

**TITLE 2 – GOVERNMENT ADMINISTRATION
PART II – DEPARTMENTS; DIVISIONS
CHAPTER 2-18- SOCIAL SERVICES DEPARTMENT**

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Legislative History: Adopted on January 20, 2016 by Resolution No. C01-14-16 and Ordinance No. 03-16.

SUBCHAPTER A GENERAL PROVISIONS

Section 10 Purpose (2 PYTC § 2-18-10)

The purpose of this chapter is to establish the Social Services Department (also known as the Division of Child, Family, and Senior Services) of the Pascua Yaqui Tribe and to provide authorization and guidance for its operation.

Section 20 Short Title; Codification (2 PYTC § 2-18-20)

This ordinance shall be known as the “Pascua Yaqui Social Services Ordinance of 2016.”

Section 30 Establishment (2 PYTC §2-18-30)

- (A) The organizational division to be known as Pascua Yaqui Social Services Department is hereby created as a department in the Executive Branch of the Pascua Yaqui Government.
- (B) If any section or part of this Chapter is later determined to be void or unenforceable, the remainder of this Chapter shall nevertheless remain in full force and effect, unless this Chapter, without said void or unenforceable section or part, fails in its purpose.

Section 40 Purpose of Division (2 PYTC §2-18-40)

The purpose of the Social Services Department is to:

- (A) Plan, develop, and administer a comprehensive and unified service delivery system to abused, neglected, dependent, delinquent and mentally ill or emotionally disturbed children and youth within a continuum of care, which shall include the involvement of their family, within the least restrictive environment possible but consistent with the child's health and safety;
- (B) Emphasize on pre-placement, preventive services to children, youth and their families, to strengthen, support, and advocate for the prevention of child abuse and neglect and disruption of the family unit;
- (C) Provide or make referrals to developmentally appropriate services to assist youth in care with their successful transition into adulthood;
- (D) Provide services that improve the well-being of the Tribal members through developing their work abilities to ensure that they achieve economic self-sufficiency and assisting Yoeme families in need to deal with an economic crisis through advocacy, case management, emergency housing, burial assistance, workforce training, and cash assistance;
- (E) Promote Tribal elders quality of life through services provided at the Liogue Senior Center, and;
- (F) Support efforts to enforce the Indian Child Welfare Act within the expanse of Tribal Sovereignty.

Section 50 Mission (2 PYTC § 2-18-50)

The mission of the Social Services Department is to protect, assist and empower all tribal families by working together to build a resilient and thriving nation.

SUBCHAPTER B DIRECTOR

Section 60 Creation and Appointment (2 PYTC § 2-18-50)

- (A) The position of Director of Social Services is hereby created.
- (B) The Director shall not be deemed to be a “tribal officer” as defined in Article VII of the Constitution of the Pascua Yaqui Tribe; and
- (C) The Director shall be nominated by the Chairperson and must be approved by the Tribal Council by majority vote of the entire Council. Approval by the Tribal Council will constitute appointment to the position of Director.
- (D) The Director will be a full-time employee of the Tribe and will be paid compensation commensurate with his or her skills, education, experience, and responsibilities within the standards of compensation, if any, established by the Tribe.
- (E) The Director must report to, and will be directly supervised by, the Chairperson.
- (F) The Director serves at the pleasure of the Tribal Council, and may be removed from that position only by a majority vote of the entire Tribal Council.

Section 70 General Duties of Director (2 PYTC § 2-18-70)

- (A) The Director will administer, supervise and direct the activities of the Department.
- (B) The Director will advise the Chairperson regarding;
 - (1) The policies and procedures of the department;
 - (2) The programs administered by the department;
 - (3) Grant opportunities that best support the mission and vision of the Tribe.

