

**TITLE 6 – TRIBAL ASSISTANCE PROGRAMS
PART II – GENERAL WELFARE ASSISTANCE
CHAPTER 2-1 – TEMPORARY ASSISTANCE TO NEEDY FAMILIES**

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SUBCHAPTER A GENERAL PROVISIONS

Section 10 Purpose (6 PYTC § 2-1-10)

- (A) The Tribe established a TANF program in 1997 to provide direct assistance to tribal members who qualify for the federal Temporary Assistance to Needy Families program.
- (B) Subject to the availability of funds, the Tribe’s TANF program provide economic, work-related, general welfare and education related assistance to Pascua Yaqui tribal members who are eligible for such assistance.
- (C) The TANF program assists tribal member parents and caretaker relatives with job preparation and job search activities, employment, education, and other support services to enhance and prepare tribal members to enter the workforce and become self-sufficient.

Section 20 Short Title; Codification (6 PYTC § 2-1-20)

- (A) This ordinance may be cited as the “TANF Program Authorization Ordinance of 2006”
- (B) This ordinance shall be codified at Title 6, Chapter 2-1.

Section 30 Program Goals (6 PYTC § 2-1-30)

The goal of the Tribe's TANF is to move families from welfare to work. The TANF goal is accomplished by: 1) implementing a cash assistance program, 2) providing an extensive array of support services, 3) making child care available, accessible and affordable and 4) providing an array of transitional support services.

Section 40 Lead Agency (6 PYTC § 2-1-40)

- (A) The Tribe’s Adult Services Department is charged with the primary responsibility for administering the Tribe’s TANF program. The Department will coordinate with other tribal departments, including Workforce Development, Economic Development, Housing, Education, and Child Protective Services, to implement and achieve the purpose and goals of the Tribe’s TANF program.
- (B) The Department shall submit TANF Plans, as required by federal law, upon approval by the Tribal Council.

Section 50 Definitions (6 PYTC § 2-1-50)

- (A) “Caretaker Relative” means an adult caretaker of a minor child who is directly related, within the first degree of blood or marriage, to either parent of the minor child.
- (B) “Cash Assistance” means cash, payments, vouchers, and other forms of benefits designed to meet a family’s ongoing basic needs. Cash assistance also has the same meaning as defined at 45 C.F.R. 286.10.

- (1) Assistance excludes non-recurring, short-term benefits intended for individual crisis situations rather than ongoing need, and does not extend before four months.
- (2) Assistance also excludes child care, transportation and support services provided to employed families, refundable earned income tax credits, work subsidies to employers, and services such as education and training, case management, job search and counseling
- (C) “Child Only Case” means a TANF case in which a on-needy Caretaker Relative does not receive cash assistance but is caring for a minor child who is an enrolled member of the Pascua Yaqui Tribe.
- (D) “Department” means the Adult Services Department in the Pascua Yaqui Tribe government.
- (E) “DES” means the State of Arizona Department of Economic Services.
- (F) “Eligible Family” means a family with a minor child that resides with a custodial parent or adult relative, or a pregnant individual.
- (G) “Needy Family” means an Eligible Family that does not have sufficient income or financial resources to meet basic needs and who meets the financial eligibility criteria for cash assistance.
- (H) “Participant” means an individual who receives assistance through the TANF program.
- (I) “Tribal Member Family” means a Needy Family in which either the parent, Caretaker Relative, minor child, or pregnant individual is a member of the Pascua Yaqui Tribe.
- (J) “Work activities” are defined as unsubsidized/subsidized private or public sector employment; work experience; on-the-job training; job skills training directly related to employment; job search and job readiness for up to six months; community service programs and; vocational education training not to exceed 12 months for any individual.

