

003 – THE PLANNING PROCESS FOR WORK FIRST

Change #5-2011

July 1, 2011

I. THE STATE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PLAN

The State of North Carolina submits a TANF State Plan to the United States Department of Health and Human Services Administration for Children and Families every two years. The State Plan describes North Carolina's TANF program, called Work First. The State Plan is an aggregate of the standard Work First Program and the various Electing County Plans that have been approved by the North Carolina General Assembly.

The social services system in North Carolina is administered in each county by a Department of Social Services under local county control. The State Division of Social Services establishes the Standard Work First program according to guidelines contained in federal regulations and state law, allowing counties maximum local flexibility.

II. ELECTING COUNTIES

Counties, designated as Electing Counties, are granted additional latitude to determine the county's eligibility criteria and payment amounts. These counties may seek electing status by submitting documentation showing that at least a three-fifths majority of the county commissioners is in favor of seeking electing status and by submitting an Electing County plan to the North Carolina Division of Social Services (the Division). The Department of Health and Human Services submits recommendations to the General Assembly and the General Assembly designates Electing Counties.

All Electing Counties are subject to the General Assembly appropriation provisions. A county that desires to be redesignated as a Standard County must submit a request in writing to the Division at least six months prior to the effective date of the next State Plan. In its request for redesignation, the county must submit documentation demonstrating that three-fifths of its county commissioners support the redesignation. Upon approval of the request by the Division, a county's redesignation will become effective with the next State Plan.

III. THE PLANNING PROCESS FOR ELECTING COUNTIES

State law requires Electing counties to submit county Work First Block Grant plans to the Division of Social Services on a biennial schedule. County plans must be approved by the Board of County Commissioners before being submitted to the Division.

Every two years the Division will notify counties when the planning process is to begin and will issue detailed guidance and deadlines for submitting plans.

The biennial planning process is an opportunity for counties to take full advantage of the local flexibility that is built into the Work First program. This is the time to strengthen local partnerships.

The board of county commissioners is required to appoint a planning committee of individuals to identify the needs of the population to be served and to review and assist in developing the County Plan to respond to the identified needs.

The committee must include, but is not limited to, representatives of the following entities:

- County board of social services,
- Local Management Entity (LME),
- Local public health board,
- Local school systems,
- Business community,
- Board of county commissioners,
- Community-based organizations representative of the population to be served,
- Employment Security Commission (ESC),
- Child Care Service Providers,
- Transportation service providers, and
- Local Department of Social Services Staff.

The Division encourages counties to include other interested parties on the planning committee, such as current and former Work First recipients, child support enforcement staff, and other community advocacy agencies such as the Salvation Army, Goodwill Industries, etc.

The planning committee should actively seek input and feedback from a broad range of citizens. The committee should seek out and learn from successful local efforts that have helped families achieve economic self-sufficiency. The planning process should be an educational process for committee members and should promote mutual understanding of the agencies and/or programs represented on the committee and should foster ongoing and long term collaboration at the county level.

IV. ELECTING PLAN ELEMENTS

All Electing county plans must contain the following elements:

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- A. A description of conditions in the county, including socio-economic trends for low-income families; economic trends such as new businesses, plant closings, and the local job market and key issues identified and addressed by the plan.
- B. The planning process, including planning committee membership; documentation of the public comment process; a synopsis of committee meetings; and a description of the planning committee's expected contribution to the implementation of the plan.
- C. Program performance measures to meet state goals, described in the TANF State Plan.
- D. A description of how counties plan to utilize public and private resources to achieve program goals.
- E. Describe any collaborative arrangements you have with other agencies, such as Employment Security Commission (ESC), Workforce Investment Act (WIA), Vocational Rehabilitation (VR) or JobLink Centers.
- F. Describe the agency's organization for the functions listed below.
 - 1. Intake
 - 2. Emergency Assistance
 - 3. Formal Assessments (Employment and Functional)
 - 4. Employment Services
 - 5. Other supportive services
 - 6. Eligibility determination
- G. The county's policy for prioritizing subsidized child care services.
- H. A discussion of the agency's collaboration with local transportation service providers.
- I. A description of coordination with the LME for substance abuse and mental health assessment and treatment services. Include a description of the duties of the Qualified Professional in Substance Abuse.
- J. Description of collaboration with the local domestic violence service agency, including arrangements for providing Family Violence Option waivers.
- K. A list of the activities, staff, and services which will be funded using Maintenance of Effort (MOE) funds.

