DELAWARE AMENDED
STATE PLAN FOR TANF
Effective September 1, 2009

This State Plan is submitted to amend Delaware's TANF State Plan.

Delaware operated its TANF program under Section 1115 waivers from the Social Security Act, as approved on December 12, 1995, and amended on September 27, 1996. The waiver expired on September 30, 2002.

Delaware has revised its policy and processes to implement all of the changes required by the Deficit Reduction Act (DRA). All of the operational and proposed changes to Delaware's TANF program are incorporated in this State Plan. Our approved Work Verification Plan, submitted on August 12, 2008 and effective October 1, 2008, describes in detail how TANF work activities are defined, verified, and documented. This document incorporates all the federal regulation changes that resulted from publication of the TANF final rules in 2008.

The policy changes reflected in this Plan are the result of a process that included development of proposed regulations, distribution of the draft regulations to Delaware stakeholders and the public, and the review and incorporation of appropriate comments in the plan.

Although compliance with the DRA required small policy, procedural and system changes, we have not had to amend the goals of Delaware's TANF program, since our TANF program has always been very work oriented. Delaware's TANF program requires immediate work activity from caretakers in time-limited families. Those who cannot secure unsubsidized employment immediately are required to participate in other work activities that foster the development of the skills necessary to secure unsubsidized employment and achieve long term self sufficiency.

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GOALS, RESULTS AND PUBLIC INVOLVEMENT

Goals

The goal of Delaware's TANF program is to provide a welfare system based on a philosophy of mutual responsibility. In working toward that goal, the State will strive to place individuals in private or public sector unsubsidized employment that enables them to enter and maintain meaningful jobs and interrupts the intergenerational welfare dependency cycle. To that end, TANF creates positive incentives for families to become employed, and expects families to accept responsibility to become self-supporting.

Five key principles form the foundation of TANF:

1. Work should pay more than welfare.
2. Welfare recipients must exercise personal responsibility in exchange for benefits.
3. Welfare should be transitional, not a way of life.
4. Both parents are responsible for supporting their children; and
5. The formation and maintenance of two-parent families should be encouraged; and teenage pregnancy and unwed motherhood should be discouraged.

Involvement of Local Governments, the Public, and Private Sector Organizations

Welfare Reform in Delaware has a long history of active involvement and partnership between and among state and local governments and the private sector. Over a multi-year period, Delaware has engaged government, the public and the private sector in dialog about the welfare system and ways to change it.

Since its introduction in January of 1995, in the form of a waiver request, all sectors have had the opportunity to influence Delaware's welfare reform program in a series of public meetings and forums.

A collaborative partnership among the Department of Health and Social Services (DHSS), Department of Labor (DOL), and the Delaware Economic Development Office (DEDO) worked to develop Delaware's original TANF program. The Delaware Transit Corporation (DTC) has joined as a partner in planning any changes required.

From 1995 to the present, the TANF collaborative team has involved other stakeholders in a number of ways. Community partner involvement runs the gambit from support letters for TANF-related grants, to participating in the resultant project planning and implementation, to membership on an initiative's advisory/oversight council. Partnerships include: the City of Wilmington's HOPE VI subsidized housing project; the Delaware Ecumenical Council on Children and Families' rural outreach project; the Division of Vocational Rehabilitation's employment efforts with people with disabilities; the National Corps/VISTA welfare-to-work mentoring program; and the Division of Substance Abuse and Mental Health's Youth Offender Re-entry initiative. Presentations on TANF are

ongoing by request to the various Section 8 and Public Housing entities, to non-profits such as the First State Community Action Agency and the Latin American Community Center and to local churches, healthcare centers, childcare providers, schools and youth centers (e.g., Boys & Girls Club).

The Social Services Advisory Council, consisting of educators, health professionals, religious leaders, representatives of community-based organizations, advocates, and government leaders, all appointed by the Governor, continues to provide advice on improving the delivery of Delaware's social programs. In addition, the Division of Social Services has regularly conducted focus groups with clients in all counties of the State.

The requirement for a 45-day public comment period was accomplished by making the plan available for public review and comment through the following means:

- The State Plan was published on the Delaware web site at http://www.dhss.delaware.gov/dhss/dss/ on November 5, 2008; and
- Stakeholder groups as represented by the Social Services Advisory Council, the TANF Employer Committee, and TANF program contractors were provided with individual copies of the Plan.
- This State Plan is being published in the Delaware Register and on the Delaware web site.

Delaware is proud to say that the administration addressed and continues to build on the themes the public identified. This true not only in TANF but in many other areas of public policy that support low income families, including the Administration's economic development, education, and family policies. A brief summary of where public policies intersect with welfare system change include:

- easing transition from welfare to work by:
    - passing through to TANF recipients a portion of the child support collected
    - enhancing child support collection strategies and achieving record child support collections
    - changing the way the welfare system budgets income so that families go off assistance only after achieving income at 75 percent of the federal poverty level
    - increasing Delaware's investment in child care so that there is no subsidized child care waiting list for eligible working families with income up to 200% of the federal poverty level
    - increasing the income threshold below which individuals are not required to file personal income tax returns to $15,449 for married couples and $9,399 for single individuals; increasing the personal credit from $100 to $110; and reducing the tax rate for all individuals, other than the top tax bracket, by .4 percentage points

    - increasing the State minimum wage to $6.15 an hour as of September, 2000, $6.65 an hour effective January 2007, and $7.15 an hour effective January 2008
    - increasing the earnings potential of TANF individuals through a State Earned Income Tax Credit for 2006 and beyond.
- ensuring access to health care for Delaware families through:
    - providing Medicaid coverage to uninsured adults as well as all children in families with income at or below 100 percent of the federal poverty level
    - providing medical coverage for uninsured children in families with income up to 200% of the federal poverty level, through the Delaware Healthy Children Program (DHCP)
    - providing transitional Medicaid for two years for families with children who exit welfare, at incomes up to 185% of poverty.
- improving education for children by:
    - expanding access to the Early Childhood Education Program (ECAP)
    - providing extra instructional time for low-achieving students
    - operating the Parents as Teachers program statewide
    - operating the Mentoring for Students program for students who need an adult role model
    - implementing a comprehensive program to ensure safe, disciplined schools
    - raising academic standards and graduation requirements and pushing for school choice and charter schools.
- recruiting, through the Delaware Economic Development Office (DEDO), new companies and maintaining existing employers with good jobs that provide career opportunities
- strengthening Delaware's families by:
    - helping many thousands of welfare recipients go to work, and providing continuing supports to working families
    - initiating voluntary paternity establishment
    - providing transportation support for job seekers and new workers
    - establishing more effective welfare to work programs with a work first approach to employment and training services, while providing opportunities for educational advancement
    - enabling families with both parents to receive benefits and services
    - participating with community-based organizations and the faith community to support targeted, fragile populations
    - discouraging teen pregnancy through the Alliance on Adolescent Pregnancy Prevention
    - extending home visits to all first time parents following a child's birth
    - cracking down on domestic violence to protect vulnerable women and children
    - enforcing the Sexual Predator Act to protect vulnerable youth and prevent teen pregnancy.

Results to be Measured and Methods for Measuring Progress

Delaware has committed to evaluate its welfare system. The State had a multi-year contract with Abt Associates to evaluate TANF. We measured:

- the number of individuals working;
- the number of individuals sanctioned;
- the caseload size; and
- the number of months of receipt of TANF.

Reports by the evaluator include:

- The ABC Evaluation - A Better Chance for Welfare Recipients? What the Public Thinks, March, 1999;
- The ABC Evaluation - Enrollment of Families in Delaware's A Better Chance Program: A Report on the First Three Years, March, 1999
- The ABC Evaluation - Carrying and Using the Stick: Financial Sanctions in Delaware's A Better Chance Program, May, 1999.
- Will Welfare Reform Influence Marriage and Fertility? Early Evidence from the ABC Demonstration, June, 1999.
- The ABC Evaluation - Verifying School Attendance of Welfare Recipients' Children, June 2000
- The ABC Evaluation - Impacts of Welfare Reform on Child Maltreatment, August 2000
- A report, Turning the Corner -- ABC at 4 Years, November 2000
- The DABC - Evaluation How Have They Fared? Outcomes After Four Years for the Earliest DABC Clients, August 2001
- The DABC Evaluation Institutional Aspects of Welfare Reform in Delaware, August 2001

These reports can be located at http://www.abtassociates.com/page.cfm?PageID=12603&TPCB=1&TPC=146. Note that at one time, Delaware's TANF program was known as A Better Chance or ABC.

Delaware was also one of four states participating in a Welfare Reform and Family Formation research project designed to provide an increased understanding of how changes in welfare policies have affected childbearing, marriage, and other family structure factors. Abt Associates teamed with a University of California research team in analyzing random assignment data collected in Delaware.