Section 60 Performance Measures (6 PYTC § 2-1-60)

- (A) The TANF Program goals include, but are not limited to:
 - (1) Assisting program participants in obtaining general equivalency diplomas, as defined in the TANF Plan.
 - (2) Meeting, and exceeding, work participation rates as defined in the TANF Plan.
 - (3) Placing program participants in the work experience component, as defined in the TANF Plan.
- (B) The Department also intends to track and measure:
 - (1) Recipient employment rate
 - (2) Recipient employment retention rate

Section 70 Reporting (6 PYTC § 2-1-70)

- (A) On a quarterly basis, the Department shall report to the Chairperson and Tribal Council on:
 - (1) Current fiscal year budget, including month and year to date results and budget revisions;

- (2) Current case load, including number of cases that are required to participate in work activities and cases that are exempt from work activity.
 - (3) Current month and year to date Work Participation Rates
 - (4) Current month and year to date recipient employment rate
 - (5) Current month and year to date employment retention rate
 - (6) Number of clients that have obtained their G.E.D.
 - (7) Number of clients placed in work experience.
- (B) TANF Program will comply with all federal laws and regulations for data collection and reporting to the U.S. Department of Health and Human Services.

Section 80 Confidentiality (6 PYTC § 2-1-80)

The Tribe affirms that all participant information is confidential. The Tribe will take all action it deems necessary to restrict the use and disclosure of identifying information about individuals and families receiving assistance under TANF. The Tribe will not release or disclose client information, except as specifically authorized by the client herself/himself, or as ordered by a court of competent jurisdiction. Confidential participant information includes all verbal, written, printed or electronic display of data that can identify any specific client's name, social security number or address. Confidential data cannot be released in any format, including mailing labels, PC downloads on disk or spreadsheet, or other computer printouts unless specifically authorized by the Tribal Chairman or designee.

SUBCHAPTER B PROGRAM STANDARDS

Section 90 General Eligibility Requirements (6 PYTC § 2-1-90)

- (A) TANF Program assistance may be provided to a Tribal Member Family or a Needy Family living on the Pascua Yaqui reservation who has at least one parent, Caretaker Relative or minor child who is a member of a federally recognized Indian tribe.
- (B) The Tribal Member Family must live within the Tribe's TANF service area, as defined in the TANF Plan.
- (C) The Tribal Member Family must qualify based on both financial and non-financial eligibility criteria.
- (D) A pregnant woman may be eligible for cash benefits which are payable only for her needs beginning with the third month prior to the month of her expected date of delivery.
- (E) A child may be eligible for cash benefits if the child has been deprived of parental support or care. Deprivation can be caused by death, physical or mental incapacity, continued absence of either one or both parents or unemployment or underemployment of the primary wage earning parent. A determination of parental support or care will be made only in relation to the child's natural legal or adoptive parent.
- (F) All members of the Tribal Member Family must have a Social Security Number. If a family member does not have a Social Security Number, (s)he must show proof of application before the eligibility can be determined.

- (G) A family receiving assistance through the Tribe's TANF program may not receive duplicative assistance from the State and/or other tribal TANF programs.

Section 100 Financial Eligibility Requirements (6 PYTC § 2-1-100)

- (A) A Tribal Member Family is eligible for TANF Program assistance if the income for the family is at or below the federal poverty guidelines established under the TANF Plan.
- (B) Earned and unearned income will be considered in determining financial eligibility. Earned income is defined as either cash or in-kind income received as compensation for wages, salaries, commissions, or profits through employment or self-employment. Unearned income is income received from any other sources other than employment or self-employment.

Section 110 Eligibility Decisions (6 PYTC § 2-1-110)

- (A) Eligibility decisions by either DES or the Department shall be subject to the Grievance and Appeal provisions.
- (B) DES or the Department shall provide written notice of its decision to deny an application for assistance, shall include the basis for the denial, and shall advise the participant of their right to appeal the decision under the Grievance and Appeal provisions.

