
- G. If the DSR Hearing Officer overturns the decision:
  - 1. The DSR Hearing Officer must notify the Program Supervisor II, in writing, within three (3) business days from the appeal hearing decision;
  - 2. The Program Supervisor II must work with the applicable Caseworker, Senior Caseworker or Principal Caseworker to self-correct the case management error and notify the head-of-household, in writing, of the correction within three (3) business days from the date the appeal hearing decision notice is received from the DSR Hearing Officer; and
  - 3. In addition to the self-correction, the Program Supervisor II must develop an Individual Performance Improvement Plan with the applicable staff within three (3) business days from the date the appeal hearing decision is received.
- H. If the DSR Hearing Officer upholds the decision, the DSR Hearing Officer must notify:
  - 1. The respective Program Supervisor II within one (1) business day from the appeal hearing decision; and
  - 2. The head-of-household, in writing, within three (3) business days from the date of the decision; and
  - 3. The respective Program Supervisor II, Caseworker, Senior Caseworker or Principal Caseworker whose decision or action is being appealed.
- I. The decision of the DSR Hearing Officer shall be final, with no further appeals.

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**809 INTERNAL REVIEWS**

Case reviews shall be conducted to ensure accuracy and compliance with the requirements of Public Law 104-193, 45 CFR Part 286, the Navajo Nation Tribal Family Assistance Plan, and DSR Pathway to Self-Reliance Policy Manual. Errors discovered during an Internal Review shall be remedied to prevent future errors. If an error or incorrect decision was made, the staff who made the error shall be responsible to correct the error immediately, unless that staff is no longer employed with the DSR. The Program Supervisor II shall ensure that corrective action is taken.

**810 DATA COLLECTION AND REPORTING**

Complete and accurate information shall be collected and reported by the established due date to comply with 45 CFR Part 286, Subpart E – Data Collection and Reporting Requirements.

**811 PROGRAM INTEGRITY**

To protect the DSR's integrity, all potential internal and external fraudulent activities shall be investigated. In addition, all DSR staff are subject to a background check and must obtain a favorable result for continued employment.

**812 RECORDS MANAGEMENT**

All case records shall be maintained in accordance with applicable Federal and Navajo Nation laws, regulations, and internal records management procedures, including scanning and paperless efforts.

**813 PROFESSIONAL ETHICS AND STANDARDS**

Each DSR staff shall strictly adhere to the DSR's Professional and Ethical Standards of Employee Conduct and the Navajo Nation Access to Information and Privacy Act to uphold the integrity of the DSR and protect the confidentiality of DSR Customers.

**814 IMPROPER PAYMENTS**

All Potential Improper Payments, including a payment that should not have been made or that was made in an incorrect amount, shall be handled in accordance with the DSR Improper Payment Procedures.

**815 CASE MANAGEMENT VIOLATIONS**

If a DSR staff determines an error or incorrect decision was made, the staff who made the error is responsible to correct the error immediately, unless the staff is no longer employed with the DSR. The Supervisor shall ensure corrective action is taken.

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**SECTION 900: GLOSSARY**

**901 PURPOSE**

This section defines the words, terms and acronyms used in this Policy Manual may differ from the terms or words as used by the general public.

**902 DEFINITIONS**

Acceptable

Attendance: An attendance rate of at least 80% during a grading period.

Achievement Award: An incentive that is provided as a monetary award to a Benefit Group member who has achieved an established educational or employment goal.

Adoptive Parent: A person, who legally adopts a child, and has legal documentations, such as a court order, to display such adoption.

Adult: An individual who is eighteen (18) years of age or older, or a child under eighteen (18) years of age emancipated by a court of competent jurisdiction.

Appeal: A written request made by the head-of-household of a DSR benefit group to request a review of a decision made on their DSR application or assistance case.

Appeal Hearing: An informal proceeding where a Customer, who is appealing a decision or adverse action made on their application or case, has an opportunity to provide information and documents to support their position that the decision made was wrong or unfair.

Applicant: An individual who submits an application requesting DSR assistance or services, whether they are included in the request or not.

Application: The form, *Application for Assistance*, which is completed and submitted to apply for DSR assistance. The application must include, at minimum, the Applicant's name, Social Security Number, Date of Birth, Mailing Address, Physical Residential Address, and signature.

Asset: Funds in a checking or savings account.

Benefit Group: Members of a Needy Family who meet eligibility requirements for receipt of DSR assistance, who are included in the benefit payment amount, and whose income and resources are considered in determining eligibility for DSR assistance.