Ensuring Accountability

The Division of Social Services (DSS), a division of State of Delaware Department of Health and Social Services (DHSS), administers TANF. While DHSS is the lead agency, program administration is accomplished through a partnership of DSS, Department of

Labor (DOL), Delaware Economic Development Office (DEDO), and the Delaware Transit Corp (DTC).

Delaware completed a massive automation enhancement effort, to incorporate new technology in a complete redesign of the Delaware Client Information System (DCIS). DCIS II is a large scale, client/server, interactive eligibility determination and benefit issuance system. DCIS II automates: client registration, application entry, eligibility determination, benefit calculation, benefit issuance and work programs for more than 100 variations of cash, Medicaid, child care and food benefit programs, administered by the Delaware Division of Social Services. DCIS II provides automated program support and supports the information needs at the state and local office level. DCIS II also incorporates program changes required by P.L. 104-193.

Most recently numerous changes have been made to DCIS II to incorporate program changes required by the DRA and the resultant federal regulations. Recent enhancements to DCIS II that provide for on-line real-time communications between DSS workers and Employment Connection contractors will assist the State to meet DRA requirements. DSS now provides automated referral of non-exempted individuals to contractors, contractor staffs are now able to send automated alerts to DSS workers, and contractors and DSS workers are able to share case notes about participants. In addition, contractors now directly enter hours of work participation into the system.

Delaware is participating in the Income and Eligibility Verification System (IEVS) required by section 1137 of the Social Security Act.

In addition, the State operates a fraud control program and will disqualify individuals found to have committed an intentional program violation based on findings of administrative disqualification hearings and findings of prosecution or court actions. Delaware has adopted the penalties for intentional program violations used by the Food Supplement Program; 12 months for the first offense and 24 months for a second instance. An individual committing a third offense is permanently disqualified.

NEEDY FAMILIES

Definition of Needy Families

For program purposes, needy families are a child and or children and caretaker relatives whose combined income and financial resources are not equal to or higher than the standards established by the State. The following sections describe these standards and how they are applied to applicants and recipients.

Income and Resource Rules for Determining Need

For purposes of determining need Delaware will continue to utilize the already established income rules of the-TANF program. The following specific features of Delaware's TANF program apply:

- The equity value of real and personal property owned by a family budget group cannot exceed $10,000.00
- The value of automobiles owned by members of a TANF household is disregarded. An automobile is defined as any motorized vehicle used for transportation via public roadways or to produce income.
- The cash value of a life insurance policy is excluded.
- In addition to the current resource limit, families are allowed to establish special Education and Business Investment Accounts (EBIA) of up to $5,000.00, including interest.
    - Families will contribute directly to their EBIAs.
      Funds in such accounts will not be considered as a resource. Withdrawals from such accounts must be for approved purposes, as defined in TANF. If funds are withdrawn for non-approved purposes, the money will be counted as a resource in the month received. Approved reasons for withdrawal of funds for self-sufficiency needs include, but are not limited to: dependent care expenses, security deposit for an apartment or house, or vehicle repair costs.
- Financial assistance received from school grants, scholarships, vocational rehabilitation payments, JTPA payments, educational loans, and other loans that are expected to be repaid will not be counted as income for TANF program purposes. Also, other financial assistance received that is intended for books, tuition, or other self-sufficiency expenses will be excluded.
- Earnings of dependent children, regardless of student status, will be disregarded in determining the family's eligibility and the amount of TANF benefits.
- A one-time bonus payment of $50.00 will be paid from TANF funds to eligible teens who graduate from high school by age 19. This bonus, which will be paid directly to the high school graduate, will be disregarded as income.

Income Tests to Determine Eligibility

There are two income tests to determine financial eligibility. The first test is a gross income test, and the second is a net income test.

- Comparing the family's income to 185% of the applicable standard of need is the gross income test. Both applicants and recipients must pass this income test.
- The other income test compares a family's income, after applying certain disregards, to the applicable standard. This is a net income test.
- For applicants, defined as families who have not received assistance in at least one of the four months immediately preceding the application, the net income is compared to the payment standard.
- For recipients, defined as families who have received assistance in at least one of the four months preceding the application or are current recipients, the net income is compared to the standard of need.
- A family's income must be less than the gross and net income limits to be financially eligible for TANF. Once eligibility is established, the grant amount is determined.

- Gross income is the total of the earned and unearned income.
- Wages and self-employment income are examples of earned income.
- Social Security benefits, child support, and stepparent income are examples of unearned income. Stepparent income will be included if the child's natural parent lives in the home.

Exhibit 1 contains the calculation steps for TANF applicants.

Exhibit 1: Determining Applicant Eligibility for TANF Benefits

Step 1) The gross income is compared to 185% of the applicable TANF standard of need. Assistance is denied if the income exceeds 185% of the applicable TANF standard of need.

Step 2) The standard work deduction ($90.00) and child care expenses are subtracted from each wage earner's earnings. The applicant's net earned income is added to unearned income to determine the net family income. The net income is compared to the payment standard. Assistance is denied if the income exceeds the payment standard.

If the income is less than the payment standard,

Step 3) The standard work deduction ($90.00), child care, and the $30 plus 1/3 disregard (if applicable) are be subtracted from each earner's earned income. This net earned income is added to the unearned income to calculate the family's net income. The net income is subtracted from the applicable standard of need to obtain the deficit. The deficit is multiplied by 50%; the number calculated is the remainder. The grant is either the remainder or the payment standard, whichever is less.

Exhibit 2 provides the calculations for TANF recipients.

Exhibit 2: Determining Recipient Eligibility for TANF Benefits

Step 1) The gross income is compared to 185% of the applicable TANF standard of need. Assistance is denied if the income exceeds 185% of the applicable TANF standard of need.

Step 2) The standard work deduction ($90.00), child care, and the $30 plus 1/3 disregard (if applicable) are subtracted from each earner's earned income. The net earned income is added to unearned income to calculate the family's net income. Assistance is denied if the income

exceeds the standard of need.

If the income is less than the standard of need,

Step 3) The net income is subtracted from the applicable standard of need; the number calculated is the deficit. The deficit is multiplied by 50%; the number calculated is the remainder. The grant is either the remainder or the payment standard, whichever is less.

The TANF standards apply to all benefits and services provided to needy families except for those listed below, for which Delaware has established separate need standards.

- Emergency Assistance, discussed in the section on Diversion Assistance Program and Attachment A
- Services for Working Families in Financial Crisis described in the **additional targeted support section**
- Child care, described in the Involvement of Local Governments, the Public, and Private Sector Organizations section, the Eligibility for Assistance under the TANF Program section, and the Supportive Services section
- Child Welfare Services

Fill-the-Gap Budgeting

Fill the Gap budgeting will be used for recipient families to determine continued eligibility and the amount of TANF benefits, so that families can retain more of their income. By having a standard of need which is greater than the payment standard a "gap" is created. The difference between the family's income and the need standard is called the deficit. The state pays a percentage of the deficit up to a maximum benefit level or payment standard.

- Three standards will be used in financial eligibility calculations: 185% of the standard of need, the need standard and the payment standard. 185% of the standard of need will be used in the gross income test.
- The standard of need used is 75% of the Federal Poverty level. This includes allowances for food, clothes, utilities, personal items, and household supplies.

The TANF Stimulus Initiative (TSI)

The TANF Stimulus Initiative (TSI) will increase the grants received by TANF families by 23%. Monthly TANF grants will be increased beginning November 1, 2009. The grant increases will end September 30, 2010. Grant increases will end earlier if the funds budgeted for TSI are exhausted prior to September 2010 or the funding for TSI is terminated.

The TANF grant amount for a family of 3 is $338.. During TSI, the maximum grant for a family of three will be $416.

The chart to the right illustrates the pre-TSI maximum grant by household size and the maximum grant that could be received while the TSI program is in effect.

Household Size	Maximum TANF Grant	Maximum TANF Grant While TSI Is In Effect
1	$201	$247
2	$270	$332
3	$338	$416
4	$407	$501
5	$475	$584
6	$544	$669
7	$612	$753

Calculation of Grant Amounts under TSI:

The TANF grant will be calculated according the established DSS grant calculation policy and reduced by any recoupment withheld. This amount will then be multiplied by 1.23 resulting in grant that is 23% larger. The formula is (Grant – Recoupment)x1.23. For example a family whose normal TANF grant is $127 and is subject to $27 recoupment would receive a grant of $123. ($127-$27)x1.23 = $123

Diversion Assistance Program

Delaware operates a Diversion Assistance program intended to help a family through a financial problem which jeopardizes employment and which, if not solved, could result in the family needing regular ongoing assistance. The Diversion Assistance payment will not exceed $1,500 or the financial need resulting from the crisis, whichever is less. Diversion Assistance, which is available to both applicant and recipient families, is not a supplement to regular assistance but is in place of it.