Section 120 Assistance Denial (6 PYTC § 2-1-120)

The Department will deny assistance for any of the additional following reasons:

- (A) If an individual was convicted in federal or state court of having made a fraudulent statement or representation with respect to the individual's place of residence to receive cash, food stamps, Supplemental Security Income (SSI) under Title XVI or Title XX assistance simultaneously from two or more states, assistance will be denied for at least ten years.
- (B) If an individual violates a condition of probation or parole imposed by a federal or state law until a court determines compliance.
- (C) If an individual is convicted under federal or state law of any felony which has as an element the possession, use or distribution of a controlled substance (as defined in Section 102(6) of the Controlled Substance Act (21 U.S.C. § 802(6)), then assistance will be permanently denied.
- (D) The Tribe will not provide assistance to a family for a minor child absent from the family's home for 180 consecutive days; except for good cause (e.g. child is in the hospital). Furthermore, the Tribe will deny assistance to a parent or caretaker who fails to report within five days the absence of a child from the home when it becomes known the child's absence will exceed or is expected to exceed 180 days.
- (E) The Department shall provide written notice of its decision to deny assistance, shall include the basis for the denial decision, and shall advise the participant of their right to appeal the decision under the Grievance and Appeal provisions.

Section 130 Program Recipient Requirements (6 PYTC § 2-1-130)

- (A) Personal Responsibility Agreement. Each adult member and/or minor parent of the Tribal Member Family is required to sign a Personal Responsibility Agreement (PRA) which lists the obligations of the adults or teen parent. The adult or teen parent must commit to:
 - (1) Preparing for and accepting a job to support themselves and the family unit.

- (2) Making sure that all school age children attend school.
 - (3) Keeping the children's immunizations up to date.
 - (4) Cooperating with the rules and requirements of the Cash Assistance/Two Parent Employment Program, Native Employment Works, Child Support Enforcement and Child Care.
 - (5) Personal Responsibility Plans (PRP) for pregnant/parenting teens will be completed within 30 days of the date of application for cash assistance.
- (B) Child Support. The custodial parent must cooperate with State Child Support Enforcement regulations. If the parent refuses to cooperate with such rules they will be subject to progressive sanctions under the State's progressive sanction process.
 - (C) School Attendance. Every child age six through nineteen must be enrolled in and attending school or be home schooled.
 - (D) Immunization. Every parent or caretaker relative of the Tribal Member Family must ensure that the minor child(ren) are immunized in accordance with the schedule of immunizations required for school and/or child care entry by the Arizona School/Child Care Immunization Law. This requirement is waived when a parent supplies a signed statement that the parent or caretaker relative has received Department of Health Services information about immunizations, understands the risks and benefits of immunizations, and due to personal beliefs, the parent or relative caretaker does not consent to the immunization of the child(ren).
 - (E) All recipients must participate in an employment readiness orientation and assessment conducted by the TANF Case Managers. Recipients will be required to participate in mandatory and structured work activities.
 - (F) The recipient, together with the Case Manager, must develop an Employment Readiness Plan.
 - (G) The TANF program will require a parent or caretaker relative receiving assistance to engage in work activities once the Department determines the parent or caretaker relative is ready to engage in work, or once the parent or caretaker relative has received assistance for 6 months, whichever is earlier.
 - (H) An unmarried minor parent must live with a birth/adoptive parent, other adult relative, or in an adult-supervised supportive living arrangement. If the minor meets one of the good cause exemptions set by the Tribe, the requirement of living with a parent, other adult relative, or in an adult supervised supportive living arrangement does not apply. When a minor parent alleges he/she has good cause to not live with his/her parent(s), a social worker will determine the appropriateness of the living arrangement and assist the minor parent with a second-chance home as necessary.

SUBCHAPTER C TANF PROGRAM SERVICES

Section 140 Cash Assistance Amounts (6 PYTC § 2-1-140)

- (A) Cash assistance will be provided to Tribal Member Families who meet the requirements set in Sections 90 through 130. Failure to meet, or continue to meet, eligibility requirements will result in denial of TANF program cash assistance and services.
- (B) Assistance amounts are 36% of income level as adjusted for family size and a shelter cost factor.