Benefit Month: A month for which a Customer is approved to receive a monthly assistance payment.

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<b>Biological Parent:</b>	A parent, who has conceived (biological mother) or sired (biological father), a child and whose genes are therefore transmitted to the child.
<b>Business Day:</b>	A day the Navajo Nation offices are open for regular business, Monday to Friday, 8:00 a.m. to 5:00 p.m.
<b>Caretaker:</b>	An adult, other than the biological or adoptive Parent(s) of a minor child, who has Legal Guardianship/Custody of the minor child(ren) on whose behalf they are applying, unless a time-limited exception applies as provided in Section 310.
<b>Case Staffing:</b>	A meeting, involving two (2) or more SR staff, to develop and enhance case management and services provided to Customers. Case staffing may include, but is not limited, to reviewing formal and informal assessments, developing strategies to address barriers and issues, identifying appropriate Customer work activities and resources, reviewing and updating Customer goals and objectives, and reviewing Customer progression.
<b>Certification Period:</b>	The number of months for which a household is certified to receive benefits.
<b>Common-Law Marriage:</b>	A marriage as defined by 9 N.N.C. § 4(E) that meets the following four (4) necessary elements: 1) a present intention of the parties to be husband and wife; 2) a present consent between the parties to be husband and wife; 3) actual cohabitation; and 4) an actual holding out of the parties within their community to be married. This does not include marriage through 9 N.N.C. § 4(A)-(D).
<b>Custodial Parent:</b>	A biological or adoptive parent who has physical custody of, and is responsible for the care of, their minor child(ren).
<b>Customer:</b>	An eligible individual receiving DSR assistance and services.
<b>Decision Notice:</b>	Written notification provided to a Customer explaining a decision made on their DSR application or assistance.
<b>Double Presentment:</b>	Cashing or depositing the same check twice, where the check is deposited via mobile device, then the paper check is cashed or is deposited in a different bank as well.

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<b>Due Process:</b>	A Customer's right to be provided written notification of a decision made on their DSR application for assistance or case; be provided twenty (20) business days to appeal the decision before the decision is implemented; and an opportunity to be heard.
<b>Emancipation:</b>	The legal court process that allows a minor under the age of 18 years to assume responsibility for their own welfare. When a minor becomes emancipated, their parent(s) is/are no longer legally obligated to support the minor.
<b>Employee:</b>	A person employed for wages or salary at a non-executive level, which includes blue collar, white collar, artisan, hired-hand, hired man, hired help, or personnel workforce.
<b>Employer:</b>	A person or organization that employs and compensates individuals.
<b>Employment Income:</b>	Income, excluding in-kind service, received as wages, salaries or commission from employment by another.
<b>Exclusion:</b>	An individual who is not included in a Benefit Group.
<b>Exemption:</b>	Release or excused from having to comply with a DSR requirement for a specified period, due to a justifiable reason or special circumstance.
<b>Federally Designated Near Reservation Community:</b>	A community designated as a "Near Reservation" location pursuant to Federal Register Vol. 44 No. 9, Friday January 12, 1979, page 2693.
<b>Financial Assistance:</b>	A monthly payment provided to meet a benefit group's on-going basic needs; non-assistance benefit payments provided to eligible families; and supportive services provided to benefit group members participating in authorized work participation activities.
<b>Fraud:</b>	Intentional false representation of facts through deceit or omission that results in the approval of benefits the Customer was not entitled to receive.
<b>Full-Time Employment:</b>	Employment for an average of 32 or more hours per week during a month.
<b>Full-Time Student:</b>	An individual enrolled in an institution of learning and enrolled in the appropriate number of hours of instruction deemed as full time by the individual institution.
<b>Gift:</b>	A donation in the form of cash, other financial instruments, or goods that are given voluntarily without requiring something in return.