Eligibility requirements for Diversion Assistance are as follows:

- the parent must be living with his/her natural or adopted children;
- the family has not received a Diversion Assistance payment in the past 12 months;
- the Diversion Assistance amount will alleviate the crisis;
- the parent is currently employed but having a problem which jeopardizes the employment or has been promised a job but needs help in order to accept the job;
- the family's income would qualify the family for TANF as a recipient household. (When calculating eligibility for Diversion Assistance the family is given the $30 plus 1/3 disregard, if applicable, and the family's net income is compared to the Standard of Need.);
- the family's resources would qualify for TANF.

The Diversion Assistance payment may be used for items and/or services, such as but not limited to:

- transportation (such as vehicle repairs, tires, insurance, driver's license fee, gas);
- clothing such as uniforms or other specialized clothing and footwear or other employment-related apparel;

- tools and equipment;
- medical expenses not covered by Medicaid (e.g., eye glasses);
- union dues, special fees, licenses or certificates;
- up-front costs of employment such as agency fees and testing fees;
- unpaid child care expenses which, if they remain unpaid, preclude the provision of future child care;
- relocation expenses for verified employment in another county or state. These expenses may include moving equipment rental, gas, and lodging for the days of the move and the first month's rent, rental and utility deposit.

Diversion Assistance payments will be made to a third party vendor, not the parent. When the parent receives Diversion Assistance (s)he agrees to forego TANF cash assistance as follows:

- $0 through $500.99 for 1 month;
- $501 through $1,000.99 for 2 months;
- $1,001 through $1,500 for 3 months.

The once a year limitation on Diversion Assistance and the period of ineligibility can be eliminated when good cause exists. Good cause exists when circumstances beyond the client's control make re-application for Diversion Assistance or TANF necessary. Examples of good cause are the employer lays off the parent or a serious illness forces the parent to stop working.

The family is eligible for TANF related Medicaid in the month in which the Diversion Assistance payment is made. The family would remain eligible for Section 1931 Medicaid (TANF related Medicaid) until the family's income exceeds the standard of need. If the family's income exceeds the standard of need because of increased earnings or loss of the $30 plus 1/3 disregard and the parent is working, the family may be eligible for Transitional Medicaid.

Diversion Assistance does not count as income in the child care program. Families receiving Diversion Assistance may also be eligible to receive child care under Delaware's working poor child care program if their income does not exceed 200 percent of the federal poverty level. Receipt of Diversion Assistance would not bar receipt of Food Supplement benefits, and food benefit applications will be actively solicited from individuals requesting Diversion Assistance.

Diversion Assistance does not count against the time limit on receipt of assistance.

The family will not have to assign child support to the state. Child support received by the parent or the Division of Child Support Enforcement (DCSE) will belong to the family. DCSE will not use child support to offset or reimburse the Diversion Assistance.

Diversion Assistance is not intended to replace TANF's Emergency Assistance Program or Supportive Services payments, which will continue. The TANF Emergency Assistance

Program provides identical benefits that were provided under Delaware's State Plan in effect on August 21, 1996. (See Attachment A) Rather, Diversion Assistance expands the opportunities to access as well as the value of services to support employment.

The TANF Work Support Program

The TANF Work Support Program is a non-recurrent short-term benefit program for participants in the Keep-A-Job Program who are working at least 30 hours a week. Research indicates that States that have implemented programs that support employed parents as they leave TANF see fewer losses of employment within 3 month of leaving TANF and an overall reduction in TANF recidivism. The episode of need addressed by the TANF work Support program is the transition to full time employment and away from dependency on public assistance. Delaware's new TANF Work Support Program is based on successful models that have been implemented in other States. The Work Support Program provides conditional cash incentives.

The Delaware Work Support Program is intended to support the continued employment of working parents and caretakers leaving TANF. In addition to supporting continued employment and the establishment of self-sufficiency, the incentive payments may help in the following ways:

- The program will enhance families' ability to build assets and withstand short-term financial setbacks.
- As income increases, former TANF recipients experience losses in supports such as housing subsidies, and medical coverage. These losses often far exceed the new income that employment brings into the home. The work support incentives may offset some of these losses.
- The incentives will also offset some of the additional/increased costs that result from being employed such as transportation, meals, child care, and work specific expenses.

The TANF Work Support Program will provide work support incentives to families who are working at least an average of 30 hours a week and who enter and continue to meet the requirements of the Keep-A-Job program. Keep-A-Job participants who remain continually employed are eligible to receive work support payments after 4 weeks, 12 weeks, 24 weeks, and 36 weeks.

Specific rules that apply to the Work Support Program:

- Clients enrolled in Keep-A-Job on September 7, 2009 or later are eligible to participate in the Work Support Program. Weeks of employment prior to the week of Sept 7th will not be considered for Work Support Program payments.
- Clients must remain compliant with the Keep-A-Job program and provide verification of employment hours as required by Keep-A-Job.
- Verification of employment hours must be provided to Keep-A Job no later than two weeks after the hours are worked.

- Keep-A-Job participants in either subsidized or unsubsidized employment are eligible for work support payments.
- Each work eligible adult in a TANF household who is eligible to receive a work support payment.
  For example, a 2 parent family could receive 2 work support payments if both parents are each working at least 30 hours a week.
- Work Support Payments are made based on consecutive weeks of employment.
- Employment wages must be at or above the minimum wage.
- Each work support incentive level can only be received once.
  For example after receiving a work support level 1 payment a client works no hours the next week. They would not receive another level 1 payment if they resume working. If they remained active with Keep-A-Job and completed 12 consecutive weeks employment they would be eligible for a level 2 payment.
- The chart below details the requirements for each Work Support Level and the payment associated with each level.

Work Support Program Incentives		
Work Support Incentive Level	Required Keep-A-Job Documented Employment Hours	Amount of Incentive
#1	4 consecutive weeks of employment at an average of 30 hours a week or more	$600
#2	An additional 8 consecutive weeks of employment at an average of 30 hours a week or more	$1,900
#3	An additional 12 consecutive weeks of employment at an average of 30 hours a week or more	$1,900
#4	An additional 12 consecutive weeks of employment at an average of 30 hours a week or more*	$600
* a week is defined as a 7 day period beginning on a Monday and ending on a Sunday		

Incentive checks are once a month based on the work data supplied by the Keep-A-Job vendors.

Child Welfare Services to assist needy families in maintaining children in the home of their parent(s) or a relative caregiver.

These services are provided when conditions exist requiring the intervention of the Division of Family Services (DFS). Services or payment for services for the child or family is provided to deal with the conditions that caused the need for the services and the child or family is not eligible for such services under Title IV-E. The services provided are those identified by DFS as needed to meet the needs of the child. These include investigation, case management, community and home based intervention services, foster care maintenance payments for short-term placement of less than 180 days outside of the home as well as foster care payments for temporary absence placements of up to 365 days (see below). Also included are case management services for preventive services, court-related activities, and foster care. Needy families whose combined earned and unearned income is at or below 900% of the federal poverty level during the year services are provided are eligible to receive these TANF or MOE funded services.

As described on page one of Attachment A, Federal funds may be used under the former Emergency Assistance provision (attached) that was in effect on August 21, 1966. In addition, paragraph two describes how State MOE funds may be used to pay for these benefits and services while the child remains in the home of a relative or during a period of temporary absence from the home of up to 12 months, as long as the child is expected to return home during that period of time or a good cause extension has been granted.

ELIGIBILITY FOR ASSISTANCE UNDER THE TANF PROGRAM

Conditions of Eligibility

If the income tests described above are met, a family is eligible to receive TANF assistance subject to the following conditions.

Relationship/Living Arrangements

A child must be living in the home of any relative by blood, marriage, or adoption who is within the fifth degree of kinship to the dependent child or of the spouse of any person named in the above group even though the marriage is terminated by death or divorce.

The caretaker of a teen parent who is not a parent must demonstrate valid circumstances why the teen is not living with a parent and must agree to be a party to the Contract of Mutual Responsibility and fulfill the same responsibilities there under as a parent.

Fugitive Felons, Individuals Convicted of Drug Related Felonies

Fugitive felons and parole violators are ineligible for TANF assistance. In addition, as of August 22, 1996, individuals convicted of drug related felonies are permanently barred from the date of conviction.

Family Cap Provision

No additional cash benefits will be issued due to the birth of a child, if the birth occurs more than ten (10) calendar months after the date of application for benefits under TANF.

The family cap will not apply:

- when the additional child was conceived as a result of incest or sexual assault,
- to children who do not reside with their parents
- to children born prior to the period identified above who return or enter the household
- to a child that was conceived in a month the assistance unit (i.e., the entire family) was not receiving TANF, but this does not apply in cases that close due to being sanctioned.

