

**§ 287.115**

**45 CFR Ch. II (10–1–06 Edition)**

**§ 287.115 When a NEW grantee serves TANF recipients, what coordination should take place with the Tribal or State TANF agency?**

The Tribe should coordinate with the Tribal or State TANF agency on:

- (a) Eligibility criteria for TANF recipients to receive NEW Program services;
- (b) Exchange of case file information;
- (c) Changes in client status that result in a loss of cash assistance, food stamps, Medicaid or other medical coverage;
- (d) Identification of work activities that may meet Tribal or State work participation requirements;
- (e) Resources available from the Tribal or State TANF agency to ensure efficient delivery of benefits to the designated service population;
- (f) Policy for exclusions from the TANF program (e.g., criteria for exemptions and sanctions);
- (g) Termination of TANF assistance when time limits become effective;
- (h) Use of contracts in delivery of TANF services;
- (i) Prevention of duplication of services to assure the maximum level of services is available to participants;
- (j) Procedures to ensure that costs of other program services for which welfare recipients are eligible are not shifted to the NEW Program; and
- (k) Reporting data for TANF quarterly and annual reports.

**§ 287.120 What work activities may be provided under the NEW Program?**

- (a) The Tribe will determine what work activities are to be provided.
- (b) Examples of allowable activities include, but are not limited to: Educational activities, alternative education, post secondary education, job readiness activity, job search, job skills training, training and employment activities, job development and placement, on-the-job training (OJT), employer work incentives related to OJT, community work experience, innovative approaches with the private sector, pre/post employment services, job retention services, unsubsidized employment, subsidized public or private sector employment, community service programs, entrepreneurial training, management training, job

creation activities, economic development leading to job creation, and traditional subsistence activities.

**§ 287.125 What supportive and job retention services may be provided under the NEW Program?**

The NEW Program grantee may provide, pay for or reimburse expenses for supportive services, including but not limited to transportation, child care, traditional or cultural work related services, and other work or family sufficiency related expenses that the Tribe determines are necessary to enable a client to participate in the program.

**§ 287.130 Can NEW Program activities include job market assessments, job creation and economic development activities?**

(a) A Tribe may conduct job market assessments within its NEW Program. These might include the following:

- (1) Consultation with the Tribe's economic development staff or leadership that oversees the economic and employment planning for the Tribe;
- (2) Consultation with any local employment and training program, Workforce Development Boards, One-Stop Centers, or planning agencies that have undertaken economic and employment studies for the area in which the Tribe resides;
- (3) Communication with any training, research, or educational agencies that have produced economic development plans for the area that may or may not include the Tribe; and
- (4) Coordination with any State or local governmental agency pursuing economic development options for the area.

(b) The Tribe's NEW Program may engage in activities and provide services to create jobs and economic opportunities for its participants. These services should be congruous with any available local job market assessments and may include the following:

- (1) Tribal Employment Rights Office (TERO) services;
- (2) Job creation projects and services;
- (3) Self-employment;
- (4) Self-initiated training that leads a client to improved job opportunities and employment;

(5) Economic development projects that lead to jobs, improved employment opportunities, or self-sufficiency of program participants;

(6) Surveys to collect information regarding client characteristics; and

(7) Any other development and job creation activities that enable Tribal members to increase their economic independence and reduce their need for benefit assistance and supportive services.

**§ 287.135 Are bonuses, rewards and stipends allowed for participants in the NEW Program?**

Bonuses, stipends, and performance awards are allowed. However, such allowances may be counted as income in determining eligibility for some TANF or other need-based programs.

**§ 287.140 With whom should the Tribe coordinate in the operation of its work activities and services?**

The administration of work activities and services provided under the NEW Program must ensure that appropriate coordination and cooperation is maintained with the following entities operating in the same service areas as the Tribe's NEW Program:

(a) State, local and Tribal TANF agencies, and agencies operating employment and training programs;

(b) Any other agency whose programs impact the service population of the NEW Program, including employment, training, placement, education, child care, and social programs.

**§ 287.145 What measures will be used to determine NEW Program outcomes?**

Each grantee must develop its own performance standards and measures to ensure accountability for its program results. A Tribe's program plan must identify planned program outcomes and the measures the Tribe will use to determine them. ACF will compare planned outcomes against outcomes reported in the Tribe's annual reports.

**Subpart F—Data Collection and Reporting Requirements**

**§ 287.150 Are there data collection requirements for Tribes that operate a NEW Program?**

(a) Yes, the Tribal agency or organization responsible for operation of a NEW Program must collect data and submit reports as specified by the Secretary.

(b) A NEW Program grantee must establish and maintain efficient and effective record-keeping systems to provide accurate and timely information regarding its service population.

(c) Required reports will provide Tribes, the Secretary, Congress, and other interested parties with information to assess the success of the NEW Program in meeting its goals. Also, the reports will provide the Secretary with information for monitoring program and financial operations.

**§ 287.155 What reports must a grantee file with the Department about its NEW Program operations?**

(a) Each eligible Tribe must submit an annual report that provides a summary of program operations.

(b) The Secretary has developed an annual operations report (OMB clearance number 0970-0174). The report specifies the data elements on which grantees must report, including elements that provide information regarding the number and characteristics of those served by the NEW Program. This report is in addition to any financial reports required by law, regulations, or Departmental policies.

(c) The report form and instructions are distributed through ACF's program instruction system.

(d) The program operations report will be due September 28th, 90 days after the close of the NEW Program year.

**§ 287.160 What reports must a grantee file regarding financial operations?**

(a) Grantees will use SF-269A to make an annual financial report of expenditures for program activities and services.

(b) Two annual financial reports will be due to the appropriate Regional Office. The interim SF-269A is due no