- (C) Cash assistance amounts will be determined based on the applicable federal poverty guidelines, as defined in the TANF Plan.
- (D) The Tribe's TANF program does not have a family benefit cap.
- (E) Protective Payments. When requested by an Eligibility Worker, the TANF Program Manager shall initiate the process for issuing protective payments on behalf of the children in the family. An adult relative can be the protective payee. If a relative protective payee cannot be identified, an employee of the Tribe's Child Protective Services Department shall be the protective payee
- (F) Time Limited Assistance. Except as provided for below, there is a lifetime eligibility limit of 60 months (5 years) for parent(s) and their children.
 - (1) Two Parent Families. No Tribal Member Family with two parents in the household may receive benefits for longer than six months in a 12-month period, except that a two parent family may be granted a six month extension when the TANF Program Manager determines that there is good cause for the extension.
 - (a) The good cause reasons for approving a request for an extension are:
 - (i) A parent is enrolled in a vocational educational training program which was approved by the TANF Case Manager and which can be completed within the six-month extension period;
 - (ii) A parent is in an unpaid work experience activity and JOBS expects the parent to be hired within the six-month extension period.
 - (2) Hardship Exemption to Time Limits. The Tribe may exempt up to 20% of its average monthly number of families receiving assistance from the lifetime limit by reason of hardship, including but not limited to:
 - (a) families with members who have been battered or subject to extreme cruelty;
 - (b) families who have been subject to economic hardship due to illiteracy or lack of training
 - (c) a parent who has a medical disability which prevents him/her from obtaining and /or keeping employment; or
 - (d) a parent who is needed as a caretaker to provide care for a child or a parent who is unable to provide for their own care due to a chronic disability.

Section 150 Child Care Assistance (6 PYTC § 2-1-150)

TANF recipients are eligible for child care assistance, provided by either the State Child Care Agency, or through the Tribe's Child Care and Development Block Grant Plan. A TANF recipient, who is employed, attending school or vocational education is eligible for an initial child care certificate. No cash will be given to the TANF recipient. The child care provider will be reimbursed directly.

Section 160 Work Experience (6 PYTC § 2-1-160)

- (A) Eligible TANF recipients can be placed in a work assignment for up to 32 hours per week in the Tribe's government departments. The work assignment will be in a position that the Tribe regularly employs people in. The work experience participant will be required to perform the tasks and activities in a manner that is consistent with the performance required of persons not in a work experience.

- (B) The recipient's work experience may be extended to work sites in not-for-profit organizations outside the reservation. The recipient may be compensated based on the Tribe's TANF plan. The TANF Program Manager can extend the maximum time limit an additional 2 months.

Section 170 Education Services (6 PYTC § 2-1-170)

The education-related services available TANF program participants will include:

- (A) **General Equivalency Diploma Education.** An adult education service which increases the functional literacy level of TANF adult through the attainment of a general equivalency education.
- (B) **Vocational Education.** A vocational education service which prepares the TANF adult with the skills necessary to attain job skills and job knowledge to obtain employment. Vocational education must be in an occupation which is readily available in the community in which the adults lives.
- (C) **Driver Education.** An adult driver education service which teaches the TANF recipient how to drive an automobile.

Section 180 General Assistance (6 PYTC § 2-1-180)

- (A) **Emergency Assistance.** The Department may make emergency assistance available to TANF recipients who have an immediate short term need which cannot be met immediately by their own income, resources or by any other source. The eligibility criteria for the EA Program are based on the eligibility criteria for cash assistance. Emergency Assistance may be granted for specified needs items that are non-recurring and short-term.
- (B) **Household Assistance.** A recipient may be eligible for a gift card not to exceed an amount established in the TANF Plan for the purchase of urgent personal hygiene items needed as an ancillary to job preparation and job search. Approval of requests is limited to a recipient who is in compliance with his/her Personal Responsibility Plan.