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Good Faith Effort:	Making a reasonable effort to comply with a provision(s) of this policy. For Quality Case Management purposes, making at least three (3) separate attempts at different times, preferably on different days, to contact and meet with a Customer by letter, telephone calls, home visits, virtual meeting, fax or e-mail.
Gross Income:	The total amount of countable earned or unearned income a person receives from all sources before any deductions.
Head-of-Household:	The individual designated to apply on behalf of the Needy Family who shall represent, and is responsible for, the Benefit Group.
Household:	Individuals living together and functioning as a unit, with a head of household who may or may not be related to the members of the household.
Incentive:	A monetary award to encourage and motivate Benefit Group members to succeed in their education and employment and/or completion of their Personal Responsibility Plan education goals, which is dependent on the availability of funds.
Immediate Relative:	An individual who is related by <b>blood, legal marriage, or adoption</b> , as: father; mother; son; daughter; brother; sister; grandmother; grandfather; uncle; aunt; husband; wife; stepfather; stepmother; stepson; stepdaughter; stepsister; stepbrother; half-brother; or half-sister.
Income:	Money received from employment, benefit, property, winnings from gaming, in-kind goods or services, gifts, contributions, or other sources available to meet basic needs and expenses.
In-Kind Income:	Compensation received in non-monetary form (e.g. room and board, jewelry, food, household goods, livestock, wood/propane, or vehicle maintenance, etc.) for a service(s) performed that is not converted to cash.
Intake Month:	The calendar month in which a <i>DSR Application for Assistance</i> is received and accepted.
Legal Custody:	An individual, other than the legal parent, who has been appointed by a court of competent jurisdiction as having custody of a minor child.
Legal Marriage:	The matrimonial union of two (2) individuals through a legal commitment; religious ceremony; or a traditional ceremony; or a Common-Law Marriage and all such marriages meet the requirements of 9 N.N.C. §§ 4 and 5.

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Legal Parent:	A parent listed on a child's birth certificate; or a parent for whom paternity has been established by a court, paternity test or by a signed and notarized Acknowledgement of Paternity; or a legal adoptive parent. An individual whose Parental Rights have been terminated by a court is not considered a Legal Parent.
Long-Term:	Continuous for at least six (6) months.
Mandatory Deductions:	Deductions from income that are required by law, Court Order or Garnishment, such as: Federal and State Withholding Taxes; Federal Insurance Contributions Act Tax; Medicare; health and medical Insurance Premiums; Child Support; alimony payments; and court ordered restitution payments.
Minor Child:	An individual under the age of eighteen (18) years of age; or an individual who has not attained nineteen (19) years of age and is a full-time student in secondary school.
Minor Parent:	An individual who has not attained eighteen (18) years of age, is not emancipated, and is the custodial parent of a minor child.
National Poverty Guideline:	The federal poverty measure, issued annually by the U.S. Department of Health and Human Services, which is used to determine financial eligibility for certain federal programs.
Needy Family:	A group of individuals, which includes at least one (1) minor child living together under one (1) head of household, and whose countable Gross Monthly Income does not exceed 200% of the federal poverty guideline for the applicable family size and meets all other eligibility criteria established for receipt of DSR assistance.
Net Income:	The total amount of income that is available after mandatory deductions are made from gross income.
Overpayment:	A payment made to a Benefit Group that is certified as exceeding the amount the Benefit Group was eligible to receive.
Overturn Decision:	The act or process made by an authorized DSR employee by reversing any decision that is incorrect, improper, or not justified regarding a Customer's application and/or benefits.
Payment Standard:	The DSR Benefit Group's monthly assistance amount based on the Benefit Group size.
Penalty:	A reduction of a Benefit Group's monthly assistance amount imposed due to failure to comply with a DSR requirement.



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Per Capita Payment:	A distribution of Tribal funds or royalties per individual tribal member as established by individual tribes.
Post-Secondary:	Education and/or training after high school.
Prospective-Prospective-Retrospective:	The concept used to determine an eligible Benefit Group's assistance amount. The countable income the Benefit Group anticipates (Prospective) or receives (Retrospective) in the Income Month is used to determine their monthly assistance amount.
Reporting Month:	The month for which a Customer is required to meet the Minimum Work Participation Hours requirement due to receiving DSR assistance for that month.
New Application:	An application submitted by a head-of-household who is applying for DSR assistance for the first time or an application submitted by a head-of-household who previously received DSR assistance but has had a break in assistance of more than two (2) months of assistance.
Prospective:	For new applications, using the amount of income the Benefit Group anticipates or expects during the Intake Month to determine the Benefit Group's eligibility and, if eligible, to determine the Benefit Group's monthly assistance payment amount for the first two months of assistance.
Retrospective:	After the first two (2) months of assistance is provided, a Benefit Group's eligibility and monthly assistance amount is determined using the actual income the Needy Family received two (2) months before the Benefit Month (e.g. the monthly assistance amount for the Benefit Month of October is determined using the actual income received in August).
Resources:	Monetary or non-monetary types which may include but not limited to: income, revenues, assets, properties, other services, other benefits and valuables that are or could be available to a DSR Customer.
Residence:	A physical location where a Customer currently resides which may include, but not limited to, a hogan, mobile home, house, apartment, vehicle, or shelter.
Secondary School:	High school (Grades 9 through 12) or an educational institution where an individual can pursue obtaining a High School Equivalency Diploma.
Self-Employment:	Operating one's own business.

