701-1 Family Investment Agreement

TANF Bulletin - 81	December 20, 2013 **To:** All Temporary Assistance to Needy Family (TANF) Program Manual Holders **From:** Pam Barragato, TANF Policy Specialist Policy and Systems Bureau, Central Office Please place this bulletin at the beginning of sections TANF 103-1; 103-2; 104-1; 306-2; 701-1; 1201-1 ========== **SECTIONS:** Application Processing **SUBJECTS:** Application Filing/FIA, Payment Selection and Child Support Enforcement Division Good Cause Form **REFERENCES:** ARM 37.78.101, .102, .206, .226 -.228 and .424 **EFFECTIVE DATE:** New applications received on or after January 1, 2014. **INTRODUCTION:** Current TANF policy requires the applicant's original signature on the Family Investment Agreement, TANF Payment form and the Child Support Enforcement Division Good Cause form. **POLICY CHANGE:** The client's signature on mandatory forms is no longer required as a condition of eligibility. Client attestation is acceptable. **<u>TANF Mandatory Forms</u>** **Family Investment Agreement (FIA):** The applicant(s) must be advised of their rights and responsibilities related to work participation and outlined on the FIA. The CSC will verbally review these with "each" participant. **TANF Payment Selection form (HCS-180):** The CSC will verbally review the TANF Payment Type form with participant. **TANF Good Cause form (HCS-333):** The CSC will verbally review the Child Support Good Cause form with the participant.

	NOTE: Child Support Enforcement Referral (HCS-332): These forms will still need to be completed by the client with an original signature and returned to the OPA as a condition of eligibility. Client attestation is not acceptable for these forms. Client attestation is not accepted on the HCS-250 Application for Assistance, TANF addendum HCS-249 or the HCS/CS-332 Child Support Enforcement Referral. **UPDATED MANUAL MATERIAL WILL BE DISTRIBUTED AS SOON AS POSSIBLE. UNTIL THAT TIME, USE THIS BULLETIN AS A GUIDE. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT YOUR REGIONAL POLICY SPECIALIST OR WORC MONITOR.**
Supersedes:	TANF 701-1 (07/01/08)
References:	ARM 37.78.102, .206, and .216; 45 CFR 261.30 - .36; Deficit Reduction Act of 2005
Overview:	GENERAL RULE-- Certain individuals who are included in the TANF Cash Assistance or **TANF Post-Employment Program** filing unit, even if they are not considered part of the assistance unit due to disqualification, must negotiate, sign, and comply with a Family Investment Agreement and a WoRC Employability Plan (FIA/EP) as a condition of eligibility for TANF cash assistance. All individuals who are required to have a FIA/EP must be referred to either the WoRC program or the Tribal NEW program for case management. The Family Investment Agreement (FIA) section of the FIA/EP will indicate which program the individual is referred to. This section is signed by the participant and the Eligibility Case Manager (on behalf of the State). If the participant is referred to the WoRC program, he or she must negotiate activities for the Employability Plan (EP) section of the FIA/EP with WoRC before TANF cash assistance benefits can be authorized. The Employability Plan section is signed by the participant and the WoRC Case Manager.
INDIVIDUALS REQUIRED TO HAVE A FIA/EP	Any of the following eligible individuals must negotiate, sign and comply with their individual FIA/EP: 1. Adult parent (natural or adoptive) of minor child in household 2. Adult spouse of a parent of a minor child in the household 3. Adult caretaker relative, other than parent, who has requested to be included in the assistance unit 4. Minor children age 16 or 17 not attending school full-time 5. Teen parents not living independently and not attending school 6. Teen parents living independently and 7. Minor parents
INDIVIDUALS REQUIRED TO HAVE A FIA/EP	Any of the following eligible individuals and who are the natural or adoptive parent of a minor child receiving are considered TANF 'work eligible' individuals and must negotiate, sign and comply with their and must negotiate, sign and comply with their own FIA/EP: 1. Parent (adoptive or biological) who is disqualified due to sanction 2. Parent (adoptive or biological) who is disqualified due to intentional