Section 190 Transportation Assistance (6 PYTC § 2-1-190)

- (A) Current TANF participants and former TANF participants who are employed may be eligible for transportation assistance including bus tickets (individual and monthly bus passes), fuel vouchers, emergency ride reimbursement, automobile repair grants, and automobile purchase assistance.
- (B) Each type of assistance has specific eligibility criteria. The following services may be offered:
 - (1) **Bus Passes.** The TANF Case Manager at her/his discretion will provide individual single bus passes to TANF participants who are beginning to search for employment or is participating in employment related tasks.
 - (a) A TANF participant who is employed or enrolled in either a vocational or educational curriculum as per his/her employability plan is eligible to receive a monthly bus pass.
 - (2) **Fuel Vouchers.** A TANF participant who is employed or enrolled in either a vocational or educational curriculum as per his/her employability plan is eligible to receive a bi-weekly fuel voucher. The value of the voucher will not exceed an amount established in the TANF Plan and may be adjusted as the price of gas fluctuates
 - (3) **Emergency Ride.** A TANF participant who is employed or enrolled in either a vocational or educational curriculum as per his/her employability plan is eligible to receive urgent

transportation assistance through a voucher for gasoline at a local gas station. This voucher is used to reimburse the driver for transporting the TANF participant in this urgent situation. The urgent transportation voucher is to be used solely on those occasions where the TANF participant must return home to take care of an urgent situation at home and in those instances where public transportation is not available.

- (4) Automobile Repair Assistance. A TANF participant or one who has been a participant within the past nine months, who is employed and has successfully completed his/her probationary period and has a High School Diploma or a General Equivalency Diploma, is eligible to receive automobile repair assistance. This is a one-time assistance and the amount to be awarded cannot exceed \$2,000.
 - (1) Assistance is only provided to a TANF participant whose name appears on the title of the vehicle to be repaired. The funds can be used to pay for car repairs, car registration, or car insurance. No cash will be given to the TANF participant. Expenses and/or purchases will be paid directly to the vendor.
 - (2) A TANF participant who desires repair assistance must make application with the TANF Case Manager on the forms provided. The application must include the vehicle make to be repaired, proof of ownership, level of education completed and completion of probationary period. The Case Manager will review the applicant's history and participation in her/his case plan.
 - (3) The application is forwarded to the TANF Program Manager for approval or disapproval. Once approved, the TANF Case Manager will coordinate with the TANF participant the automobile repairs and the expenditure of the assistance funds.

Section 200 Health Services (6 PYTC § 2-1-200)

TANF Participants are eligible for access to behavioral health providers.

Section 210 Transitional Services (6 PYTC § 2-1-210)

Families who transition from TANF to employment and are otherwise income eligible will continue to receive child care and job-related medical benefits for a period not to exceed 24 months. In addition, the TANF program will provide the following transitional services.

- (A) Clothing. TANF participants who are hired for employment and Work Experience participants may request a clothing assistance voucher. The amount of the voucher will be established in the TANF Plan.
- (B) Work tools. A TANF participant who is hired for employment and requires specialized work tools may receive a “work tools” voucher in an amount established in the TANF Plan.
- (C) Transportation. A TANF participant who is hired for employment is eligible to receive any of the transportation assistance types described above. Unless otherwise described in the assistance type, the eligibility period shall begin at the date of hire and ends 90 days from the date of hire.
- (D) Emergency assistance. A TANF participant who is hired for employment is eligible to receive emergency assistance as described above. The eligibility period shall begin at the date of hire and ends 90 days from the date of hire.

Section 220 Services to TANF Teenagers (6 PYTC § 2-1-220)

The objectives of the services are (1) to develop employability skills among teens (ages 15-18) who are in a TANF Participant Family; (2) to develop independent living skills, including employability skills, among teens ages 15-18; and (3) to increase the academic achievement of children in school.

(A) The TANF Program shall develop and implement a summer employment program whose objective is to develop the employability skills and ethics among teenagers ages 15-18 who are members of a TANF Participant Family. Eligibility shall be limited to:

- (1) teenagers who were not accepted in any other summer employment program available in the community;
- (2) teenagers who are enrolled in high school and progressing satisfactorily, and;
- (3) TANF Participant Families whose head of household is in compliance with work and program requirements.