The family cap will apply to children who are the firstborn of minors included in a TANF grant, except that the family cap does not apply to firstborn children of minors where the child was born prior to March 1997, the date that Delaware began its TANF program.

The additional child(ren) is included in the standard of need for purposes of determining eligibility. The income and resources of the child, including child support, is included in determining the family's income and resources. However, the child(ren) is not included in determining the payment standard for the family.

- The additional child(ren) is considered a recipient for all other purposes, including categorical Medicaid coverage, TANF child care, and Food Stamp benefits.
- Child support received for capped children is passed directly through to the family.

Denial of Benefits to Babies Born To and Residing with Unmarried Teen Parents

Cash assistance is not provided to babies born on and after January 1, 1999 to unmarried minor teens. This applies to both applicants and recipients. For all other purposes, these babies will be considered TANF recipients. They may also be eligible to receive food benefits, Medicaid and child care as well as vouchers for the baby's needs. This provision applies as long as the teen parent resides in the home with the baby, is unmarried or less than eighteen (18) years of age.

Denial of Benefits for Fraudulent Misrepresentation to Obtain Assistance in Two States

Any individual who misrepresents residence to receive TANF, Medicaid, or Food Supplement benefits in two states shall be subject to a ten-year bar if convicted in a state or federal court.

Treatment of Eligible Non-Citizens

Qualified non-citizens who enter the United States before August 22, 1996 are eligible to receive the same benefits and services and are subject to the same conditions and requirements as all other applicants and recipients.

Qualified aliens entering the United States on or after August 22, 1996, who are exempt from benefit restrictions as specified in Federal law, are eligible to receive the same benefits and services and are subject to the same conditions and requirements as all other applicants and recipients.

Qualified non-citizens who enter the United States on or after August 22, 1996 are, after five years, eligible to receive the same benefits and services and are subject to the same conditions and requirements as all other applicants and recipients.

Program Type

Depending on circumstances, families are placed in either the Time-Limited TANF program or the Non Time-limited TANF program.

Delaware's Time-Limited TANF Program has a work first approach. Participants are expected to meet immediate work requirements in order to receive benefits.

Previously Delaware funded its two parent program in a separate State program (SSP) claimed for MOE. Effective October 1 , 2006 Delaware will use State non maintenance of effort funds to provide benefits to recipients in a new solely state funded two parent program.

TANF eligible families that include a parent or head of household who has presented approved documentation that they are unable to work because of a medical disability will be enrolled in the non-time limited program. These clients may receive benefits through either a solely State funded program or the TANF program. Delaware will use State non-maintenance of effort funds to provide benefits to recipients in the solely state funded medical disability program.

Time-limits for Delaware's Time-Limited TANF Program and the interactions between time-limits and work requirements are described in the sections entitled, Work: Time Limits and Work, and TANF Benefits to Needy Families: Time Limits.

Families with the following status will receive benefits in the Non Time-limited program:

- Families that the agency has determined are unemployable, either because a parent is too physically or mentally disabled to work in an unsubsidized work setting or because the parent is needed in the home to care for a child or another relative adult disabled to that extent;
- Families headed by a non-needy, non-parent caretaker;
- Families headed by a non-eligible non-citizen parent who is not eligible to receive TANF benefits;

- Families where the agency has determined that the adult caretaker is temporarily unemployable; and
- Families in which the adult files a claim or has a claim being adjudicated for SSI or disability insurance under OASDI. In this case, the family must sign an agreement to repay cash benefits received under the Non Time-limited TANF program from the proceeds of the first SSI/DI check received. The amount repaid will not exceed the amount of the retroactive SSI/DI benefit.

Contract of Mutual Responsibility requirements and sanctions for noncompliance apply to families in the Non Time-limited TANF program. Recognizing that Delaware's exemptions from time-limits are broader than those prescribed by the current TANF legislation, we are prepared to provide benefits utilizing solely state funding (SSF) to families that include a head of household or a spouse of a head of household who have exceeded 60 cumulative months of federally funded TANF assistance and represent more than 20 percent of the TANF caseload.

Contract of Mutual Responsibility/Individual Service Strategy

The caretaker of children in the TANF program enters into a Contract of Mutual Responsibility with the Division of Social Services (DSS) of the Department of Health and Social Services (DHSS). Applicants and recipients have a face-to-face interview. During this interview, the DSS worker explains the Contract of Mutual Responsibility (CMR) and those elements specific to the client.

The Contract lists the responsibilities of the family and the supports the State will provide. The family's responsibilities include, but are not limited to: employment-related activities, school attendance and immunization requirements for children, family planning, parenting education classes, and substance abuse treatment requirements. The State provides supports to families including but not limited to: employment-related activities, training activities, child care, Medicaid, and other services identified during the development of the Contract of Mutual Responsibility developed by DSS workers and the Individual Services Strategy (ISS) developed by Employment Connection (EC) and Keep a Job (KAJ) contractors providing self-sufficiency services to work mandatory clients.

The Contract is designed to be individualized to the specific needs and situation of each family. Therefore, the exact requirements within the Contract may vary from family to family. This document can be revised as the needs and the situation of the family evolve.

Services related to these CMR requirements will be available to the participant. If the services specified in the CMR are not reasonably available to the individual, the participant will not be sanctioned for failure to comply and the Contract will be modified to reflect that the service is currently unavailable.

It is mandatory that all caretakers enter into a Contract of Mutual Responsibility. Contracts are completed for families in the Time Limited TANF program and the Non Time-limited TANF program as well as for teen parents. Both caretakers in an assistance

unit and non-needy caretaker payees are required to develop and comply with CMRs. Other family members within the assistance unit may be required to comply with provisions of the Contract, and are subject to sanction for non-compliance.

If the caretaker is a non-needy caretaker relative, the individual would not be required to participate in employment-related activities but will be required to participate in other Contract activities.

If a caretaker objects to certain aspects of the Contract, the caretaker needs to present these objections up front, at the time of the initial Contract. If good cause can be demonstrated, the Contract can be amended to rectify the objections.

When staff has reason to believe that the family needs other services to become employed or to increase work hours and wages, these services will be identified and specified in the Contract of Mutual responsibility. Needed services will also be identified on the caretaker's ISS developed by EC and KAJ contractors.

The fiscal sanction for not cooperating, without good cause, in development of the Contract will be an initial $50.00 reduction in benefits. This reduction will increase each month by $50.00, either until there is compliance or the case is closed. The sanction will end with demonstrated compliance. Sanctions for failure to participate in CMR and ISS activities are described in subsequent sections.

Individuals from Another State

All families meeting the status eligibility requirements set forth above are eligible for TANF benefits using Delaware rules, regardless of how long they have been residents of the State.

Statewideness

All definitions and determinations of need are applied on a statewide basis.

Protection of Privacy of Assisted Families

31 Delaware Code, Chapter 11, Section 1101 provides that public assistance information and records may be used only for purposes directly connected with the administration of public assistance programs. Thus, all information gathered regarding individuals for public assistance purposes is considered confidential and will be safeguarded by DSS. By safeguarding public assistance information, DSS protects its clients from being identified as a special group based on financial needs and protects their right to privacy.

General information regarding expenditures, numbers of clients served, and other statistical information is a matter of public record and may be made available to any interested party. Other than the exceptions noted below, DSS will not release any information regarding a particular individual without the individual's written consent.

- DSS Regional Operations Managers have the authority to disclose the address of a recipient to a Federal, State or local law enforcement officer at the officer's request if the officer furnishes the agency with the name of the recipient and notifies the agency that the recipient:
    1. is fleeing to avoid prosecution; or
    2. is a fleeing felon (or in the case of New Jersey is fleeing from conviction of a high misdemeanor); or
    3. is violating a condition of probation or parole; or
    4. has information that is necessary for the officer to conduct his or her official duties; and
    5. the location or apprehension of the recipient is within such official duties.
- If a law enforcement officer requests information that does not meet the guidelines indicated above, a subpoena from a court of law is required before the information can be released.
- DSS is required to report to the Division of Family Services in situations where it believes a home is unsuitable because of neglect, abuse or exploitation of a child.
    1. A Court Appointed Special Advocate (CASA) is given permission to inspect and/or copy any records relating to the child and his or her family guardian without their consent. The CASA has the authority to interview all parties having significant information relating to the child.
        - If information is released under the procedures applying to CASA, pertinent details of the reasons for the release must be documented and written notification of this release must be sent to the last known address of the individual to whom the record refers.
- DSS has the authority to disclose information concerning applicants and recipients provided it pertains to:
    1. An investigation, prosecution, or criminal or civil proceeding conducted in connection with public assistance programs.
    2. The administration of any other federal or federally assisted program that provides assistance, in cash or in kind, or services, directly to individuals on the basis of need. The agency must assure DSS that such information will remain confidential and will be used only to pursue services for the individual. Other means tested programs include the Supplemental Security Income Program, School Lunch and Breakfast Program, the Energy Assistance Program, and the Low Income Housing Program.
    3. Other agencies (such as Children and Families First, Inc., Catholic Social Services, Legal Aid, etc.) must provide written permission from the recipient before public assistance information may be released.
    4. Other governmental agencies may obtain lists of recipients from DSS if the information will be used to perform services for DSS, and the agency can assure DSS that the lists will remain confidential.

