



ARIZONA DEPARTMENT OF ECONOMIC SECURITY

1717 W. Jefferson • P.O. Box 6123 • Phoenix, AZ 85005

Janet Napolitano
Governor

Tracy L. Wareing
Director

JUN 27 2008

The Honorable Janet Napolitano
Governor of Arizona
1700 West Washington
Phoenix, Arizona 85007

Dear Governor Napolitano:

I am pleased to provide you with the Department of Economic Security's Tribal Consultation Report for 2008. This report is submitted pursuant to Executive Order 2006-14, which requires all Executive Branch agencies to produce an annual report of all action undertaken as a result of the implementation of its tribal consultation policy. The report is submitted to the Governor and Legislature, and a copy is provided to the Arizona Commission of Indian Affairs.

If you have any questions, please contact me at (602) 542-5757.

Sincerely,

Sharon O. Sargent for

Tracy L. Wareing
Director

Enclosure

cc: President Timothy S. Bee, Arizona State Senate
Speaker James P. Weiers, Arizona State House of Representatives
Members of the Joint Legislative Audit Committee
Mr. Kenneth G. Poocha, Arizona Commission of Indian Affairs
GladysAnn Wells, Director, Arizona State Library, Archives, and Public Records

Arizona Department of Economic Security

Tribal Consultation Report

June 1, 2007 – May 31, 2008

Introduction

The mission of the Arizona Department of Economic Security (DES) is to promote the safety, well-being, and self-sufficiency of children, adults, and families. The vision of the Department is for every child, adult, and family in the State of Arizona to be safe and economically secure. This includes collaborating with and coordinating service delivery to Arizona's 22 tribes.

The Department of Economic Security has a Native American Tribal Liaison to work with all of the 22 tribes in the state pursuant to Arizona Executive Order 2006-14. With the adoption of the Tribal Consultation Policy, DES reaffirms its commitment to working with Native American Tribes to improve the quality, availability, and accessibility of human services to children, youth, adults, and elders. In January 2008, DES held its first meeting of the DES Native American Advisory Board. The Advisory Board includes tribal leaders from across the state provides a mechanism for tribal consultation with DES beyond the official policy. The Advisory Board assists and guides DES on tribal issues that are important to tribal people. The DES Director, Deputy Directors, and key Executive Leadership members also meet with the Native American Advisory Board.

The goals of DES are to: 1) strengthen individuals and families; 2) increase self-sufficiency; and 3) develop the capacity of communities. This report provides an overview of the wide array of tribal consultation to achieve these goals. This has been a dynamic process, involving ongoing joint efforts of Tribal and Department leadership including staff.

This is the second Annual Report since the creation of the Arizona Executive Order to reaffirm one of the fundamental signs of respect for tribal sovereignty and self-determination for tribal governments.

Indian Child Welfare Act

As required by the Indian Child Welfare Act (ICWA) and under the umbrella of the DES Division of Children, Youth and Families (DCYF), a tribal liaison is designated to collaborate and coordinate complex ICWA/Child Protective Services (CPS) cases. The Indian Child Welfare Act Child Welfare Specialist continues to meet regularly with tribal ICWA representatives and state representatives to address common concerns, monitor ICWA implementation and compliance measures outlined in the State IV-B Plan, and consult regarding the implementation of ICWA, including consultation regarding Title IV-E of the Social Security Act. To ensure compliance, the Child Welfare Specialist provides technical assistance, case

consultation, training of state and tribal child welfare staff, and qualified expert witness testimony in state courts.

Some current work in tribal consultation in the area of Child Welfare includes:

- The Colorado River Indian Tribe is in the process of drafting an intergovernmental agreement (IGA) to replace their current memorandum of understanding in order to best serve their needs. This would address their CPS referrals and investigative procedures specific to the DCYF service area in which the tribal community is located.
- The Hopi Tribe and White Mountain Apache Tribe, through their tribal attorneys, are also working on proposed ICWA Agreements.
- The Salt River Pima-Maricopa Indian Community also discussed an IGA but felt they had a solid working relationship with Maricopa County and decided that an official agreement was not necessary at this time.

