

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

610



FROM: DEPARTMENT OF PUBLIC SOCIAL SERVICES

SUBMITTAL DATE:
July 17, 2012

SUBJECT: Amend Agreements with the Morongo Band of Mission Indians, Soboba Band of Luiseño Indians, and Approve a new Agreement with Pechanga Band of Luiseño Mission Indians for Tribal TANF (Temporary Assistance to Needy Families)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve and authorize the Chair of the Board to sign the attached amendments to the agreements between DPSS and Morongo Band of Mission Indians and Soboba Band of Luiseño Indians;
- 2) Approve and authorize the Chair of the Board to sign the attached agreement between Pechanga Band of Luiseño Mission Indians; and
- 3) Authorize the Director of DPSS to administer the Agreements.
- 4) Authorize the Purchasing Agent, in accordance with Ordinance No. 459 to sign amendments that do not change the substantive terms of the agreement.

Susan Loew

Susan Loew, Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	12-13

SOURCE OF FUNDS:			Positions To Be Deleted Per A-30	<input type="checkbox"/>
Federal Funding: 100%	State Funding: 0%;	County Funding: 0%;	Requires 4/5 Vote	<input type="checkbox"/>
Realignment Funding: 0%;	Other Funding: 0%			

C.E.O. RECOMMENDATION:

APPROVE

BY: *Debra Cournoyer*
Debra Cournoyer

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: July 31, 2012
xc: DPSS, Purchasing

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

Prev. Agn. Ref.: 05/20/08, Item # 2.15 | District: All | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.38

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* 7-9-12
ELENAM. BOEVA
Departmental Concurrence

Policy Policy
Consent Consent

Dep't Recomm.:
Per Exec. Ofc.:

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

CW-01249-01

Riverside County Department of Public Social Services
Amendment #1 to the Agreement with the
Morongo Band of Mission Indians

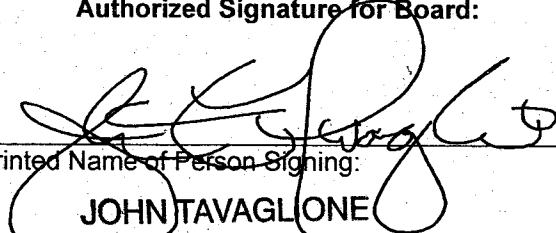
WHEREAS, the Department of Public Social Services (hereinafter "DPSS") desires to enter into an agreement with the Morongo Band of Mission Indians (hereinafter "MBMI") in accordance with applicable Federal and State laws (see 42 U.S.C. Section 612, and Calif. Welfare and Institutions Code Section 10553.25) and any applicable regulations promulgated thereunder; and

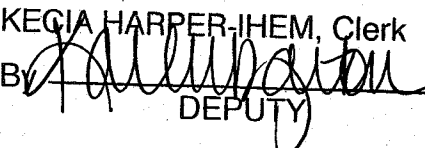
WHEREAS, MBMI desires to provide a tribal family assistance program (hereinafter the "MORONGO TRIBAL TANF program"); and

WHEREAS, DPSS agrees MBMI will perform these services;

NOW THEREFORE, DPSS and MBMI do hereby covenant to follow the provisions in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____.

Authorized Signature for Board: 	Authorized Signature for Morongo Band of Mission Indians:
Printed Name of Person Signing: JOHN TAVAGLIONE	Printed Name of Person Signing: Robert Martin
Title: Chair of the Board of Supervisors	Title: Tribal Chairperson
Address: 4080 Lemon Street Riverside, CA92501	Address: 12700 Pumarra Rd. Banning, CA 92220

ATTEST:
KEGIA HARPER-IHEM, Clerk
By 
DEPUTY

I. DEFINITIONS

- A. "CDSS" refers to the California Department of Social Services.
- B. "DPSS" refers to the County of Riverside and its Department of Public Social Services, which has administrative responsibility for this Agreement.
- C. "MBMI" refers to the Morongo Band of Mission Indians.
- D. "Morongo Tribal TANF" refers to the Morongo Tribal Family Assistance Program.
- E. "Retrocession" refers to the voluntary termination of the MBMI program.
- F. "Service Area" and "Service population" refers to all eligible needy Morongo Tribal members, Federally recognized Indians, and members of the California Judgment Roll, their children and descendant (as defined in Morongo Tribal TANF policies and procedures manual) who reside on the Morongo reservation; and to eligible needy Morongo Tribal Members, descendant and their families who reside in the off reservation areas of Riverside County, excluding the city of Riverside.
- G. "TANF/CaWORKs" refers to Temporary Aid for Needy Families, the family assistance program administered by DPSS.

II. DPSS RESPONSIBILITIES

DPSS shall:

- A. Inform in writing all TANF/CaWORKs applicants of potential eligibility for the MORONGO TRIBAL TANF program as specified in the most recently issued DPSS Form RVSD3218 attached hereto as Exhibit A and incorporated herein by this reference.
- B. Provide TANF/CaWORKs assistance or services to eligible Morongo Tribal members and descendants not served by MBMI for any reason, including those who choose to receive assistance through DPSS.
- C. Assign a liaison to MBMI to assist in the resolution of issues that may arise during administration of the MORONGO TRIBAL TANF program. The liaison shall be available on Riverside County workdays, 8:00 a.m. through 5:00 p.m and shall conduct County clearances for MBMI within five (5) business days.

III. MBMI RESPONSIBILITIES

MBMI shall:

- A. Provide Tribal TANF assistance and/or support services to all eligible needy Morongo Tribal members, Federally recognized Indians, and members of the California Judgment Roll, their children and descendent (as defined in Morongo Tribal TANF policies and procedures manual) who reside on the Morongo reservation; and to eligible needy Morongo Tribal members, descendants and their families who reside in the off reservation areas of Riverside County excluding the City of Riverside.
- B. Obtain a written acknowledgement from families participating in the MORONGO TRIBAL TANF program that they cannot receive TANF/CaWORKs assistance and services from DPSS while being served by MBMI.