Section 80 Supervisory Duties and Authorities of Director (2 PYTC § 2-18-80)

- (A) The Director has authority to select, appoint, and hire employees necessary to carry out the laws, regulations, policies and programs adopted by the Tribal Council including, but not limited to;
 - (1) Hiring authority, subject to the policies and procedures of the Tribe’s Employees Handbook and Personnel policies;
 - (2) Terminations authority, subject to the policies and procedures of the Tribe’s Employee Handbook and Personnel policies;
 - (3) Personnel discipline;
 - (4) Personnel performance revue;
 - (5) Personnel job assignments;
- (B) The Director has authority to delegate any function, powers, and authorities to other employees of the Department, except as may be prohibited by Tribal law.
- (C) The Director has budgetary authority for the Department.

- (D) The Director has authority to develop and implement internal policies for the efficient and effective administration of the Department.
- (E) The Director has signature authority for the Department, except as may be permissibly delegated.

SUBCHAPTER C ORGANIZATION

Section 90 Organization (2 PYTC § 2-18-90)

- (A) The Department consists of a Director and such departments and offices necessary for the execution of its mission, performance of its mandated functions, and to achieve its long and short term goals and objects.
- (B) The Department may employ staff professionals, support personnel, and/or contract with professional service firms as the Director determines, consistent with the laws of the Tribe and approved budgetary authority.
- (C) The Department must maintain a current organizational chart. The organizational chart must accompany its annual budget submission and any budget modification requests during the fiscal year, in accordance with the Tribe's Fiscal Management Ordinance.

SUBCHAPTER D AUTHORIZED PROGRAMS

Section 100 Authorized Programs (2 PYTC § 2-18-100)

- (A) The Department will have Administrative Responsibility for the following authorized programs, and such other programs as the Tribal Council or the Chairperson may establish and assign.
 - (1) Children's Services, which shall include:
 - (a) Child Protective Services
 - (b) Foster Care Program
 - (c) Guardianship Program
 - (d) Child Care Program
 - (e) Family Preservation Services
 - (f) Indian Child Welfare Act
 - (2) Adult Services, which shall include:
 - (a) YOEME Services (Yoemem Organization for Employment and Member Enhancement, formerly known as Temporary Assistance for Needy Families)
 - (b) Tribal Economic Assistance
 - (c) Community Health and Wellness
 - (d) Adult Protective Services
 - (e) Ombudsman

(f) Caregivers Program

- (B) The Department will have the authority to administer authorized programs using federal funds, which may include Temporary Assistance for Needy Families under Title IV-A of the federal Social Security Act; Child Welfare Services under Title IV-B, Subpart 1, of the federal Social Security Act; Promoting Safe and Stable Families under Title IV-B, Subpart 2, of the federal Social Security Act; foster care, transitional independent living programs for children, guardianship assistance, and adoption assistance under Title IV-E of the Social Security Act; and Social Services Block Grants under Title XX of the federal Social Security Act.
- (C) The Department will coordinate services and programs where appropriate.
- (D) The Department shall not be obligated to offer any requests or recommendation in any actions that it is not a party to, including for child custody matters or guardianship matters between two private parties.
- (E) If a program is authorized by the Tribal Council, it may terminate such programs at any time, and such termination shall act as a revision to this Chapter.
- (F) If a program is authorized by the Chairperson, it may be terminated, in whole or in part, by either the Chairperson or the Tribal Council.

SUBCHAPTER E PROGRAM EVALUATION MONITORING

Section 110 Program Evaluation and Monitoring (2 PYTC § 2-18-110)

- (A) The Director must conduct ongoing evaluation of all programs under his or her control.
- (B) The Director must monitor all programs under his or her control on a regular basis.
- (C) The Director shall formulate a specific goal as to the maximum number of children who at any given time during a fiscal year will have been in foster care over 24 months. The Director will describe the steps that will be taken to achieve the specific goal established. Tribal Council shall pass a resolution annually on the specific goal and steps.

Section 120 Reporting (2 PYTC §2-18-120)

- (A) The Director will provide reports and meet with the Chairperson and the Tribal Council on the Department's operations and significant activities on a regular basis.
- (B) The Director must report to the Council on programs under his or her control on a schedule determined by the Tribal Council.
- (C) The Director will provide reports as required by grants or other authorized federal programs to the appropriate agency.