APPEALS PROCESS

DSS will provide timely and adequate notice for actions taken which affect eligibility or benefit level. Adequate notice means a written notice that includes a statement of what

action the agency intends to take, the reasons for the intended agency action, the specific regulations supporting such action, explanation of the individual's right to request a fair hearing, and the circumstances under which assistance may be continued if a hearing is requested.

Timely notice means a notice that is mailed no later than 10 days before the date of action (i.e., 10 days before the intended change would be effective). When DSS learns of facts indicating that assistance should be discontinued, suspended, terminated, or reduced because of the probable fraud of the recipient, and, where possible, such facts have been verified through secondary sources, notice of a grant adjustment is timely if mailed at least five days before the action would become effective.

An opportunity for a hearing will be granted to any applicant who requests a hearing because his/her claim for assistance is denied or is not acted upon with reasonable promptness and to any applicant or recipient who is aggrieved by any Agency action.

To be considered by the Agency, a request for a hearing must be a clear expression in writing by the appellant or his/her representative to the effect that (s)he wants the opportunity to present his/her case to higher authority. The freedom to make such a request will not be limited or interfered with in any way and the Division will assist the appellant in submitting and processing his/her request. A hearing need not be granted when either State or Federal law requires automatic grant adjustments for classes of recipients, unless the reason for an individual appeal is incorrect grant computation.

WORK

Goals for Work

Delaware's TANF program is based on the belief that assistance provided is transitional and should not become a way of life. The State maintains that the way for persons to avoid dependency on welfare is for them to find and maintain employment. Thus the primary goal of TANF is to help recipients find private sector work and to help them keep such work by providing them with necessary supports.

To assist families in obtaining and maintaining employment, the State will engage the efforts of the Departments of Health and Social Services, Labor and Economic Development and Delaware's private sector to provide job readiness and placement opportunities, health and child care, the EITC, and family services. In turn, TANF recipients who have the capacity to work will be required to accept work, to keep their children in school, to cooperate with child support, to bear the costs of additional children they conceive while on welfare, and to leave the welfare rolls after a defined time period.

State Agencies Involved

Delaware Health and Social Services, Labor, and Economic Development have a unique partnership. All three agencies are responsible for moving welfare clients to work. These

three agencies have collaborated in developing Delaware's TANF program, in public information, in implementation, and continue to collaborate in managing the initiative.

The Delaware Transit Corporation (DTC) in the Department of Transportation has joined the TANF collaborative team, and has assisted to develop a statewide transportation system plan for TANF, using vans and other vehicle sources.

In May 2001, the Business Planning Committee, a subcommittee of the TANF collaborative team that deals with transportation initiatives, sponsored a transportation forum in each of the three counties. The purpose of the forums was to bring together businesspersons, community leaders and other stakeholders to develop and advance innovative, non-traditional solutions to varying transportation problems faced by each county.

Transportation forum highlights were a panel discussion by the lead agencies that shared some "points of pride" in the program and gaps and needs in transportation, Best Practices Ideas and Transportation Information, Employer Recognition of Innovative Success Solutions and brain-storming sessions to identify transportation issues and to gather ideas for further development. Each forum was designed to highlight transportation problems that were county specific. Sussex County Government, represented by the Sussex County Administrator, was particularly effective in explaining the population growth, the economic growth and the problems created by their largely rural area.

As a result of the forums, the Business Planning Committee has been able to identify some cross-cutting themes statewide as well as county specific. They have also been able to identify ideas that need further development and which will be used as the Committee continues to find innovative solutions to transportation problems. One over-riding theme from the forums was the lack of knowledge of the current transportation options available. This has led to the production of a transportation video which highlights all the options available to assist individuals as they move from dependency to self-sufficiency.

Another special partnership is that between the Division of Social Services and the Division of Child Support Enforcement. Both agencies are part of Delaware Health and Social Services. This close linkage has enabled them to collaborate throughout TANF development and implementation.

Involvement of Community, Education, Business, Religious, Local Government and Non-Profit Organizations to Provide Work

As noted in the discussion on page 2, every sector has been actively involved in the development of Delaware's TANF program and continues to be involved.

A TANF Employer Committee, consisting of representatives of both the public and private sector, assists in placing welfare recipients in unsubsidized jobs and provides advice on direction, policy, and implementation of welfare-to-work efforts. This

committee was established through HB 251. A major accomplishment of the Employer Committee in conjunction with DEDO and the Department of Education was the development of a program, Career Soft Skills Essentials for employers, which is now posted on the internet at www.delawareworkforce.com. The committee regularly advises the collaborative team about TANF employment issues.

To further promote employer interest in hiring TANF recipients, the Departments of Labor and Economic Development meet with members of the business community at regularly scheduled events like monthly Chamber of Commerce meetings as well as at special events. For example, to roll out Career Soft Skills Essentials, DEDO hosted two conferences to link employers with trainers.

The Social Services Advisory Council was established by executive order. The Governor appoints council members to advise the directors of both the Division of Social Services and the Division of Child Support Enforcement on matters related to public assistance and child support services. Council members represent the community, advocates, non-profit providers, educators, and interested citizens.

DSS and DCSE management regularly meet with the Social Services Advisory Council to discuss TANF and other Social Services and Child Support programs. Attachment F includes the minutes from the Social Services Advisory Council meetings held to date during 2008.

Role of Public and Private Contractors in Delivery of Services

Delaware has contracted with private for-profit and non-profit providers and the local community college network to provide job readiness, job placement and retention services to welfare clients since 1986. These contractual arrangements continue under TANF. Contractors include community and faith-based social services agencies and organizations offering specialized services.

A number of community providers across the state provide academic remediation to TANF recipients.

Who Must Participate

All adult caretakers and other adults in the time-limited assistance unit who are not exempt must participate in TANF employment and training related activities. The three exemptions are: 1) a single custodial parent caring for a child under 12 months of age; 2) an individual determined unemployable by a health care professional; and 3) a parent caring for a disabled family member.

Services to Move Families to Work

Delaware's goal is to place the adult recipient in unsubsidized employment as quickly as possible. To accomplish this goal, the current menu of potential services includes all the

federally acceptable categories of work activities, as shown below. In addition, Delaware offers ongoing case management, work retention, and job enhancement services provided by our EC and KAJ contractors:

- Unsubsidized employment
- Subsidized private sector employment
- Subsidized public sector employment
- On-the-job training
- Job search and job readiness assistance
- Work experience
- Community service programs
- Vocational educational training not to exceed 12 months
- Child care for an individual participating in a community service program
- Job Skills training directly related to employment
- Education directly related to employment for recipients who have not completed secondary school or received a GED
- Satisfactory attendance at secondary school or in a GED program for recipients who have not completed secondary school or received a GED.

Non-exempt TANF participants will participate in the job search program, consisting of job readiness classes and supervised job search activity. Unsuccessful job search participants can be placed in another job search sequence or another work-related activity such as work experience, community service, OJT, or a skills training program.

Clients must keep appointments with Employment and Training staff, cooperate in the development of the employment activities included in their Contract of Mutual Responsibility and ISS, and participate in employment and training activities. Individuals who are not in compliance with any of the above client responsibilities will be subject to sanctions as described in "Sanctions: Failure to Comply with the Contract and Imposition of Sanctions" described in a subsequent section of the State Plan.

The State implemented a new Employment and Training Management Information System (ETMIS) in July 2005 that was incorporated into the existing Delaware Client Information System (DCIS). This new ETMIS can track referrals, hours of participation, and sanctions. The ETMIS provides greater accountability and tracking of participants to ensure the highest possible work participation rates. While an excellent management evaluation tool, it will also provide Delaware with the ability to determine where changes need to be made to ensure the success of the individuals in meeting program goals.

Work

Families are required to participate in a minimum number of hours of approved employment and training activities each week. The chart below specifies the number of hours required each week by family type. For families with work mandatory individuals, participation in either employment or other activities related to finding work for at least their required hours a week for two consecutive weeks is a condition of eligibility for

TANF benefits. Once this condition and other eligibility requirements are met, benefits are retroactive to the first day of the two-week up-front participation period.

Family Type	Required Employment and Training Hours Per Week
One Parent Home	30
One Parent Home with Child(ren) under 6 years old	20
Two Parent Home	35
Two Parent Home receiving Purchase of Care	55

Job search continues for another two weeks for individuals who do not find unsubsidized employment for at least the required hours. Individuals who do not find employment within the first four weeks of job search are assigned to Work for Your Welfare (WFYW), Delaware's work experience program, and/or to other employment and training activities.