- B. DPSS shall incur no fiscal obligation, unless as otherwise provided for in this Agreement, for any assistance or services under the MORONGO TRIBAL TANF program.
- C. The recovery or adjustment of any overpayment, underpayment, or duplicative assistance will be the responsibility of the party issuing the erroneous payment.

VII. SANCTIONS

- A. Both parties agree that sanctions are not transferable from TANF/CaWORKs to Morongo Tribal TANF, or conversely.
- B. Both parties agree that penalties will be identified to the other party, but are not transferable from TANF/CaWORKs to Morongo Tribal TANF, or conversely.

VIII. INDEPENDENT CAPACITY

- A. It is understood that MBMI is an independent agency and that no employer-employee relationship exists between the parties hereto.
- B. MBMI assumes exclusively the responsibility for MBMI's acts and the acts of MBMI's employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.
- C. DPSS assumes exclusively the responsibility for DPSS' acts and the acts of DPSS' employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.

IX. DISPUTES

If a dispute arises from this Agreement involving the interpretation, administration, or conflict of policy or procedures, the parties shall meet to resolve the problem within applicable state, tribal, and federal law. Both parties shall ensure that any dispute will not disrupt the delivery of services or assistance payments to Native American families.

X. MODIFICATION OF TERMS

No addition to or alteration of the terms of this Agreement, whether by written or verbal understanding of the parties, their officers, agents, or employees, shall be valid unless made in the form of a written amendment to this Agreement which is formally approved and executed by both parties. This Agreement is subject to amendment, as necessary, in accordance with requirements contained in any future federal or state statute, regulation, or policy.

XI. TERM

- A. This Agreement shall remain in effect unless amended or terminated. Review of this Agreement shall, at a minimum, occur every three (3) years, starting from the date of execution of this Agreement.
- B. This Agreement may be terminated unilaterally by either party upon written notice one hundred twenty (120) days in advance of the date of its termination. Either party considering termination shall explore alternatives with the other party before taking such action and ensure that there is no disruption or break in service or assistance to Native American families.
- C. In the event of retrocession, MBMI shall notify DPSS and CDSS one hundred twenty (120) days prior to the effective date of retrocession.

Are you or is anyone in your household (adult or child) a Native American Indian? Three Tribal Temporary Assistance to Needy Family (TANF) programs in Riverside County provide welfare services to needy Indian families in a similar manner as Riverside County's Department of Public Social Services (DPSS) including but not limited to job-readiness training, assistance in finding a job, and supportive services to enable Native American Indians to leave the program and become self-sufficient.

The Tribal TANF Programs are:

Tribe	Name of Program	Serving Native American Indian Families
Torres-Martinez Desert Cahuilla Indians	Torres-Martinez Tribal TANF (TMTT) Contact: Celeste Risvaloso (760) 262-1400 x 1137	in Riverside County, excluding residents of the: <ul style="list-style-type: none"> • City of Riverside • Morongo Reservation, and • Soboba Reservation.
Morongo Band of Mission Indians	Morongo Tribal TANF Contact: (951) 755-5178	<ul style="list-style-type: none"> • who reside on the Morongo Reservation, and • who are direct lineal descendants (by blood or marriage) to a Morongo tribal member who reside throughout Riverside County excluding the City of Riverside.
Soboba Band of Luiseno Indians	Soboba Tribal TANF Contact: 1-800-914-1282 or (951) 300-1040	<ul style="list-style-type: none"> • who reside on the Soboba Reservation • who reside in the City of Riverside, or • who are Soboba descendents who reside in Riverside County, excluding the Morongo Reservation and reservation lands served by TMTT.

If you think you qualify and have verifying documents, you have the right to choose the agency from which to receive your cash benefits and employment services.

If you choose to receive your cash benefits and employment services from one of the three Tribal TANF programs, your application for benefits will first be processed by Riverside County DPSS and then transferred to the Tribal TANF program.

If your family is Native American and you wish to have your application processed by Riverside County DPSS you don't need to do anything.

My family is Native American and I choose to:

- Receive cash benefits and employment services with TMTT.
- Receive cash benefits and employment services with the Morongo Tribal TANF.
- Receive cash benefits and employment services with the Soboba Tribal TANF.
- I only want more information about Tribal TANF.

I authorize the Riverside County DPSS within one (1) year of this dated document to receive and disclose information from and/or to Tribal TANF representatives for the purpose of determining eligibility for services from either DPSS or Tribal TANF. I understand that the information on my application will be kept confidential.

NAME	TELEPHONE NO.
X SIGNATURE	DATE
TRIBAL AFFILIATION	RESERVATION OF RESIDENCE (If applicable)

Department Policy

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1. Introduction

What is Tribal TANF?

The Federal government grants authority to federally recognized Native American tribes wishing to administer their own TANF program. Tribal TANF replaces CW assistance as the temporary cash assistance program for eligible tribal member applicants or recipients.

Tribes define the:

- service area and population
- benefits and services
- eligibility criteria, and
- work activities.

Tribal TANF programs structure program activities according to the needs of the customers and their heritage to preserve, strengthen and protect Native American communities and cultures.

California State regulations do not apply to Tribal TANF programs since Tribal TANF programs operate under federal regulation. For example, because Homeless Assistance (HA) once-in-a-lifetime rules are State mandated, Tribal TANF programs are not required to follow the same regulations and may provide their own version of HA, even if the customer received HA from Riverside County Department of Public Social Services (DPSS).