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**Self-Employment**

**Income:** Income received from operating one's own business where the usual employment withholdings (e.g. Federal/State Taxes, Self Employed Contributions Act Tax and Medicare) are not deducted from the income.

**School Age:** A minor child between five (5) and eighteen (18) years of age.

**Self-Reliance:** A state or goal a family pursues to prepare the adults for employment and/or prevent the future dependence of the minor children on governmental benefits.

**Service Delivery**

**Area:** The geographic area served by the DSR, as defined in the Navajo Nation's approved Tribal Family Assistance Plan.

**Service Population:** All families living on the Navajo Nation, including trust lands. Additionally, families living within the city limits of a designated near-reservation community where a head-of-household or a Benefit Group member has a Navajo Census Number.

**Stepparent:** A Custodial Parent's spouse who is not the biological or adoptive parent of the Custodial Parent's child(ren).

**Stipend:** A payment provided to reimburse Customers for out-of-pocket expenses (e.g. transportation/fuel, meals, etc.) incurred while participating in a Work Experience placement to gain knowledge, skills and experience in their chosen career goal.

**Subsidized Private**

**Employment:** Employment in the private sector for which 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.

**Subsidized Public**

**Employment:** Employment in the public sector for which 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.

**Support Service:** A service that removes a barrier to employment or education/training, provided to a Benefit Group member engaged in an approved work participation activity.

**Sustainable**

**Employment:** Employment at a wage which meets or exceeds the National Poverty Guideline amount for the applicable Benefit Group size, unless justification is provided that the Benefit Group's Gross Monthly Income is sufficient to sustain (meet the basic needs of) the family.

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Terminated Income:	Income that was received regularly (daily, weekly, bi-weekly, or monthly) that is no longer received. If the last pay check was received prior to the date a new application is submitted, it is considered non-countable. If a check is received after the date of application, then the income is considered countable in the Income Month. Termination Income does not apply to on-going cases.
Termination of Parental Rights:	An individual whose Parental Rights have been severed by a court of a competent jurisdiction. The individual is not considered a Custodial Parent.
Time Limit:	The maximum number of Countable Months of DSR assistance (whether or not consecutive) that can be provided to an adult, unless a Hardship Exemption is granted.
Underpayment:	A payment made to a benefit group that is certified as being less than the amount the benefit group was eligible to receive.
Upheld Decision:	The act or process made by an authorized DSR employee by supporting any decision that is correct, proper and justified regarding a customer's application and/or benefit assistance.
Unsubsidized Employment:	Employment whether the employer is responsible for all employment related expenses, including salary, wages, insurance, and benefits.
Welfare Reform:	The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) which eliminated Aid to Families with Dependent Children's open-ended entitlement and created a block grant for states and tribes to provide time-limited assistance for needy families, with work requirements for most recipients.

**ATTACHMENTS:**

- A. Designated Near Reservation Communities
- B. Navajo Nation Privacy and Access to Information Act

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE**  
**Regular Meeting**  
**April 27, 2022**

**Legislation #0085-22:** An Action Relating to Health, Education and Human Services Committee; Approving Amendments to the Navajo Nation Department for Self-Reliance Pathway to Self-Reliance Policy Manual

**Sponsor:** Council Delegate Edison Wauneka

**VOTE TALLY SHEET:**

Main Motion:

Motion: Honorable Pernell Halona

Second: Honorable Paul Begay, Jr.

Yea: Paul Begay Jr.; Pernell Halona; Edison J. Wauneka

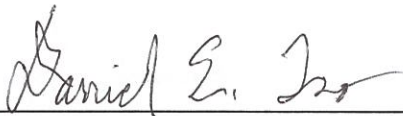
Nay:

Not Voting: Daniel E. Tso (Presiding Chairman)

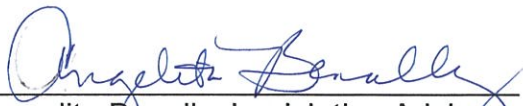
Excused: Carl R. Slater; Charlaine Tso

Absent:

Vote: 3-0-0



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Daniel E. Tso, Chairman  
Health, Education and Human Services Committee  
24<sup>th</sup> Navajo Nation Council



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Angelita Benally, Legislative Advisor  
Health, Education and Human Services Committee  
Office of Legislative Services