The Indian Child Welfare Act Specialist is constantly engaged in meeting with tribes and training about the intent and regulations of the ICWA. This applies to organizations and other entities such as law enforcement agencies and court systems who desire to become more knowledgeable about ICWA. Although there are only a few tribes currently pursuing IGAs, other tribes are also being served through the diverse training and technical assistance offered by the Child Welfare Specialist. An example is the meeting with Tribal Social Services Directors to discuss concerns related to Native American children in tribal foster homes. In addition, the Inter-Tribal Council of Arizona, which consists of all the tribes in the state with the exception of the Navajo Nation, is a partner with DES in pursuing and fulfilling obligations necessary for the Indian Child Welfare Act. The DES ICWA Specialist also attends DES Native American Advisory Board meetings, should any issues related to ICWA need to be discussed.

Temporary Assistance to Needy Families (TANF)

DES has intergovernmental agreements with six tribes to provide Temporary Assistance for Needy Families (TANF) programs: Pascua Yaqui, Salt River Pima-Maricopa Indian Community, White Mountain Apache, Navajo Nation, Hopi, and San Carlos Apache. Each tribe has its own TANF Plan approved by the Federal Government. The most recent tribal TANF program is San Carlos Apache Tribe's, which began on May 1, 2008. Each of the Tribal TANF program plans were designed with flexibility to develop strategies for promoting work and self-sufficiency. It further challenges tribes to foster changes that are culturally appropriate and to take responsibility for program results and outcomes.

DES works closely with each tribal TANF program to provide technical assistance and coordinate Tribal TANF program operations and interactions throughout DES. DES assists some Tribes with completion of federal TANF reports. DES provides a state/tribal TANF coordination team to each tribe, composed of the DES Native American Tribal Liaison, policy analysts, data systems personnel, financial analysts, strategic/budget analysts and computer programmers from the DES Division of Benefits and Medical Eligibility, Family Assistance

Administration (FAA); Division of Employment and Rehabilitation Services, Jobs program, and Child Care Administration; and the Division of Child Support Enforcement. The entire team attends the meetings on a quarterly basis but also meets with all of the TANF Tribes intermittently to focus on issues specific to them. Some of the issues they have worked collaboratively with the following tribes on include:

Pascua Yaqui Tribe:

- Intergovernmental agreement for the Social Services Block Grant with the Division of Aging and Adult Services.
- Data sharing agreement regarding access to information on their customers' Social Security.
- Programmatic issues such as connectivity, pre-compliance, facilities, lifetime benefit limits, TANF application and approval process.
- Enhancing the communication system between the Tribe and DES.
- Planning the first Tribal TANF Conference.

White Mountain Apache Tribe:

- Programmatic issues relating to facilities, personnel, connectivity, and policies and procedures.
- Intergovernmental agreement for Jobs.
- Billing issues.
- Work participation rate.
- Data sharing agreement.
- Educational concerns related to their TANF Plan.
- Internal programmatic issues.
- Planning the first Tribal TANF Conference.

Salt River Pima-Maricopa Indian Community:

- Data sharing agreement regarding their access to information on customers.
- Revision of their TANF Plan.
- Planning the first Tribal TANF Conference.

Navajo Nation Self-Reliance Program:

- Intergovernmental agreements and contract amendments.
- Policies and procedures.
- Facilitated meetings regarding their state appropriations.
- Presentations to the Navajo Nation Tribal Council at Window Rock and Phoenix.
- Attended budget negotiations meeting between the Navajo Nation and State of Arizona.
- Planning the first Tribal TANF Conference.

Hopi Tribe:

- Part of a team that met with the Hopi Vice-Chairman to discuss an Elderly Health Care Unit.
- Policies and procedures.
- Intergovernmental agreements

- Data sharing agreement.
- Jobs program.
- Data security system.
- Training on case management policies.
- Internal programmatic issues.
- Planning the first Tribal TANF Conference.

San Carlos Apache Tribe:

- Intergovernmental agreement and contract amendments.
- Data sharing agreement.
- FAA and Jobs policies and procedures.
- Data security system.
- Training on data security system.
- Internal programmatic issues.
- Planning the first Tribal TANF Conference.
- Meeting with other tribal representatives to discuss the TANF program.
- Meeting to discuss the tribe’s educational concerns regarding their Tribal TANF Plan.