Other services/benefits

Customers receiving temporary cash assistance through a Tribal TANF program receive the following services from the designated providers below:

Service/Benefit	Provider
Employment Services	Tribal TANF program
Child Care Services	Tribal TANF program or DPSS (see page 7)
CalFresh (C) Benefits	DPSS
Medi-Cal (MC) Benefits	DPSS

Continued on next page

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1. Introduction, Continued

Morongo service population

MBMI defines their service population to mean eligible needy:

- Morongo Tribal members, their children and descendants, including those who reside in the off reservation areas of Riverside County, **excluding** the City of Riverside which is the approved service area of the Soboba Tribe
 - Indian families who are members of a federally recognized Tribe, their child(ren) and descendants, and
 - individuals identified on the California Judgment Roll and their descendants who reside on the Morongo reservation.
-

Soboba service population

SBLI's service area refers to the Soboba reservation, the city limits of the City of Riverside, and all Soboba tribal members and their descendants residing in Riverside County, excluding the Morongo reservation and reservation lands served by the Torres-Martinez Desert Cahuilla Indians.

Pechanga service population

The service area for Pechanga Tribal TANF refers to the Pechanga Reservation and all enrolled members of Federally Recognized Native American Tribes and their household members residing in the County, excluding the Soboba and Morongo Reservations and reservation lands served by the Torres-Martinez Desert Cahuilla Indians.

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2. CalWORKs Benefits, Continued

Transferring
CW

Transfer an active CW case to Tribal TANF by following the steps below:

Step	Action
1	ETs email transfer requests to tribalTANF@riversidedpss.org . Include all of the following: <ul style="list-style-type: none"> • case number • case name • social security number(s), and • tribal affiliation and documentation (if available). <p>Note: The case must be imaged prior to transfer.</p>
2	The Tribal TANF lead liaison reviews and prints imaged documents and faxes the information to the appropriate Tribal TANF organization.
3	<ul style="list-style-type: none"> • The Tribal TANF Organization notifies the Tribal TANF lead liaison of the Tribal TANF eligibility determination and beginning date of aid, if applicable. • The Tribal TANF lead liaison forwards the information to the ET.
4	The ET discontinues the CW program in C-IV as a county-initiated action with 10-day notice. <p>Note: Do not discontinue the CW program until notified by the Tribal TANF lead liaison of the Tribal TANF Organization.</p> <p>Note:</p>
5	Transfer the ET program to the appropriate ET per district.
6	Follow existing Edwards V. Kizer continuing ET procedures for all discontinued cash aid families. See DP 40-184A, Terminated CalWORKs and Kin-Gap Recipients – Reassigned to Medi-Cal, for more information.
7	Journal the customer's: <ul style="list-style-type: none"> • tribal affiliation • verification used • termination action, and • transfer.

Welfare to
Work (WTW)
sanctions

WTW sanctions do not transfer between CW and Tribal TANF programs. Requirements for imposing WTW sanctions, contained in Manual of Policies and Procedures (MPP) 42-721, do not apply to the Tribal TANF program.

Any pre-existing WTW sanctions for customers returning from Tribal TANF continue until cured by the customer. Refer to DP 42-722, *Curing or Rescinding WTW Sanctions*.

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4. 60-Month TANF Clock

Time clocks

Tribal TANF benefits count toward the 60-month Federal and 60-month State time clocks. Not all Tribal TANF programs have Safety Net when 60 months of federal aid is reached. Tribal TANF refers these cases back to DPSS to process as a Safety Net child-only case using the DPSS 3655, *60-Month Expiration of Tribal TANF*. The form lists the referred customer's:

- name
- months TANF assistance received
- Tribal TANF worker and telephone number
- list of verifications attached, and
- other information in the comments section pertinent to the family's case.

DPSS or Tribal TANF staff fax the DPSS 3655 to the Tribal TANF liaison at 951-358-6649 for processing.

Processing TANF timed-out referral

Designated staff take the following actions when a TANF timed-out customer makes an application:

Step	Action
1	schedule CW intake appointment
2	receive the customer's referral packet
3	determine CW eligibility for the children only
4	determine <input checked="" type="checkbox"/> eligibility for the household
5	add the number of TANF months the customer received Tribal TANF to the TANF time clock in C-IV, and
6	refer timed-out adults to MC, as appropriate, according to district office procedures.

Maximum Family Grant Rule (MFG)

Because MFG is a state regulation, MFG rules do not apply to Tribal TANF recipients. However, MFG rules do apply once a family begins receiving CW benefits. The assigned ET gives the CW 2102, *Maximum Family Grant*, to the Timed-Out customer, acquires the customer's signature, and images the form into C-IV.

For example, if a family receives Tribal TANF and adds a child to their Tribal TANF assistance unit, MFG rules do not apply. If the family then applies for CW, the ET gives the applicant a CW 2102 at application and any additional children fall under MFG rules for CW benefits.

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5. County Clearance

What is county clearance?

County clearance is a request made by Tribal TANF organizations to verify:

- TANF time on aid
 - current eligibility status, and
 - non-duplication of services and benefits.
-

County clearance requests

Tribal TANF organizations send county clearance requests to the email tribalTANF@riversidedpss.org. The Tribal TANF lead administrator forwards the request to the appropriate Tribal TANF distributor for completion.