(B) The TANF Program will provide case management services to children between 15-18 years of age to assist them in planning a successful transition to adulthood.

(1) The child(ren) eligible for transition case management are:

- (a) child(ren) who live with their parent TANF unit,
- (b) child(ren) who live in a relative TANF unit and,
- (c) child(ren) who are in the tribal foster care system and who were in a TANF unit at the time of their placement in the foster care system.

(2) A “transitioning” child may be offered case management services and if the child accepts the services an Individual Responsibility Plan will be developed that identifies goals, objectives and tasks.

(3) A “transitioning” child may be eligible for the entire array of support services as described in the Tribe’s TANF Plan and which are identified in the child’s Individual Responsibility Plan.

(C) The TANF Program will partner with the public school system to develop, purchase and deliver educational enrichment services to school aged children who are identified as performing “at” or “below expectation” as measured by Arizona Instructional Methods (AIMS test).

SUBCHAPTER D WORK ACTIVITY REQUIREMENTS

Section 230 General Requirements (6 PYTC § 2-1-230)

With the exception of single adult parents caring for a child less than 12 months of age, the Department will require all TANF participants to be assessed and assigned to appropriate work activities

Section 240 Minimum Work Hours Required (6 PYTC § 2-1-240)

(A) The Tribe’s minimum work hours required shall be 30 hours per week

- (B) The Tribe's minimum work hours for a custodial parent with a child under six years of age and who is the only parent in the family shall be 20 hours per week.

Section 250 Work Participation Exemption (6 PYTC § 2-1-250)

A parent may be exempted from participating in work activities. The parent must request an exemption from the TANF Case Manager. An exemption will be provided to:

- (A) a parent who has been battered or subject to extreme cruelty;
- (B) a parent who has a medical disability which prevents him/her from obtaining work and/or employment training and/or keeping employment and;
- (C) a parent who is needed as a caretaker to provide care for a child or a parent who is unable to provide for their own care due to a chronic disability.
- (D) A Child Only Case.
- (E) a parent who has a child under the age of one year; or
- (F) community service, including culturally-related activities.

Section 260 Minimum Work Participation Requirements (6 PYTC § 2-1-260)

- (A) Minimum work participation requirements for one-parent families will be defined in the Tribe's TANF Plan.
- (B) Minimum work participation requirement for a two-parent family will be defined in the Tribe's TANF Plan.

SUBCHAPTER E PENALTIES AGAINST INDIVIDUALS

Section 270 Non-Cooperation with Child Support (6 PYTC § 2-1-270)

Participating adults/minor parents who do not cooperate with child support enforcement will have their cash assistance terminated immediately. In order to be re-instated for cash assistance, the recipient must first comply with child support enforcement requirements.

Section 280 Program Sanctions (6 PYTC § 2-1-280)

Sanctions will be implemented after intervention has failed. Staff will make diligent efforts to encourage TANF recipients to fulfill their work and non-financial eligibility obligations. Participating adults/minor parents who do not cooperate with work requirements or non-financial eligibility options will have their cash grants reduced by a pro-rata share. Participants must become involved in work activities and/or comply with the non-financial eligibility obligations prior to their sanction being removed. The following is the sequence of sanctions:

- (A) First Action. Notice of non-compliance notifying the TANF recipient that (s)he has five days to comply.
- (B) Second Action. Failure to comply notice and notifying the TANF recipient that they risk a sanction of 25% in the total cash assistance amount and if (s)he desires to avert further sanctioning they must comply with the TANF requirements. The recipient has an additional ten days to comply with program requirements.

- (C) Third Action. A 25% reduction in the cash assistance amount. The sanction becomes effective in the next assistance payment. To avert further sanctioning the TANF recipient must comply with program requirements.
- (D) Fourth Action. A 50% reduction in the cash assistance amount. This sanction becomes effective with the next assistance payment. To avert further sanctioning the TANF recipient must comply with program requirements.
- (E) Final Action. The cash assistance amount is terminated. This action will be effective with the next assistance payment.
- (F) The Department shall provide written notice of its decision to sanction a participant in writing, shall include the basis for the sanction decision, shall advise the participant of their right to appeal the decision under the Grievance and Appeal provisions.
- (G) The Department's decision shall be subject to review under the Grievance and Appeals provisions.