Division of Aging and Adult Services

The Division of Aging and Adult Services (DAAS) provides an array of services to tribal elders who reside on reservations. To achieve this level of tribal consultation there were numerous meetings regarding policies and procedures, intergovernmental agreements, contract amendments, and relevant issues.

Services currently being provided to 21 tribes are in the following areas:

Independent Living Support Services, a comprehensive case managed system of care that offers an array of services designed to assist aging and vulnerable individuals to live independently in their own home and community with the appropriate level of support.

Independent Living Services include:

	Ak-Chin	Cocopah	Colorado	Ft. McDowell	Ft. Mohave	Gila River	Havasupai	Hualapai	Hopi	Kaibab-Paiute	Navajo	Pascua Yaqui	Ft. Yuma	Salt River	San Carols	San Juan	Tonto Apache	White mountain	Yavapai Apache
Adult Protective Services											X								
Caregiver Training											X								
Case Management									X		X	X							
Congregate Meals Transportation				X	X	X	X	X			X			X	X				X
Counseling	X																		
Health Promotion											X								
Home Delivered Meals				X		X		X			X			X	X		X	X	X
Home Nursing											X							X	
Housekeeping			X				X			X	X							X	
Information & Referral											X								
Kinship																			
Nutrition Education Home Repair											X								
Respite Care											X								
Transportation	X			X					X		X				X	X			

Family Caregiver Support Program provides the following supportive services to family caregivers:

- Assistance in accessing services
- Peer/support groups
- Supplemental services

State Health Insurance Assistance Program

- This program includes the health benefits counseling service that assists Arizona’s Medicare beneficiaries, their families, caregivers, and professionals in understanding and accessing the health care benefits they are entitled to. The mission of the program is to educate, advocate, counsel, and empower people to make informed benefit decisions.
- Senior Medicare Patrol (SMP) is designed to involve retired professionals as volunteers in the education of their peers in safeguarding the Medicare and Medicaid programs.
- DAAS has intergovernmental agreements with the following tribes:
 - Ak Chin Community
 - Cocopah Tribe

- Colorado River Indian Tribe
- Fort McDowell Yavapai Nation
- Fort Mojave Tribe
- Gila River Indian Community
- Havasupai Tribe
- Hopi Tribe
- Hualapai Tribe
- Kaibab-Paiute Tribe
- Navajo Nation
- Pascua Yaqui Tribe
- Quechan Tribe
- Salt River-Maricopa Indian Community
- San Carlos Apache
- San Juan Southern Paiute Tribe
- Tohono O’Odham Nation
- Tonto Apache Tribe
- White Mountain Apache Tribe
- Yavapai Apache Nation
- Yavapai Prescott Indian Tribe

DAAS is also the point of contact for appropriations made by the Arizona State Legislature regarding capital projects on Native American reservations. Following is a description of capital projects funding for the Native American reservations from 1999 to 2008.

Legislation	Appropriation Year	Appropriation Fund	Amt. Expended	Balance
SB 1317	1999	\$ 305,000	\$ 180,000	\$ 125,000
HB 2578	2001	50,000	50,000	
HB 2485	2002	714,300	667,949	46,351
HB 2865	2007	450,000		450,000
HB 2870*	2007	395,000		395,000
HB 2783	2008	1,000,000	1,000,000	
		\$ 2,914,300	\$ 897,949	\$ 2,016,351

*HB 2785 reappropriated \$45,000 for a senior center at Chilchenbeto on the Navajo Nation from SB 1317 to HB 2870.

The Navajo Nation hosted a Tribal Leaders Summit in Window Rock in December of 2007 to learn more about the capital projects funding services available from the state agencies including DES. The Navajo Nation also wanted to learn more about the status of the appropriations, and an update was provided at the Window Rock Summit and again in Phoenix in January 2008.

Division of Employment and Rehabilitation Services (DERS)

Rehabilitation Services Administration

In November 2007, a delegation from Rehabilitation Services Administration (RSA) visited the Hopi Tribe, the Navajo Nation, and the White Mountain Apache Tribe. This was a “fact-finding” trip that resulted in the formation of a collaborative effort between DES and the tribes in creating a partnership for services.

Child Care Administration (CCA)

The Child Care Administration has continued its work with the Navajo Nation by providing technical assistance with coordination and cross training for child care services. This resolved the release of information from the DES Child Care Administration to the Navajo Nation to enable the tribe to learn which members qualify for services from the tribe and DES.