The information provided to Tribal TANF organizations consists of the following applicable information for active or pending case:

- case number
 - worker information
 - assistance unit/household members
 - aliases
 - correct social security number (if available)
 - sanctions/penalties, fraudulent situations, or any other discrepancies, and
 - TANF months used, including time limit periods and any exemptions.
-

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

CW-01274-02

**Riverside County Department of Public Social Services
Amendment #2 to the Agreement with the
Soboba Band of Luiseño Indians**

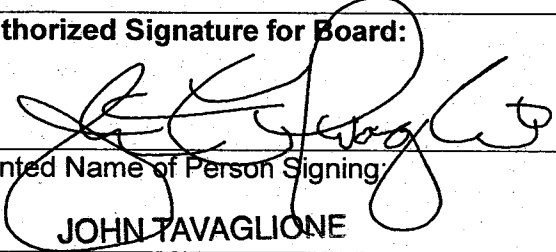
WHEREAS, the Department of Public Social Services, hereinafter referred to as DPSS, desires to transfer the provision of Temporary Assistance to Needy Families (TANF) services to a tribal government, in accordance with applicable Federal and State laws (see 42 U.S.C. Section 612, and Calif. Welfare and Institutions Code Section 10553.25) and any applicable regulations promulgated thereunder; and

WHEREAS, the Soboba Band of Luiseño Indians, hereinafter referred to as SBLI, desires to provide a tribal family assistance program, hereinafter referred to as the "Soboba Tribal TANF"; and

WHEREAS, DPSS desires SBLI to perform these services;

NOW THEREFORE, DPSS and SBLI do hereby covenant to follow the provisions in this Agreement and give full faith and credit to the public acts, records, and judicial proceedings for each party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____, 2012.

Authorized Signature for Board: 	Authorized Signature for SBLI:
Printed Name of Person Signing: JOHN TAVAGLIONE	Printed Name of Person Signing:
Title: Chairman of the Board of Supervisors	Title: Council Chair
Address: 4080 Lemon Street Riverside, CA 92501	Address: P.O. Box 487 23904 Soboba Road San Jacinto, CA 92581

ATTEST:

KECIA HARPER-IHEM, Clerk

By 
DEPUTY

FORM APPROVED COUNTY COUNSEL

BY:  7-1-12
ELENA M. BOEVA DATE

I. DEFINITIONS

- A. "CDSS" refers to the California Department of Social Services.
- B. "DPSS" refers to the County of Riverside and its Department of Public Social Services, which has administrative responsibility for this Agreement.
- C. "Eligible adult" for the purpose of this Agreement refers to one of the following:
 - 1. An Indian or non-Indian caretaker of an eligible Indian child(-ren);
 - 2. An Indian who is pregnant and has reached the third trimester of the pregnancy;
 - 3. An Indian needy or non-needy caretaker who is related by blood to the eligible child. There is no limit to the degree of relationship to the eligible child.
- D. "Family" for the purpose of this Agreement refers to all natural children, step-children, adopted children or relative child (including non-Indians) under the age of 18 years of age living with an eligible adult, with at least one member being an Indian.
- E. "Retrocession" refers to the voluntary termination of the Soboba Tribal TANF.
- F. "SBLI" refers to the Soboba Band of Luiseño Indians.
- G. "Soboba Tribal TANF" refers to the Soboba tribal family assistance program.
- H. "TANF/CaWORKs" refers to the family assistance program administered by DPSS.
- I. "Service area" refers to the Soboba reservation, the city limits of the city of Riverside, and all Soboba tribal members and their descendants residing in Riverside County, excluding the Morongo reservation and reservation lands served by the Torres-Martinez Desert Cahuilla Indians.

II. DPSS RESPONSIBILITIES

DPSS will:

- A. Inform in writing all TANF/CaWORKs applicants of potential eligibility to the Soboba Tribal TANF program as specified in the most recently issued DPSS Form RVSD3218 attached hereto as Exhibit A and incorporated herein by this reference..
- B. Assign a liaison to SBLI to assist in the resolution of issues that may arise during administration of the Soboba Tribal TANF program. The liaison shall be available on normal Riverside County workdays from 8:00 a.m. through 5:00 p.m., excluding County holidays and shall conduct County clearances for SBLI within five (5) business days.
- C. Provide to SBLI copies of DPSS' policies and procedures for TANF/CaWORKs assistance and services in existence as of the date of signing of this MOU.
- D. Provide technical assistance and training, covering a scope that has been mutually agreed upon, for program development and implementation, as requested.

III. SBLI RESPONSIBILITIES

SBLI shall:

- A. Identify families to be transferred to the Soboba Tribal TANF program.
- B. Obtain a written acknowledgement from families participating in the Soboba Tribal TANF program that they cannot receive TANF/CaWORKs assistance and services from DPSS while being served by SBLI.
- C. Provide verification, as requested by DPSS Eligibility staff, to establish eligibility and benefit level for the Food Stamp and Medi-Cal programs.

- B. This Agreement is contingent upon the availability of funds from which payment will be made.
- C. DPSS shall incur no fiscal obligation, unless as otherwise provided for in this Agreement, for any assistance or services under the Soboba Tribal TANF program. The recovery or adjustment of any overpayment, underpayment, or duplicative assistance will be the responsibility of the party issuing the erroneous payment.

VIII. SANCTIONS

Both parties agree that penalties and sanctions are not transferable from TANF/CalWORKs to Soboba Tribal TANF, or conversely.

IX. INDEPENDENT CAPACITY

- A. It is understood that SBLI is an independent agency and that no employer-employee relationship exists between the parties hereto.
- B. SBLI assumes exclusively the responsibility for SBLI's acts and the acts of SBLI's employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.
- C. DPSS assumes exclusively the responsibility for DPSS' acts and the acts of DPSS' employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.

X. DISPUTES

If a dispute arises from this Agreement involving the interpretation, implementation, or conflict of policy or procedures, the parties shall meet to resolve the problem within applicable state, and federal law. Both parties shall ensure that any dispute will not disrupt the delivery of services or assistance payments to Indian families.