Single parent households who are participating in work experience are required to participate in Work for Your Welfare up to 30 (or 20) hours per week, determined by dividing TANF and Food Supplement benefits by the Delaware minimum wage. If the hours determined by dividing the grants by the minimum wage exceed 30 hours per week, participants are to complete no more than 30 participation hours. If the maximum allowable hours are less than 30 hours per week, participants are to complete the FLSA allowed number of work experience hours, but must make up the difference needed to meet their hours of participation requirement with other countable activities.

Two-parent families assigned to work experience must participate in Work for Your Welfare up to 35 hours per week, or 55 hours per week if federally funded child care is provided, determined by dividing TANF and Food Supplement benefits by the Delaware minimum wage. If the hours determined by dividing the grants by the minimum wage exceed 35/55 hours per week, participants are to complete no more than 35/55 participation hours. If the maximum allowable hours are less than 35/55 hours per week, participants are to complete the FLSA allowed number of work experience hours, but, must make up the difference needed to meet the 35/55 hour participation requirement with other countable activities.

Delaware's work requirements mean that, to receive Time-Limited TANF benefits in Delaware, both one-parent and solely state funded two-parent families must either be employed or immediately participate in federally counted work activities. Delaware's requirement for immediate work activities exceeds the federal TANF mandate

An individual in a one-parent household enrolled in the TANF Time-Limited Program who, in accordance with the requirements in their Contract of Mutual Responsibility and ISS, participates in unsubsidized employment of at least thirty hours per week is not required to participate in other work-related activities. Two-parent families who, in accordance with the requirements in their Contract of Mutual Responsibility and ISS, participate in unsubsidized employment of at least thirty-five hours per week, or fifty-five

hours per week if federally funded child care is provided, are not required to participate in other work-related activities. All families who are meeting their required hours through unsubsidized employment are required to continue providing their Employment and Training Vendor verification of their employment, as required by the vendor.

Delaware law expands the opportunity for TANF recipients to engage in educational activities, beyond the federal limits of countable hours for State participation rate purposes. To take advantage of this state regulation individuals participating full-time in educational activities, based on the standards established by the institution, must participate in additional work-related activities, to equal twenty (20) actual participation hours. TANF Contracts of Mutual Responsibility are designed to fit individual circumstances. Based on State law, it is possible for an individual enrolled in the TANF Time-Limited Program who is engaged in at least twenty (20) hours of combined work and allowable education activities to meet Delaware's core hour work requirements, if their Contract of Mutual Responsibility and ISS contains such an activity agreement. For most recipients their remaining non-core hours are met through homework time. Homework time for federal participation rate purposes is not to exceed the rate of 1 hour of unsupervised homework time per credit hour or class hour if the educational program requires homework.

Recognizing that Delaware's hourly requirements for participation in work and work-related activities are broader than those prescribed by the current TANF legislation, we are prepared to provide some benefits utilizing a solely state funded (SSF) program if this later becomes necessary in order to continue to meet TANF work participation requirements.

Time limits for Delaware's Time-Limited TANF Program are described in the section entitled, TANF Benefits to Needy Families: Time Limits.

Protecting Current Workers from Displacement

Regarding the Work for Your Welfare program, DSS conforms to Section (a)(5) of the Federal Unemployment Tax Act which requires that a job offered cannot be available as a result of a strike or labor dispute, that the job cannot require the employee to join or prohibit the employee from joining a labor organization, and that program participants are not used to displace regular workers.

In addition, DSS ensures that no participants, including but not limited to those placed in a work experience placement, displace regular paid employees of any of the organizations providing the work experience placement. Such assurance complies with State law contained in 31 Delaware Code, Chapter 9, Section 905(b). This assurance also complies with Section 407(f) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA**),** which requires that DSS will not use federal funds under TANF to place individuals in a work activity when:

- any individual is on a layoff from the same or a substantially equivalent job;

- the employer has terminated any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy created with an adult receiving TANF benefits.

In addition, DSS has established a grievance procedure, in conformance with Section 407(f)(3) of PRWORA, for resolving complaints for any alleged violation of nondisplacement requirements. Employees or their representatives who believe that their jobs are being displaced or infringed upon shall present their complaint to the employment contractor with authority over the placement. If the contractor is unable to resolve the problem within 15 days, the employee or representative may file a formal grievance in writing to the DSS Director's Office, who will hear a formal grievance. The employee will have an opportunity to: present his/her grievance on the record; present evidence; bring witnesses and cross-examine witnesses; be represented by counsel; and receive a written decision.

Grievance hearings will be scheduled within 30 calendar days of receipt of the formal grievance, and a written decision will be issued within 30 days of the hearing. If either party is dissatisfied with the State's written decision, they may appeal the decision to the U.S. Department of Labor within 20 days of receipt of the written decision. The procedures for appeal, which must be sent to the Office of Administrative Law Judges, in the U.S. Department of Labor, will be provided in writing with the decision.

Supportive Services

Delaware recognizes the importance of available child care in helping recipients participate in work-related activities, and securing and retaining unsubsidized employment. To that end, the financial resources provided for child care have been significantly increased from the FY95 child care funding level to the current request for funding.

Supportive Services, such as child care, and TANF provided assistance with other work-related expenses, such as eye examinations and corrective lenses, dental, and physicals not covered by Medicaid, transportation, fees, training, and work-related equipment, uniforms, shoes, and supplies will be available where possible. Services are provided by voucher or directly. In addition, TANF will, on a case-by-case basis, pay fees to purchase certificates, licenses, or testing needed to obtain employment. Medical services are not part of these supportive services. DSS will determine when such services are necessary for a TANF recipient to participate. The services shall include:

- Support provided by contractors to retain employment for one (1) year
- Health care for Delaware citizens through:
    - providing Medicaid coverage to uninsured adults with income at or below 100 percent of the federal poverty level
    - providing medical coverage for uninsured children in families with income up to 200% of the federal poverty level, through the Delaware Healthy Children Program

- providing transitional Medicaid via 1931b program effective October 1, 2002, for two years for families with children who exit welfare, at incomes up to 185% of poverty.

- To help individuals retain unsubsidized employment Delaware provides subsidized child-care to low income working families until the family's income exceeds 200 percent of the federal poverty level.
- Job search programs and other assistance from the Department of Labor to find a job; and
- ongoing job retention assistance.

Additional Targeted Support

Family Development Profile

The Family Development Profile is used by Delaware to identify possible social, familial, and emotional barriers to self-sufficiency, insofar as they influence an individual's ability to obtain and retain employment. Participants who complete the Profile answer questions about their self-esteem and health, and relationships with family members and other individuals. The Profile includes the capacity to identify mental health problems.

DSS workers report that the Profile frequently surfaces major domestic issues that participants need to resolve. By utilizing the Profile, workers are able to refer participants for assistance in resolving domestic violence and other abuse situations. Further efforts to assist individuals to resolve domestic violence and other abuse situations are described in a later section: Parental Responsibility: Addressing Problems of Statutory Rape and Domestic Violence.

Substance Abuse

As part of the application and redetermination processes, workers ask clients a series of questions, called the CAGE questions, to identify substance abusers for referral to appropriate services. Through the Bridge Program and referrals to the Division of Substance Abuse and Mental Health (DSAMH), Delaware's TANF program offers assessment and non-medical treatment services for all substance abusers identified through this and other methods. DSAMH and the Division of Medicaid & Medical Assistance (DMMA) will ensure that if medical treatment services are needed they are paid from other than TANF funds.

Supporting Teens

Delaware is targeting youth by providing special services. Through the Department of Education, Delaware provides a family literacy program which includes parenting skills training and other services to teen parents and their children to prevent repeat pregnancies.

Beginning with FY 1999 funds were allocated for Delaware's Teen Pregnancy Prevention Initiative, Teen Hope, to support activities for at-risk teens in six School Based Health Centers (SBHCs) and one community site. The program, utilizing the Transtheoretical Behavior Change Model, helps youth develop skills to make better sexual and health related decisions. Initial programs have been very successful. In addition, wellness centers located in 27 high schools provide medical, health and counseling services to high school students.

Several other initiatives are operating. The AmeriCorp Grant partnership grant, with DHSS as lead, was awarded in 1999. Under this grant, Planned Parenthood is managing an effort to have AmeriCorp members provide a responsible adult presence and a structured environment for youth to learn, as a strategy to prevent teen pregnancy, in the lives of at-risk teens in selected target areas. The Abstinence Education Grant currently provides mini-grants to agencies providing skills building community programs for teens.