	program violation 3. Parent (adoptive or biological) who is disqualified due to being a fleeing felon 4. Parent (adoptive or biological) who is disqualified due to being a probation/parole violator 5. Parent (adoptive or biological) who is disqualified for conviction in Federal or State court of having made a fraudulent statement or representation with respect to the place of residence in order to receive assistance simultaneously from two or more states and 6. Parent (adoptive or biological) who is disqualified for other reasons **NOTE:** Parents who are disqualified for non-cooperation with Program Compliance (TANF 703-1) make the household ineligible for benefits.
INDIVIDUALS NOT REQUIRED TO HAVE A FIA/EP	The following individuals are not required to negotiate and comply with a FIA/EP: 1. Spouse (who is not a parent of a minor child in the household) who is disqualified for any reason; 2. Caretaker relatives who are not included in the assistance unit or who are disqualified for any reason; 3. Individuals who do not meet the citizenship/alien criteria to be eligible for assistance 4. Teen parent not living independently, in school 5. Minor child or teen attending school; 6. Individuals not included in the assistance unit; 7. Individuals who are (e.g. disqualified teen parent who is not living independently and not in school.
MINOR CHILD	A minor child age 16 or 17 included in his/her parent's grant and attending school full-time, is not required to have a FIA/EP. However, if at any time he or she drops out of school, graduates or completes the program (thus no longer attending full-time) and continues to live with a specified caretaker relative, he or she is required to develop his/her own FIA/EP and comply through the month of his/her 18th birthday. School enrollment and attendance must be verified at the beginning of each school year. During summer vacation, the child is considered enrolled as a full-time student.
TEEN PARENT	A teen parent is an individual under age 18, unmarried and caring for his/her minor

	child. If the teen parent is living independently (TANF 302-1), a FIA/EP is required If a teen parent is not living independently (TANF 302-1), a FIA/EP is only required if he or she is not attending school full-time **NOTE:** See TANF 201-1 for a chart outlining participation codes, adult/child indicators, FIA/EP requirements and time clock information for teen parents and minor parents.
SCHOOL ATTENDANCE	In most public schools (elementary and secondary), full-time attendance is defined as receiving instruction for the school term (180 instructional days) approximately six (6) hours per day/30 hours per week. To determine school attendance and full-time student status for the 16, 17, or 18-year-old minor child, request a statement from the appropriate school official.
SPECIAL SCHOOL SITUATIONS MINOR CHILD OR TEEN PARENT	If the 16, 17, or 18 year old is home schooled, he or she is considered to be 'attending school full-time' and therefore, is not required to have a FIA/EP. Participation in a course of study must be verified. Some ways home schooling can be verified are (list not inclusive): 1. A lesson plan. 2. Verification of registration with the County Superintendent of Schools. 3. Statements from the parent and child stating that the child is being home schooled. If the 16, 17, or 18 year old is attending special education classes to their maximum capabilities or attending regular classes to their maximum capabilities based on medical restrictions, this is considered attending school full-time and the teen would not be required to have a FIA/EP. If the 16, 17, or 18 year old is attending Graduate Equivalency Diploma (GED) classes full-time rather than attending high school, the teen would not be required to have a FIA/EP. **NOTE:** If the 16 or 17-year-old is studying for GED independently or attending GED classes less than full time, a FIA/EP is required. The 18-year-old would no longer be considered a minor child. If a minor child with a FIA/EP is attending school, preparing for a GED or attending adult basic education less than full time but for at least one hour per week, the HSE component must be used on EMPL for the appropriate number of hours. Education should always be the first choice of activities.
MINOR PARENT	A minor parent is an individual under age 18, married and caring for his/her minor child; or emancipated by the court. A minor parent is treated as an adult for

	participation purposes. (TANF 305-1 and 201-1)
Date Revised	January 1, 2012