XI. MODIFICATION OF TERMS

No addition to or alteration of the terms of this Agreement, whether by written or verbal understanding of the parties, their officers, agents, or employees, shall be valid unless made in the form of a written amendment to this Agreement which is formally approved and executed by both parties. This Agreement is subject to amendment, as necessary, in accordance with requirements contained in any future federal or state statute, regulation, or policy.

XII. TERM

- A. This Agreement shall remain in effect unless amended or terminated. Review of this Agreement shall, at a minimum, occur every three (3) years, starting from the date of execution of this Agreement.
- B. This Agreement may be terminated unilaterally by either party upon written notice one hundred twenty (120) days in advance of the date of its termination. Either party considering termination shall explore alternatives with the other party before taking such action and ensure that there is no disruption or break in service or assistance to Indian families.
- C. In the event of retrocession, SBLI shall notify DPSS and CDSS one hundred twenty (120) days prior to the effective date of retrocession.

Exhibit A

IMPORTANT INFORMATION FOR NATIVE AMERICAN INDIANS

Are you or is anyone in your household (adult or child) a Native American Indian? Three Tribal Temporary Assistance to Needy Family (TANF) programs in Riverside County provide welfare services to needy Indian families in a similar manner as Riverside County's Department of Public Social Services (DPSS) including but not limited to job-readiness training, assistance in finding a job, and supportive services to enable Native American Indians to leave the program and become self-sufficient.

The Tribal TANF Programs are:

Tribe	Name of Program	Serving Native American Indian Families
Torres-Martinez Desert Cahuilla Indians	Torres-Martinez Tribal TANF (TMTT) Contact: Celeste Risvaloso (760) 262-1400 x 1137	in Riverside County, excluding residents of the: <ul style="list-style-type: none"> • City of Riverside • Morongo Reservation, and • Soboba Reservation.
Morongo Band of Mission Indians	Morongo Tribal TANF Contact: (951) 755-5178	<ul style="list-style-type: none"> • who reside on the Morongo Reservation, and • who are direct lineal descendants (by blood or marriage) to a Morongo tribal member who reside throughout Riverside County excluding the City of Riverside.
Soboba Band of Luiseno Indians	Soboba Tribal TANF Contact: 1-800-914-1282 or (951) 300-1040	<ul style="list-style-type: none"> • who reside on the Soboba Reservation • who reside in the City of Riverside, or • who are Soboba descendents who reside in Riverside County, excluding the Morongo Reservation and reservation lands served by TMTT.

If you think you qualify and have verifying documents, you have the right to choose the agency from which to receive your cash benefits and employment services.

If you choose to receive your cash benefits and employment services from one of the three Tribal TANF programs, your application for benefits will first be processed by Riverside County DPSS and then transferred to the Tribal TANF program.

If your family is Native American and you wish to have your application processed by Riverside County DPSS you don't need to do anything.

My family is Native American and I choose to:

- Receive cash benefits and employment services with TMTT.
- Receive cash benefits and employment services with the Morongo Tribal TANF.
- Receive cash benefits and employment services with the Soboba Tribal TANF.
- I only want more information about Tribal TANF.

I authorize the Riverside County DPSS within one (1) year of this dated document to receive and disclose information from and/or to Tribal TANF representatives for the purpose of determining eligibility for services from either DPSS or Tribal TANF. I understand that the information on my application will be kept confidential.

NAME	TELEPHONE NO.
X	
SIGNATURE	DATE
TRIBAL AFFILIATION	RESERVATION OF RESIDENCE (If applicable)

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1. Introduction

What is Tribal TANF?

The Federal government grants authority to federally recognized Native American tribes wishing to administer their own TANF program. Tribal TANF replaces CW assistance as the temporary cash assistance program for eligible tribal member applicants or recipients.

Tribes define the:

- service area and population
- benefits and services
- eligibility criteria, and
- work activities.

Tribal TANF programs structure program activities according to the needs of the customers and their heritage to preserve, strengthen and protect Native American communities and cultures.

California State regulations do not apply to Tribal TANF programs since Tribal TANF programs operate under federal regulation. For example, because Homeless Assistance (HA) once-in-a-lifetime rules are State mandated, Tribal TANF programs are not required to follow the same regulations and may provide their own version of HA, even if the customer received HA from Riverside County Department of Public Social Services (DPSS).

Other services/benefits

Customers receiving temporary cash assistance through a Tribal TANF program receive the following services from the designated providers below:

Service/Benefit	Provider
Employment Services	Tribal TANF program
Child Care Services	Tribal TANF program or DPSS (see page 7)
CalFresh (CF) Benefits	DPSS
Medi-Cal (MC) Benefits	DPSS

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1. Introduction, Continued

Morongo service population

MBMI defines their service population to mean eligible needy:

- Morongo Tribal members, their children and descendents, including those who reside in the off reservation areas of Riverside County, **excluding** the City of Riverside which is the approved service area of the Soboba Tribe
 - Indian families who are members of a federally recognized Tribe, their child(ren) and descendents, and
 - individuals identified on the California Judgment Roll and their descendents who reside on the Morongo reservation.
-

Soboba service population

SBLI's service area refers to the Soboba reservation, the city limits of the City of Riverside, and all Soboba tribal members and their descendents residing in Riverside County, excluding the Morongo reservation and reservation lands served by the Torres-Martinez Desert Cahuilla Indians.

Pechanga service population

The service area for Pechanga Tribal TANF refers to the Pechanga Reservation and all enrolled members of Federally Recognized Native American Tribes and their household members residing in Riverside County, excluding the Soboba and Morongo Reservations and reservation lands served by the Torres-Martinez Desert Cahuilla Indians.