Delaware has undertaken, through the Alliance on Adolescent Pregnancy Prevention (AAPP), a grassroots community and media outreach campaign to convince teenagers to postpone sexual activity and to avoid becoming or making someone else pregnant. AAPP works directly with parents in this initiative to improve communication between parents and children around sexuality and pregnancy prevention. In addition, AAPP provides preventive education and distributes information on preventing teen pregnancy, utilizing a number of kinds of interventions. For example, two full-time community educators visit schools, community centers, churches, and camps and provide workshops/training to parents and children around sexuality and teen pregnancy prevention. AAPP also maintains a resource center for the community and lends or gives away brochures, videos, curriculum, posters, books, and other communications about teen pregnancy prevention and sexuality.

The Wise Guys initiative is an adolescent male responsibility program that uses an established Wise Guys curriculum over a ten-week period. The program, operating in six high school based health centers, promotes character development and prevention of adolescent pregnancy by teaching young males self-responsibility in several areas.

Delaware's teen pregnancy prevention campaign also uses billboards to convey the message, and statewide conferences to provide assistance implementing prevention activities.

Delaware's TANF program provides a positive incentive to teenagers to graduate high school by age 19 by awarding a one-time $50 bonus. Additionally, TANF requires teenage mothers currently on welfare to live with their parent(s) or a responsible adult, stay in school, immunize their children and participate in parenting education.

Services to teens are also discussed in the Section entitled Parental Responsibility: Efforts to Reduce Out-Of-Wedlock Births.

Early Childhood Intervention

The Delaware Department of Education is the Lead Agency for the state funded Early Childhood Assistance Program (ECAP). ECAPs are designed on the Federal Head Start model. All programs follow Head Start Performance Standards as the foundation for developing their program's systems and services. ECAP services are comprehensive and include: developmentally appropriate early childhood education, health and nutritional services, parent involvement, family partnerships/services, transportation, services for children with special needs, and transition services.

There are ECAP programs located throughout the state, with multiple grantees in each county. Grantees include Federal Head Start programs, school districts, community early care and education organizations, and a for-profit early care and education program. Services are typically provided following the local school calendars, with some programs operating through the summer. Most of the ECAPs provide full day or wrap-around services to enrolled children. These programs collaborate with CCDF funded subsidized child care or use their own CCDF funds to provide this service to children and their families.

Non-Citizen Households

Families that include legal documented aliens participate in Delaware's TANF program. While these qualified aliens do not receive federal funded assistance, Delaware supports these families in attaining self-sufficiency thus enabling the family to no longer require assistance. Delaware provides State funded medical assistance for these families as well as employment and training assistance. These interventions, in addition to supporting self-sufficiency, have additionally been found to reduce the likelihood of out of wedlock and teen pregnancies.

Low Income Households

Starting in 2006 an individual who is a resident of Delaware shall be entitled to a nonrefundable credit against the individual's State personal income tax due. The credit will not exceed 20% of the corresponding federal earned income credit allowed pursuant to § 32 or successor provision of the Internal Revenue Code [26 U.S.C. § 32].

Services for Working Families in Financial Crisis

Because of the ongoing, inflationary pressures on the cost of housing, fuel, and food, many families face temporary crises that place them at risk of displacement from their homes and/or at risk of dissolution of their family units. These working families receive a wide range of one time and on going supports in an effort to maintain the family unit and avoid episodes of TANF assistance. Working families at or below 600% FPL are eligible for supportive services and financial assistance determined to reduce the likelihood of dissolution of the family unit or the need for TANF assistance. Examples of services and assistance offered to these families include but are not limited to employment and training services, subsidized employment, financial counseling services, short-term nonrecurring benefits, and homelessness prevention/rapid re-housing services.

Delivery of Services Across State

Delivery of services will be consistent across the State.

TANF BENEFITS TO NEEDY FAMILIES

Computing the Benefit

Eligibility will be determined prospectively. After establishing eligibility, benefits will be computed prospectively. Income per time period will be converted to a monthly income figure by utilizing the following conversion factors:

- Weekly - 4.33
- Bi-weekly - 2.16
- Semi-monthly - 2.00

Example: Given a weekly income of $85, multiply by 4.33 to arrive at a monthly income of $368.05.

The benefit amount will be determined by using prospective budgeting and the best estimate of earned and unearned income for the assistance unit. The payment will not be changed until the next eligibility determination, unless the recipient reports a change that would result in an increase in the benefit or there is a significant change in circumstances as defined below.

A significant change is defined as any of the following:

- change in household size;
- new source of employment;
- loss of unsubsidized employment or a change in employment status from full time to part time which was beyond the recipient's control;
- an increase of forty (40) hours or more in unsubsidized employment per month;
- receipt of a new source of unearned income; or
- increases or decreases in existing sources of unearned income totaling $50.00 or more per month.

The recipient needs to verify all changes in circumstances.

EXAMPLE:

An applicant applies in May. The applicant is employed. The applicant is working 20 hours per week and earns $5.65 per hour. The best estimate of wages is calculated by multiplying 20 hours times $5.65 ($113.00 per week), then multiplying the weekly figure by 4.33 to determine the monthly income of $485.90.

Redeterminations

At least one redetermination is required every twelve (12) months. TANF emphasizes work and work related activity. Mandating face-to-face redeterminations might undermine that goal. Therefore, mail-in redeterminations, with a telephone interview are used as an option to encourage recipients to continue participating in employment and training activities or to keep working.

When a redetermination is due, the recipient must complete a new DSS application form or a DSS renewal form. The redetermination could be completing a paper form or participating in an automated interactive interview. A redetermination is complete when all eligibility factors are examined and a decision regarding continuing eligibility is reached.

The assistance case will be closed if a recipient fails, without good cause, to complete the redetermination review. Likewise, the assistance case of a recipient who fails, without good cause, to provide requested information necessary to establish continued eligibility will be closed.

As part of the verification process for continuing eligibility, the person will provide verification that (s)he has carried out the elements of the individual Contract of Mutual Responsibility.

Time Limits

Under TANF, cash benefits are time-limited for households headed by employable adults age 18 or older who are included in the grant. Prior to January 1, 2000, Delaware limited receipt of TANF, for families in the Time-Limited Program, to twenty-four (24) cumulative months. During the time-limited period, employable adults received full benefits if they met the requirements of their Contract of Mutual Responsibility, including employment-related activities.

After the first 24 month cumulative period ended, families headed by employable adults could continue to receive cash benefits for an additional 24 cumulative months only as long as the adults participated in a Work for Your Welfare work experience program or they were working and family income was below the need standard of 75 percent of the Federal Poverty Level.

Effective January 1, 2000 the time limit for receipt of TANF cash benefits is thirty-six (36) cumulative months.

During the time-limited period, employable adult recipients receive full cash benefits only as long as they meet the requirements of their Contract of Mutual Responsibility, including participation in employment-related activities as shown in their ISS. The ultimate goal of this time-limited period is to support the employable adult's search for,

and placement in, an unsubsidized job. Time limits will not apply when Delaware's unemployment rate substantially exceeds the national average or is greater than 7.5 percent.

Individuals found eligible for TANF prior to January 1, 2000 will still have a forty-eight (48) month time limit even if they reapply for benefits on or after January 1, 2000.

DSS will track the time remaining before a family's time limits expire and notify families on a quarterly basis of the time they have remaining before the time limits expire. At least two (2) months prior to the end of the 36 or 48 cumulative months in which a family has received assistance, DSS will remind the family that assistance will end and notify the family of the right to apply for an extension.

Extensions are provided only to those families who can demonstrate that:

- the agency substantially failed to provide the services specified in the individual's Contract of Mutual Responsibility; the related extension will correspond to the time period for which services were not provided; or
- despite their best efforts to find and keep employment, no suitable unsubsidized employment was available in the local economy to the employable adult caretaker; the maximum extension under such circumstances will be 12 months.

Extensions may also be granted where other unique circumstances exist. Extensions will not be granted if the adult caretaker received and rejected offers of employment, quit a job without good cause, or was fired for cause or if the adult caretaker did not make a good faith effort to comply with the terms of the Contract of Mutual Responsibility and the ISS.

Retroactively, starting October 1, 1995, Delaware exempted months in which a person worked twenty hours or more per week from counting toward the Delaware lifetime time limit when the countable income of the family is below the need standard. Beginning in May 2005, Delaware exempted months in which a person worked twenty-five hours a week or more from counting toward the Delaware lifetime time limit when the countable income of the family is below the need standard. So that families who have not reached the State's 36/48 month time limit won't reach the Federal 60 month time limit, benefits for these families were provided under a segregated program using State MOE funding, beginning October 1, 1999. Effective November 1, 2006, Delaware will only exempt months in which a single-parent family worked at least 30 hours a week from counting toward the Delaware lifetime time limit when the countable income of the family is below the need standard. Effective the same date, Delaware will only exempt months in which a two-parent family worked at least 35 hours a week, or 55 hours a week if federally funded child care is provided, from counting toward the Delaware lifetime time limit when the countable income of the family is below the need standard.