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- L. A projection of how much of the counties' Work First Block Grant funding will be devoted to Child Welfare Services.
- M. Provide a budget for MOE, Child Welfare, EA and 200% services.
- N. Emergency Assistance Policy.
- O. Plan for services to low income (under 200% of federal poverty level) families.
- P. Plan for employment services to non-custodial parents of Work First children (or notice of decision not to provide these services).
- Q. County policy on exemption from the work requirement for single custodial parents of children under age one.
- R. Certification document from the Board of County Commissioners verifying approval of the plan.
- S. If authority for administration of the Work First Program has been delegated to an entity other than the Board of County Commissioners please name and describe that entity. (Notwithstanding any delegation of duty, the Board of County Commissioners remains accountable for its duties under the Work First Program, as described in NCGS 108-A.)
- T. Describe in detail the eligibility criteria that will be used in the county. Include all terms and conditions for receiving Work First Program assistance and services, including, at a minimum:
- definition of relationships,
 - who can apply/be included in the payment,
 - payment levels (EA, 200% services, child welfare)
 - countable income,
 - sanctions,
 - resource requirements (limit and countable items),
 - time limits and extensions,
 - exemptions, and exceptions to requirements,
 - Benefit Diversion requirements
 - Reward incentives
- U. Attach a copy of a sample MRA to be used in county.
- V. Describe the appeals process. This must substantially comply with N.C.G.S. 108A-79. Second level appeal hearings must be held in the

county rather than by the Department of Health and Human Services. The Board of County Commissioners is ultimately responsible for this process but may delegate it to another entity as provided for in the plan.

W. Describe the process by which the county will review all Work First caseloads no later than three months prior to expiration of time limits for receiving cash assistance.

X. Innovative County Strategies

Describe activities or initiatives in the county that are innovative in meeting the goals of the Work First Program such as addressing domestic violence, literacy issues, long-term recipients families, individuals with disabilities, and any other special issues.

V. LIMITATIONS ON ELECTING COUNTY POLICIES

The following limitations are specified in federal and/or state law. Electing counties **may not** contradict these provisions.

A. Assistance can be provided only for families where a minor child lives with an adult caretaker relative [federal - Sec. 408 (a) (1)] or an adult who has legal custody or guardianship. [TANF State Plan]

B. Benefit level must be determined based on the state standard of need. [State- Session Law 1999-359, Senate Bill 1134]

C. A sanction of at least a 25% reduction in payment must be applied for non-cooperation with child support enforcement. [federal - Sec. 408 (a) (2)]

D. Adults must assign rights to child support to the State (Currently, NC law already assumes the assignment is made when the Work First application is signed.). [federal - Sec. 408 (a) (3)]

E. Minor parents must attend school and live with parents or in another adult-supervised setting. [federal - Sec. 408 (a) (4) and (5)]

F. Lifetime limits can not exceed 60 months unless a hardship exemption is granted. [federal - Sec. 408 (a) (7)]

G. An individual is ineligible for assistance for 10 years if they are found to have fraudulently misrepresented their residence in order to get assistance in 2 or more states. [federal - Sec. 408 (a) (8)]

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- H. Fugitive felons and probation and parole violators are not eligible for assistance. [federal - Sec. 408 (a) (9)]
- I. Children who are temporarily absent from the home without good cause. [TANF State Plan]. The caretaker relative who fails to notify the agency of the child's absence within 5 days is not eligible for assistance. [federal - Sec. 408 (a) (10)]
- J. All eligible family members must have a social security number or apply for one. [federal - 42 U.S.C. 1320 (a)(1)]
- K. Class H or I drug felons are eligible for assistance (with restrictions). Other drug felons are not eligible. [State - 108A-25.2.]
- L. Counties must adhere to Citizenship/Identity Requirements
- M. Individuals found to be in need of professional substance abuse treatment services are required to accept treatment, if available, as a condition of eligibility. [State - 108A-29.1]
- N. All counties must adhere to notice requirements in [NCGS 108A-79]
- O. Counties must continue to participate in the Income Eligibility Verification Systems (IEVS) matches. [federal - Section 1137 - Social Security Act]
- P. Counties must adhere to guidances set forth by Title VI of the Civil Rights Act and the Americans with Disabilities Act.