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2. CalWORKs Benefits, Continued

Transferring
CW

Transfer an active CW case to Tribal TANF by following the steps below:

Step	Action
1	<p>ETs email transfer requests to tribalTANF@riversidedpss.org. Include all of the following:</p> <ul style="list-style-type: none"> • case number • case name • social security number(s), and • tribal affiliation and documentation (if available). <p>Note: The case must be imaged prior to transfer.</p>
2	<p>The Tribal TANF lead liaison reviews and prints imaged documents and faxes the information to the appropriate Tribal TANF organization.</p>
3	<ul style="list-style-type: none"> • The Tribal TANF Organization notifies the Tribal TANF lead liaison of the Tribal TANF eligibility determination and beginning date of aid, if applicable. • The Tribal TANF lead liaison forwards the information to the ET.
4	<p>The ET discontinues the CW program in C-IV as a county-initiated action with 10-day notice.</p> <p>Note: Do not discontinue the CW program until notified by the Tribal TANF lead liaison Tribal TANF Organization Eligibility Note.</p>
5	<p>Transfer the CF program to the appropriate ET per district.</p>
6	<p>Follow existing <i>Edwards V. Kizer</i> continuing CF procedures for all discontinued cash aid families. See DP 40-184A, Terminated CalWORKs and Kin-Gap Recipients – Reassigned to Medi-Cal, for more information.</p>
7	<p>Journal the customer's:</p> <ul style="list-style-type: none"> • tribal affiliation • verification used • termination action, and • transfer.

Welfare to
Work (WTW)
sanctions

WTW sanctions do not transfer between CW and Tribal TANF programs. Requirements for imposing WTW sanctions, contained in Manual of Policies and Procedures (MPP) 42-721, do not apply to the Tribal TANF program.

Any pre-existing WTW sanctions for customers returning from Tribal TANF continue until cured by the customer. Refer to DP 42-722, *Curing or Rescinding WTW Sanctions*.

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4. 60-Month TANF Clock

Time clocks

Tribal TANF benefits count toward the 60-month Federal and 60-month State time clocks. ~~Not all Tribal TANF programs have Safety Net when 60 months of Federal aid is reached.~~ Tribal TANF refers these cases back to DPSS to process as a Safety Net child-only case using the DPSS 3655, *60-Month Expiration of Tribal TANF*. The form lists the referred customer's:

- name
- months TANF assistance received
- Tribal TANF worker and telephone number
- list of verifications attached, and
- other information in the comments section pertinent to the family's case.

DPSS or ~~Tribal TANF~~ staff fax the DPSS 3655 to the Tribal TANF ~~staff~~ liaison at 951-358-6649 for processing.

Processing TANF timed-out referral

Designated staff take the following actions when a TANF timed-out customer makes an application:

Step	Action
1	schedule CW intake appointment
2	receive the customer's referral packet
3	determine CW eligibility for the children only
4	determine CW eligibility for the household
5	add the number of TANF months the customer received Tribal TANF to the TANF time clock in C-IV, and
6	refer timed-out adults to MC, as appropriate, according to district office procedures.

Maximum Family Grant Rule (MFG)

Because MFG is a state regulation, MFG rules do not apply to Tribal TANF recipients. However, MFG rules do apply once a family begins receiving CW benefits. The ~~assigned~~ ET gives the CW 2102, *Maximum Family Grant*, to the Timed-Out customer, acquires the customer's signature, and images the form into C-IV.

For example, if a family receives Tribal TANF and adds a child to their Tribal TANF assistance unit, MFG rules do not apply. If the family then applies for CW, the ET gives the applicant a CW 2102 at application and any additional children fall under MFG rules for CW benefits.

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5. County Clearance

What is county clearance?

County clearance is a request made by Tribal TANF organizations to verify:

- TANF time on aid
 - current eligibility status, and
 - non-duplication of services and benefits.
-

County clearance requests

Tribal TANF organizations send county clearance requests to the email tribalTANF@riversidedpss.org. ~~The Tribal TANF lead person forwards the request to the appropriate Tribal TANF caseworker for completion.~~

The information provided to Tribal TANF organizations consists of the following applicable information for active or pending case:

- case number
 - worker information
 - assistance unit/household members
 - aliases
 - correct social security number (if available)
 - sanctions/penalties, fraudulent situations, or any other discrepancies, and
 - TANF months used, including time limit periods and any exemptions.
-

Thank you.

**Riverside County Department of Public Social Services
Agreement with the
Pechanga Band of Luiseño Mission Indians**

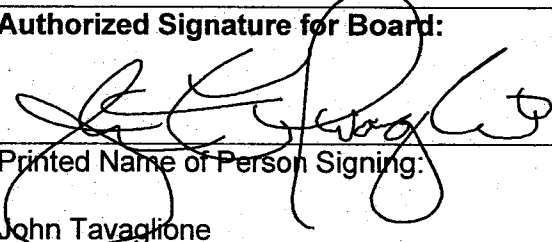
WHEREAS, the Department of Public Social Services, hereinafter referred to as DPSS, desires to transfer the provision of Temporary Assistance to Needy Families (TANF) services to a tribal government, in accordance with applicable Federal and State laws (see 42 U.S.C. Section 612, and Calif. Welfare and Institutions Code Section 10553.25) and any applicable regulations promulgated thereunder; and

WHEREAS, the Pechanga Band of Luiseño Mission Indians, hereinafter referred to as PBLMI, desires to provide a tribal family assistance program, hereinafter referred to as the "Pechanga Tribal TANF"; and

WHEREAS, DPSS desires PBLMI to perform these services;

NOW THEREFORE, DPSS and PBLMI do hereby covenant to follow the provisions in this Agreement and give full faith and credit to the public acts, records, and judicial proceedings for each party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____, 2012.