SUBCHAPTER F GRIEVANCE AND APPEALS

Section 290 Right of Review (6 PYTC § 2-1-290)

Any applicant or recipient of TANF assistance has the right to request a review of any decision which negatively impacts his/her application or benefits.

Section 300 Review of Application Decisions (6 PYTC § 2-1-300)

- (A) An applicant who has been denied assistance may request a hearing with DES within 20 days of the date the notice of the decision was received. The request must be in writing and must state what action or decision is being grieved and what remedy s(he) proposes.
- (B) Upon written request for a hearing, the DES Eligibility Work shall schedule an informal meeting with the applicant to discuss the grievance. The ADES Eligibility Worker will explain to the applicant/recipient the items of information used to determine their eligibility for assistance. If the applicant/recipient continues to believe that the wrong decision was made, (s)he will present to the Eligibility Worker any additional facts which were not considered or wrongfully considered in the eligibility determination. The Eligibility Worker will examine the facts provided by the applicant/recipient and make a determination of whether the original decision is to be changed or not.
- (B) If the applicant disagrees with the Eligibility Worker's decision from subsection (A), (s)he can request a meeting to discuss the grievance with the TANF Program Manager. The request must be made within three days of the Eligibility Worker's decision. The applicant/recipient must present to the ADES Office Supervisor any additional facts, which were not considered or wrongfully considered in the Eligibility Worker's determination. The TANF Program Manager will examine the facts provided by the applicant and make a determination of whether the original decision is to be changed.
- (C) If the applicant disagrees with the TANF Program Manager's decision from subsection (B), (s)he can request a meeting to discuss the grievance with the Division Director. The request must be within three days of the TANF Program Manager's decision. The Division Director will review the documentation submitted to the Eligibility Worker and Office Supervisor and meet with the applicant/recipient to take any additional information as to why (s)he believes that the wrong decision was made. The Division Director will submit the findings in writing to the applicant and to the State DES.

Section 310 Review of Assistance Decisions (6 PYTC § 2-1-310)

- (A) A TANF participant who has had TANF assistance benefits reduced or terminated may request a hearing with the Department within 20 days of the date the notice of the decision was received. The request must be in writing and must state what action or decision is being grieved and what remedy s(he) proposes
- (B) Upon written request for a hearing, the TANF Program Manager shall schedule an informal meeting with the participant to discuss the grievance. The TANF Program Manager will explain to the participant the basis for the reduction or denial of assistance and the information used to make such determination. If the participant continues to believe that the wrong decision was made, (s)he may present any additional information which were not considered or wrongfully considered in the determination. The TANF Program Manager will examine the additional information provided by the participant and make a determination of whether the original decision is to be changed or not.
- (C) If the applicant disagrees with the TANF Program Manager’s decision from subsection (B), (s)he can request a meeting to discuss the grievance with the Division Director. The request must be within three days of the TANF Program Manager’s decision. The Division Director will review the documentation submitted to the TANF Program Manager and meet with the participant to take any additional information as to why (s)he believes that the wrong decision was made. The Division Director will submit the findings in writing to the participant and to the State DES.

Section 320 Tribal Court Review (6 PYTC § 2-1-320)

- (A) If the applicant/participant disagrees with the decision of the Division Director, (s)he can file a petition with the Pascua Yaqui Tribal Court to review the Division Director’s decision.
- (B) The Tribal Court shall limit its review to the information used by the Division Director to make his decision, including any information provided by the applicant or participant.
- (C) The Tribal Court shall overturn the decision of the Division Director if the court finds the Director’s decision was arbitrary, capricious, an abuse of discretion, or contrary to tribal or federal law.
- (D) The Tribal Court decision may be appealed to the Court of Appeals in accordance with the Tribe’s Rule of Appellate Procedure.