VI. THE BIENNIAL PROCESS FOR STANDARD COUNTIES

- A. All Standard counties must follow Work First policy as written in the Work First Policy Manual.

Every two years the Division will notify Standard Counties when the biennial process will begin, issue detailed guidance and deadlines for submitting certain requirements as necessary.

- B. The biennial process is an opportunity for Standard counties to take full advantage of the local flexibility that is built into the Work First program. This is the time to strengthen local partnerships.

Standard counties must establish a committee, compile a list of the members, including affiliation, and place on file at the county DSS agency.

The committee should include, but is not limited to, representatives of the following entities:

- County board of social services,
- Local Management Entity (LME)
- Local public health board,
- Local school systems,
- Business community,
- Community-based organizations representative of the population to be served
- Employment Security Commission (ESC)
- Child Care Service Providers
- Transportation service providers
- Local Department of Social Services Staff

The Division encourages counties to include other interested parties on the committee, such as current and former Work First recipients, child support enforcement staff, and other community advocacy agencies such as the Salvation Army, Goodwill Industries, etc.

The committee should actively seek input and feedback from a broad range of citizens. The committee should seek out and learn from successful local efforts that have helped families achieve economic self-sufficiency. The biennial process should be an educational process for committee members and should promote mutual understanding of the agencies and/or programs represented on the committee and should foster ongoing and long term collaboration at the county level.

VII. EMERGENCY ASSISTANCE CRITERIA FOR ELECTING AND STANDARD COUNTIES

All counties are required by state law to provide an emergency assistance program for Work First eligible families. (See Section 102)

The following items must be included in the county description of emergency assistance.

- Income limits (no higher than 200% of poverty).
- Benefit limits (for example, \$600 per application, \$1200 per year, etc.).
- Definition of emergency.
- Services provided (for example, past due rent, utility bills, prescriptions, food, etc.).

- All other locally set requirements or limits (for example, resource limits, etc.).

VIII. SERVICES FOR LOW-INCOME FAMILIES (AT OR BELOW 200% OF FEDERAL POVERTY LEVEL) FOR ELECTING AND STANDARD COUNTIES

All counties must provide services to low-income families whose income is at or below 200% of poverty (see Work First Manual Section 102).

County plans must include the following:

- Income limits (no higher than 200% of poverty).
- Benefit limits (for example, \$600 per application, \$1200 per year, etc.).
- Services provided (for example, car repair, tools, uniforms, child care, etc.).
- All other locally set requirements or limits (for example, resource limits, etc.).

Services may be varied, including but not limited to transportation, child care, job retention bonuses, case management, follow up, mentoring after school learning programs, parenting programs, literacy programs and post employment skills training.

IX. EMPLOYMENT SERVICES FOR NON-CUSTODIAL PARENTS (OPTIONAL FOR STANDARD AND ELECTING COUNTIES)

All counties may choose to provide employment services to non-custodial parents of Work First eligible children when the non-custodial parent's income is at or below 200% of poverty (see Work First Manual Section 102).

X. EXEMPTION FROM THE WORK REQUIREMENT FOR ELECTING AND STANDARD COUNTIES

Counties may choose to exempt single parents of children under one year of age from the work requirement. Electing County Work First plans and Standard County requirements must state whether the county will exempt such individuals and must specify any limits on the exemption. For example, counties may set an age limit younger than 12 months, such as three or six months, or counties might establish a policy not to exempt individuals who are employed. **Regardless of county policy, no individual may be exempt for this reason for more than a cumulative lifetime total of 12 months.**

Individuals exempt for this reason (having a work registration code of S) are excluded from the participation rate calculation. In establishing local policy,

counties should consider their ability to provide child care services for young children.

XI. AMENDMENTS

Electing County departments may amend their plans at any time, subject to approval by the Division of Social Services. If counties wish to amend their plans, they must submit the changes along with documentation showing that the Board of County Commissioners has reviewed and approved the changes. Upon receipt of the amendment and documentation, the Division will notify the county of approval or of any corrections that may be required to comply with state or federal laws and regulations.

Standard County departments may amend biennial submission requirements at any time, subject to approval by the Division of Social Services. If counties wish to amend requirements submitted changes must be sent to the Division along with documentation showing that the Program Manager and Director approved the changes. Upon receipt of the amendment and documentation, the Division will notify the county of approval or of any corrections that may be required to comply with state or federal laws and regulations.