Authorized Signature for Board: 	Authorized Signature for PBLMI:
Printed Name of Person Signing: John Tavaglione	Printed Name of Person Signing: Mark Maccaro
Title: Chairman of the Board of Supervisors	Title: Tribal Chair
Address: 4080 Lemon Street Riverside, CA 92501	Address: P.O. Box 1477 Temecula, CA 92593

ATTEST:

KECIA HARPER-IHEM, Clerk

By 
DEPUTY

FORM APPROVED COUNTY COUNSEL

BY:  7-9-12
ELENA M. BOEVA DATE

I. DEFINITIONS

- A. "CDSS" refers to the California Department of Social Services.
- B. "DPSS" refers to the County of Riverside and its Department of Public Social Services, which has administrative responsibility for this Agreement.
- C. "Eligible adult" for the purpose of this Agreement refers to one of the following:
 - 1. An Indian or non-Indian caretaker of an eligible Indian child(-ren);
 - 2. An Indian who is pregnant and has reached the third trimester of the pregnancy;
 - 3. An Indian needy or non-needy caretaker who is related by blood to the eligible child. There is no limit to the degree of relationship to the eligible child.
- D. "Family" for the purpose of this Agreement refers to all natural children, step-children, adopted children or relative child (including non-Indians) under the age of 18 years of age living with an eligible adult, with at least one member being an Indian.
- E. "Retrocession" refers to the voluntary termination of the Pechanga Tribal TANF.
- F. "PBLMI" refers to the Pechanga Band of Luiseño Mission Indians.
- G. "Pechanga Tribal TANF" refers to the Pechanga tribal family assistance program.
- H. "TANF/CalWORKs" refers to the family assistance program administered by DPSS.
- I. "Service Population Area" refers to the Pechanga reservation and all members of federally recognized Indian tribes and their household members residing therein.

II. DPSS RESPONSIBILITIES

DPSS will:

- A. Inform in writing all TANF/CalWORKs applicants of potential eligibility to the Pechanga Tribal TANF program as specified in the most recently issued DPSS Form RVSD3218 attached hereto as Exhibit A and incorporated herein by this reference.
- B. Assign a liaison to PBLMI to assist in the resolution of issues that may arise during administration of the Pechanga Tribal TANF program. The liaison shall be available on normal Riverside County workdays from 8:00 a.m. through 5:00 p.m., excluding County holidays and shall conduct County clearances for PBLMI within five (5) business days.
- C. Provide to PBLMI copies of DPSS' policies and procedures for TANF/CalWORKs assistance and services in existence as of the date of signing of this MOU.
- D. Provide technical assistance and training, covering a scope that has been mutually agreed upon, for program development and implementation, as requested.

III. PBLMI RESPONSIBILITIES

PBLMI shall:

- A. Identify families to be transferred to the Pechanga Tribal TANF program.
- B. Obtain a written acknowledgement from families participating in the Pechanga Tribal TANF program that they cannot receive TANF/CalWORKs assistance and services from DPSS while being served by PBLMI.
- C. Provide verification, as requested by DPSS Eligibility staff, to establish eligibility and benefit level for the Food Stamp and Medi-Cal programs.
- D. Assign a liaison to DPSS in each Pechanga Tribal TANF program office to assist in the

- B. This Agreement is contingent upon the availability of funds from which payment will be made.
- C. DPSS shall incur no fiscal obligation, unless as otherwise provided for in this Agreement, for any assistance or services under the Pechanga Tribal TANF program. The recovery or adjustment of any overpayment, underpayment, or duplicative assistance will be the responsibility of the party issuing the erroneous payment.

VIII. SANCTIONS

Both parties agree that penalties and sanctions are not transferable from TANF/CalWORKs to Soboba Tribal TANF, or conversely.

IX. INDEPENDENT CAPACITY

- A. It is understood that PBLMI is an independent agency and that no employer-employee relationship exists between the parties hereto.
- B. PBLMI assumes exclusively the responsibility for PBLMI's acts and the acts of PBLMI's employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.
- C. DPSS assumes exclusively the responsibility for DPSS' acts and the acts of DPSS' employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.

X. GOVERNING LAW

This Contract shall be construed and interpreted according to the laws of the State of California. Any legal action related to the interpretation or performance of this Contract shall be filed only in the appropriate courts located in the County of Riverside, State of California. Should action be brought to enforce or interpret the provisions of the Contract, the prevailing party shall be entitled to attorney's fees in addition to whatever other relief are granted.

XI. DISPUTES

If a dispute arises from this Agreement involving the interpretation, implementation, or conflict of policy or procedures, the parties shall meet to resolve the problem within applicable state, and federal law. Both parties shall ensure that any dispute will not disrupt the delivery of services or assistance payments to Indian families.

XII. MODIFICATION OF TERMS

No addition to or alteration of the terms of this Agreement, whether by written or verbal understanding of the parties, their officers, agents, or employees, shall be valid unless made in the form of a written amendment to this Agreement which is formally approved and executed by both parties. This Agreement is subject to amendment, as necessary, in accordance with requirements contained in any future federal or state statute, regulation, or policy.

XIII. TERM

- A. This Agreement shall remain in effect unless amended or terminated. Review of this Agreement shall, at a minimum, occur every three (3) years, starting from the date of execution of this Agreement.
- B. This Agreement may be terminated unilaterally by either party upon written notice one hundred twenty (120) days in advance of the date of its termination. Either party considering

XV. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and all prior or contemporaneous agreements of any kind or nature relating to the same shall be deemed to be merged herein. This Agreement is not intended to, and shall not be construed, to create the relationship of agent, officer, employee, partnership, joint venture, or association between DPSS and PBLMI. No verbal commitment or conversation with any officer, agent, or employee of either party shall affect or modify any of the terms and conditions of this Agreement.

