DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814

June 10, 1992

ALL-COUNTY LETTER NO. 92-56

Reason for this Transmittal
[ ] State Law Change
[X] Federal Law Change
[ ] Court Order or Settlement Agreement
[ ] Clarification Requested by One or More Counties
[ ] Initiated by SDSS

TO: COUNTY WELFARE DIRECTORS
COUNTY GAIN COORDINATORS

SUBJECT: THE CALIFORNIA INDIAN MANPOWER CONSORTIUM (CIMC), INDIAN TRIBAL JOB OPPORTUNITIES AND BASIC SKILLS (ITJP) PROGRAM UPDATE AND FINANCIAL SANCTION NOTICES OF ACTION (NOA) MESSAGES

REFERENCE: ALL-COUNTY LETTER NO. 90-102
ALL-COUNTY LETTER NO. 91-22

The purpose of this letter is to provide an update regarding CIMC's ITJP client population and to transmit sanction NOA messages for participants of ITJP who have been determined by CIMC to have failed or refused to participate without good cause.

The federal ITJP rules allow CIMC to provide services to adult Indian tribal members who reside on or near reservations or rancherias. The federal government has defined "near" as within the county where the reservation or rancheria is located. Counties impacted by IJTP recently worked with CIMC to establish the estimated number of adult Indian Aid to Families with Dependent Children (AFDC) recipients and applicants eligible to be referred to CIMC's ITJP. The estimated number from each county included tribal members living in the county, not just on the reservation or rancheria.

All-County Letter (ACL) 91-78 explains CIMC's process for conciliation and notification to the counties to initiate financial sanction procedures against the AFDC grant. We needed further clarification regarding the requirement of both parents to participate in IJTP before releasing the financial sanction NOAs. According to the Department of Health and Human Services, the tribal affiliation of the principal wage earner (PWE) determines the identity of the entire family unit. Unlike the Greater Avenues for Independence (GAIN) Program, both parents in a two parent household are required to participate in CIMC's ITJP, unless otherwise exempt under federal rules, regardless of whether the second parent is a member of the tribe.

If both parents are participating in ITJP, and one parent stops participating without good cause, only the participant who stopped participating is sanctioned. [Use M42-786E (ITJP).] If one parent is exempted from participating in ITJP and the other parent fails or refuses to participate without good cause, then the parent who was exempted is now required to participate. The exemption criteria no longer apply. He/she is to be notified by CIMC at the time conciliation begins for the nonparticipating parent that he or she must participate, and is subject to financial sanction if she/he fails or refuses to do so. [Use M42-486D (ITJP) and M42-486F (ITJP).]

Enclosure I contains the financial sanction NOA messages. The NA BACK 6, Your Hearing Rights, must be provided with the notices. The NOAs are to be used only when CIMC has notified the county that a tribal member or second parent should be financially sanctioned for failure or refusal to participate in IJTP. Please refer to ACLs 90-102 and 91-22 relating to timelines for issuing the NOAs.

If you have any questions regarding this letter, please contact your County's GAIN and Employment Services Operations Consultant at (916) 324-6962.

MICHAEL C. GENEST
Deputy Director
Welfare Program Division

Enclosure (to County GAIN Coordinators only)

cc: CWDA