Jobs Administration

The Jobs Administration is an employment and training program designed to assist public assistance recipients. The Jobs Administration provides services to qualified recipients of Temporary Assistance for Needy Families (TANF) Cash Assistance and the Food Stamp Program. The Jobs Administration will assist participants in moving from public assistance to employment through supportive services identified by the Tribes.

Presently, the following tribes have intergovernmental agreements:

- Hopi – Current IGA is for the operation of the Jobs Program and will expire on June 30, 2008. Presently, the DES Employment Administration and the tribe are both looking at renewal of the IGA and exploring the budget process.
- San Carlos Apache – The tribe has an IGA pending signature to allow San Carlos Apache Tribe to use the Department’s Jobs Automated System (JAS) for Electronic Benefit Transfer (EBT) payments for Tribal Related Expenses (TRE) and Fair Labor Standards Act (FLSA) payments.
- White Mountain Apache – The tribe has an IGA pending signature with them to allow use of the Department’s JAS system for EBT payments for TRE and FLSA.

Workforce Investment Act

The federal Workforce Investment Act (WIA) through DES’s Employment Administration (EA), currently has IGAs with 13 tribes. WIA is primarily designed to serve disadvantaged adults and youth. Priorities for services are veterans, recipients of cash assistance, or Jobs services, the homeless, disabled, high school dropouts, and the basic skills deficient. The following tribes have intergovernmental agreements with EA:

- Cocopah
- Colorado River
- Gila River
- Ak-Chin
- Hopi
- Hualapai
- Ft. Mojave
- Quechan
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache
- Tohono O'odham Nation
- White Mountain Apache
- Yavapai Apache

DES is currently in negotiation with the Pascua Yaqui Tribe to develop an IGA for their WIA program.

Arizona Early Intervention Program (AzEIP)

The Arizona Early Intervention Program (AzEIP) is the statewide system of services and supports for families of infants and toddlers, birth to three years of age, with disabilities or developmental delays. The purpose of early intervention is to help families help their children develop to their full potential. Early intervention services are provided through the Department of Economic Security's Arizona Early Intervention Program (DES/AzEIP) and the Division of Developmental Disabilities (DES/DDD), and Arizona State Schools for the Deaf and the Blind (ASDB). DES/AzEIP provides services through contracts, some of which are with contracts or subcontracts with the tribes. When the tribe does not have a direct role in providing the services through contract or subcontract, the DES/AzEIP contractor establishes partnerships with tribal early childhood programs, such as Headstart, local schools and local health and human service organizations to ensure that communities know how to make referrals. Examples include strong relationships built between local DES/AzEIP contractors and Hopi, Tohono O'Odham, San Carlos Apache, and Havasupai tribes.

DES/AzEIP maintains an intergovernmental agreement with the Navajo Nation for the provision of early intervention services. DES/AzEIP staff, contracted technical assistance and monitoring specialists, and staff from the Navajo Nation's Growing in Beauty Program have worked extensively together to identify and correct non-compliance. Similarly, DES/AzEIP staff and contracted technical assistance and monitoring specialists have worked with the Gila River Indian Community, which subcontracts with a DES/AzEIP contractor.

In addition to monitoring and corrective action activities, DES/AzEIP staff and/or the contracted technical assistance and monitoring specialists provide support and technical assistance to professionals working in tribal nations. For example, one technical assistance and monitoring specialist has provided training on the use of the Hawaii Early Learning Profile (HELP)

assessment tool to early intervention practitioners living in the White Mountain Apache Reservation.