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Tribal TANF

Overview

Introduction This Department Policy (DP) provides information regarding Tribal Temporary Assistance to Needy Families (TANF) programs within Riverside County.

CalWORKs (CW) recipients who meet the Tribal TANF service population definition may choose at any time to discontinue their CW and receive Tribal TANF.

In this policy This DP contains the following topics:

Topic	Page
1. Introduction	2-4
2. CalWORKs Benefits	5-6
3. Other Programs	7
4. 60-Month TANF Clock	8-9
5. County Clearance	10
6. Tribal TANF Policies	11

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1. Introduction, Continued

Riverside County Tribal TANF

The Federal government approved Tribal TANF programs for:

- Torres-Martinez Consortium, consisting of:
 - Torres-Martinez Desert Cahuilla Indians
 - Santa Rosa Band of Mission Indians
 - Cahuilla Band of Mission Indians
 - Ramona Band of Mission Indians, and
 - Augustine Band of Indians.
- Morongo Band of Mission Indians (MBMI)
- Soboba Band of Luiseño Indians (SBLI), and
- ~~Pechanga Band of Luiseño Indians (PBLI)~~

Members of these tribes may choose to receive Tribal TANF services.

The following tribes chose **not** to participate in Tribal TANF:

- Agua Caliente Band of Cahuilla Indians
- 29 Palms Band of Indians, and
- Cabazon Band of Mission Indians.

As otherwise eligible, members of these tribes receive all benefits from Riverside County DPSS.

Torres-Martinez service population

The Torres-Martinez Consortium defines the service populations eligible for Torres-Martinez Tribal TANF (TMTT) as members, their families, individuals on the California Judgment Roll, or descendants of any federally recognized tribe residing on reservation lands served either by the Consortium or anywhere in Riverside County who choose to apply for assistance through the TMTT program. The exceptions are Native Americans:

- residing in the city limits of Riverside
 - residing on the Reservations of the Agua Caliente, Morongo, ~~Pechanga~~ and Soboba tribes, or
 - descendants and members of the Agua Caliente and Morongo tribes.
-

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2. CalWORKs Benefits

Choice of provider Persons meeting the definition of one of the service populations for a Riverside County Tribal TANF program retain the right to choose whether they receive benefits from a Tribal TANF program or from DPSS.

CW applicants All new applicants for CW benefits, even if no tribal affiliation is indicated, must receive the DPSS 3218, *Important Information for Native American Indians*, with their SAWS 1, *Application for Cash Aid*.

Application processing Riverside County DPSS processes CW applications for applicants choosing to receive cash assistance through Tribal TANF prior to transferring the customer to the appropriate Tribal TANF organization. This ensures the applicant's needs are met during the transfer process. **CE** and MC are processed along with CW.

Denied CW applications Follow the steps below to refer a denied CW application to the appropriate Tribal TANF organization.

Step	Action
1	<p>Eligibility Technicians (ET) email referrals to the Tribal TANF lead liaison at tribaltanf@riversidedpss.org. Include all of the following:</p> <ul style="list-style-type: none"> • case number • case name • social security number(s) • reason for denial, and • tribal affiliation and documentation (if available). <p>Note: Refer to page 11 of the DP for more information on Tribal TANF liaisons.</p>
2	The Tribal TANF lead liaison reviews and prints imaged documents and faxes the information to the appropriate Tribal TANF organization.
3	<p>ETs journal the:</p> <ul style="list-style-type: none"> • tribal affiliation • denial reason, and • referral actions.
4	ETs transfer the CE and MC programs per district procedures.

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3. Other Programs

CalFresh

If all household members receive cash aid through Tribal TANF, the household is considered Categorically Eligible (CE) as a Public Assistance household for CE benefits under MPP 64-301.7.

Because Tribal TANF is public assistance, cases discontinued from Tribal TANF are eligible to Transitional CalFresh (TC) benefits as otherwise eligible.

Medi-Cal

Section 1931 (b) rules apply to families discontinued from CW for Tribal TANF. As a result, families who received CW cash assistance, not Tribal TANF, for three (3) of the six (6) months prior to discontinuance are recipient eligible. If the family is not recipient eligible, process under applicant rules.

WTW

Deregister any WTW participants transferring to Tribal TANF programs by taking the following actions:

Step	Action
1	Discontinue supportive services and send the appropriate notices.
2	End non-compliance actions.
3	Journal the reason for deregistration.

Child Care

Some Tribal TANF programs pay for Child Care services. If Child Care is not paid by Tribal TANF, treat the customer as a former recipient, provided the customer previously received CW. Follow instructions in DP 47-310, *CalWORKs Child Care Stage One to Stage Two Transfers*.

Child Care discontinues when the customer receives Child Care through Tribal TANF. The Child Care Services Worker (CCSW) closes/denies the Child Care program and provides timely and adequate notice when notified of the parent/caretaker's discontinuance from CW.

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5. County Clearance

What is county clearance?

County clearance is a request made by Tribal TANF organizations to verify:

- TANF time on aid
 - current eligibility status, and
 - non-duplication of services and benefits.
-

County clearance requests

Tribal TANF organizations send county clearance requests to the email tribalTANF@riversidedpss.org. The Tribal TANF lead person forwards the request to the appropriate Tribal TANF District office or coordinator.

The information provided to Tribal TANF organizations consists of the following applicable information for active or pending case:

- case number
 - worker information
 - assistance unit/household members
 - aliases
 - correct social security number (if available)
 - sanctions/penalties, fraudulent situations, or any other discrepancies, and
 - TANF months used, including time limit periods and any exemptions.
-