Division of Children, Youth and Families

The Division of Children, Youth and Families (DCYF) has developed working relationships with the tribes to promote safety and well-being for tribal children and families. It is this consistent effort of Tribal Consultation that has resulted in intergovernmental agreements with the following tribes:

- | | |
|---|---|
| • Navajo Nation | Title IV-E Program Administration |
| • Navajo Nation | Comprehensive Service Delivery |
| • Navajo Nation | Family Support, Preservation and Unification |
| • Hopi Tribe | Title IV-E |
| • Salt River Pima Maricopa Indian Community | Family Support, Preservation and Reunification Services |
| • Salt River Pima Maricopa Indian Community | Support, Preservation and Reunification Services |
| • San Carlos Apache | Family Support, Preservation and Reunification Services |
| • San Carlos Apache | Specialized Substance Abuse Treatment |
| • Pascua Yaqui | Family Support, Preservation and Reunification |
| • Pascua Yaqui | Specialized Substance Abuse Treatment |
| • White Mountain Apache Tribe | Family Support, Preservation and Reunification Services |
| • White Mountain Apache Tribe | Specialized Substance Abuse Treatment |
| • Hualapai | Family Support, Preservation and Reunification Services |
| • Quechan | Family Support, Preservation and Reunification Services |
| • Ak-Chin Community | Family Support, Preservation and Reunification Services |

DES receives federal funding for foster care children under Title IV-E of the Social Security Act. Native American tribes in turn may enter into IGAs with DES and be reimbursed for the care of tribal foster care children in tribal custody. Family Support, Preservation and Reunification services are very important to the tribes' focus to keep tribal children within their own families instead of placing them with non-tribal families. This program facilitates meetings with families and emphasizes the preservation of family units to care for their children.

Division of Child Support Enforcement (DCSE)

The Division of Child Support Enforcement is a federal/state/local effort to collect financial support from parents who are legally obligated to pay child support. They locate absent parents, establish paternity, enforce orders, and collect child support payments. Through their outreach efforts with the tribal communities, DCSE has developed intergovernmental agreements and is working towards establishing additional agreements.

The Navajo Nation currently has an intergovernmental agreement with DES, and has been encouraged to continue in a collaborative partnership. In October 2007, the DCSE contracts unit renewed the intergovernmental agreement with the Navajo Nation for federal fiscal year 2008. Although the timing appears delayed, the cost principles in the IGA were revised to simplify DCSE's service billing. In conjunction with the DCSE/Navajo Nation IGA, DCSE system staff continuously provide the following support services to the Navajo Nation:

- General ATLAS Help Desk contact: system related calls, updates, program code change requests, etc. (ATLAS is the automated child support enforcement case management system).
- Security: setting up system access, password resets, and printer and server remote access.
- Distribution of routine production reports.
- Assisting with office moves (generating notices, setting up access, etc.).

The Pascua Yaqui Tribe participated in the Breakthrough Series Collaborative (BSC), which was an initiative of DES to focus on service integration in communities. BSC was a statewide effort consisting of 20 teams, with 6 DES partners, 6 community partners, and 6 family partners. The focus was for communities to create small-scale improvements within their communities. The BSC on services integration presented a ground breaking framework for making planned change that is accessible and, manageable and can provide immediate successful results at all levels of DES.

DCSE staff members were asked to attend a meeting with the tribe to provide information regarding child support services. The tribe expressed interest in creating their own tribal child support program, and was provided with information from the TANF program specialist.

The San Carlos Apache Tribe is currently working on an IGA with the Division of Child Support Enforcement. In the interim, DCSE has proposed a grassroots effort to educate the tribe's families on the importance of paternity and the availability of the voluntary paternity process. In March 2007, as a first step in this endeavor, DCSE was invited to meet with the San Carlos Apache Social Services Department; staff were introduced to, and encouraged to use, the voluntary paternity process to help ultimately realize established paternities for the tribe's children. Note: San Carols Apache Tribe has since established several paternities via this process.

The White Mountain Apache Tribe (WMAT) invited DCSE to participate in the 2007 Health Fair in Cibeqe and share the Hospital Paternity Program (HPP). Community members were given information via literature and one-on-one communication.

There were many visits to hospitals utilized by Native Americans and Indian Health Services Center to share information on the services provided by DCSE. Presentations were also given to the TANF Tribes at their quarterly meetings because often this is where the initiative begins for collaborative efforts. DCSE has also attended all meetings of DES Native American Advisory Board.



Read this report on
DES Web Site - www.Azdes.gov
Or Call 602-542-3882 for more information

Equal Opportunity Employer/Program * Under Titles IV and VII of the Civil Rights Act of 1964 (Title VI & VII), and the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, the Department prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, and disability. The Department must make a reasonable accommodation to allow a person with disability to provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy, contact 602-542-3882; TTY/TTD services: 7-1-1