After the time limit has been reached, benefits will be provided to families that have been granted an extension only for a maximum period of 12 months. Thus, for Time-Limited

families, unless the caretaker is employed at least 30 hours per week, the maximum period for receipt of benefits to families enrolled in the Time-Limited TANF Program will be 60 cumulative months for families with a cumulative 48 month time limit and 48 months for families with a 36 month time limit. Delaware will comply with federal regulations regarding families receiving assistance in excess of 60 months of TANF paid through the federal TANF block grant.

Sanctions: Failure to Comply with the Contract and the Imposition of Sanctions

The Contract of Mutual Responsibility encompasses three broad categories of requirements: 1) enhanced family functioning; 2) self-sufficiency; and 3) teen responsibility requirements. In addition, caretakers required to participate in work activities receive an ISS from their EC and/or KAJ contractor showing required self-sufficiency activities.

1. Enhanced family functioning requirements of the CMR include, but are not limited to, acquiring family planning information and attending parenting education sessions, ensuring that children are immunized, and participating in substance abuse assessment and treatment. Sanction for non-compliance with these requirements is an initial $50 which will increase by $50 every month until there is compliance with the requirement. The initial $50 reduction will be imposed whether the family fails to comply with one, or more than one requirement. Clients must to comply with all requirements before the sanction can end.
2. Self-sufficiency requirements of the Contract of Mutual Responsibility are employment and training, work-related activities, and ensuring school attendance requirements for dependent children under age 16.
   - 2.1. The sanction for non-compliance with work-related activity requirements is, subject to adequate and timely notice, closure of the case due to imposition of an immediate full-family sanction.
   - 2.2. Recipients, whose cases were closed for failure to participate, must participate in work related activities for four consecutive weeks at the required hours per week for their case to be re-opened. Payments are not retroactive.
   - 2.3. For the purpose of determining that the individual's failure to comply has ended, the individual must participate in the activity to which (s)he was previously assigned, or an activity designed by the Employment and Training provider to lead to full participation, for a period of four weeks before ending the sanction.
   - 2.4. The penalty for individuals who quit their jobs without good cause is an immediate full family sanction. The sanction will last at least one month. Recipients must participate in work related activities for four consecutive weeks at the required number of hours per week for their grant to be re-opened. Payments are not retroactive.
   - 2.5. For dependent children under the age of 16 if the teen does not maintain satisfactory attendance and the parent fails to work with the school, an initial $50 sanction is imposed. The sanction will increase by $50 every month until there is compliance. For dependent children under age 16, including teen parents, the

sanction is not imposed if the parent of the teen is working with school officials or other agencies to remediate the situation.

3. Teen responsibility requirements for dependent teens 16 and older include maintaining satisfactory school attendance, or participation in alternative activities such as training or employment. The sanction for non-compliance with these requirements is to removal of the teen from the TANF grant. The teen is removed from the TANF grant for at least one month. To cure the sanction the teen must participate in employment and training activities under the supervision of an EC vendor for four consecutive weeks, return to school, or work full time.

Failing to comply with both the enhanced family functioning and self-sufficiency requirements will result in combined penalties. For example, both a $50 reduction and a full family sanction could be assessed for failures to comply in two areas. Demonstrated compliance will not excuse penalties for the period of noncompliance. Sanctions will be imposed for the full period of noncompliance.

Benefit Delivery: Direct Payments and Vouchers

Currently, Delaware uses check issuance as the payment method for TANF.

Delaware directly pays for center-based child care authorized for TANF participants, where the center agrees to accept the Delaware child care reimbursement rate. Some caretakers, however, receive vouchers to self-arrange and pay for their child care. Delaware will reimburse these caretakers, up to the rates published in the Child Care and Development Fund (CCDF) plan, for the cost of child care provided by licensed and license-exempt child care providers.

STAFF TRAINING

TANF training has been incorporated into the Cash Grant training which is required for all new financial services staff. Case Management training has now been incorporated into Interviewing and Coaching training, which is required for all new staff.

PARENTAL RESPONSIBILITY

Adults and minor parent(s) are required to comply with parenting expectations outlined in the Contract of Mutual Responsibility.

Cooperation with Child Support Enforcement

Participants in TANF must cooperate with the Division of Child Support Enforcement as a condition of eligibility. In addition, all families are required to provide sufficient information to permit Delaware to obtain child support on behalf of the family. Exceptions can be made when the caretaker demonstrates that pursuit of child support

would create a danger to the caretaker or the child(ren). It is the responsibility of the client to provide documentation to verify such a good cause claim.

Failure of a caretaker, without good cause, to cooperate with and provide information to the DCSE to permit the State to pursue the collection of child support on behalf of dependent children will result in a full family sanction, until compliance. Applicants who fail to provide information so that Delaware may pursue child support collections will be denied or closed. To cure the child support sanction, the caretaker will provide sufficient information to permit Delaware to pursue child support collections on behalf of the needy children in the family.

When a child lives with both the natural father and the mother but paternity has not been legally established, the parents will be referred to the Division of Child Support Enforcement (DCSE) for a voluntary acknowledgment of paternity.

When a child lives with the natural father but paternity has not been legally established, the father will complete a declaration of natural relationship document and will provide acceptable verification of relationship.

When a child lives with a relative of the natural father but paternity has not been legally established, the relative must complete a declaration of natural relationship document and provide acceptable verification of relationship.

In Delaware, DCSE determines non-cooperation with child support requirements. In addition, effective January 1, 1999 DCSE began making the determination of good faith efforts to comply.

Distribution of Child Support Collections to TANF Recipients

Delaware, a fill-the-gap state in 1975, uses fill-the-gap to make sure that families do not experience a net loss of income due to the State retaining Child Support paid by absent parents. A portion of Child Support payments is not counted in calculating the grant.

Efforts to Reduce Out-of-Wedlock Births

Delaware believes that the number of out-of-wedlock births to teens must be reduced significantly to eliminate poverty and dependency. A study by Doble Research Associates commissioned by the Governor's Family Council, in June, 1998, concluded that Delaware's efforts to reduce teen pregnancy, including establishing more after-school programs, strongly enforcing child-support enforcement and the Sexual Predator Act, and making teen mothers ineligible for cash assistance, are solidly supported by public opinion. We are undertaking a number of statewide initiatives to reduce adolescent pregnancy. Many of these initiatives are coordinated through the activities of the Alliance for Adolescent Pregnancy Prevention (AAPP). Ventures include the provision of

adolescent health services through school-based health centers and improving teen utilization of our family planning centers.

The AAPP is a statewide public and private partnership charged with the development and implementation of a comprehensive plan to prevent adolescent pregnancy in Delaware. The organizational structure of the Alliance includes a 12 member advisory board appointed by the Governor and a statewide membership of over 200 schools, agencies, organizations, churches, and individuals concerned with teen pregnancy. Staff and program support for the Alliance is provided through a contract from the Division of Public Health (DPH) to Christiana Care.

Since its inception, the AAPP has awarded mini-grants to non-profit youth organizations to provide community based teen pregnancy programs; implemented a statewide media campaign to increase community awareness; and worked with existing coalitions to establish teen pregnancy prevention programs. AAPP plans and activities include:

- statewide leadership to develop a visible, viable structure for mobilizing resources needed to impact the problem;
- data development to develop a methodology to monitor rates in real time;
- public relations efforts to increase community awareness and involvement; and
- identifying barriers to teen utilization of family planning services and developing solutions.

The Division of Public Health has the lead responsibility in Delaware to implement initiatives to reduce teen pregnancy. Using the strategies and recommendations presented by AAPP, DPH activities include school based health centers, family planning clinics, parenting education, and the peer leadership program. The "teen friendly" services provided at Department of Public Health Units located at State Service Centers have resulted in a significant increase in use. In addition, all clients seen in Sexually Transmitted Disease Clinic sites receive counseling on family planning, as well as pregnancy prevention supplies.

Based on a report by Adolescent Health Survey Research (AHSR), which used a survey and focus groups with youth and their parents conducted early in 1999 to identify top strategies in pregnancy prevention, Delaware implemented a number of initiatives to prevent subsequent births, including:

- Smart Start, an enhanced prenatal program that attempts to decrease low birth weight babies, infant mortality, and maternal mortality, through social service, nutritional, and nursing support to at-risk pregnant women;
- Placing information on our combined Food Supplement/cash assistance/MA/Child Care applications for the following telephone numbers: Planned Parenthood, AAPP and Delaware Helpline, to obtain information on pregnancy prevention/family planning.

In addition, family planning and reproductive health services are provided to adults in eight public health locations in Delaware and similar services are provided to adults by Planned Parenthood of Delaware in five locations in the state. Minority populations are targeted through family planning and reproductive health services available at three Federally Qualified Health Centers in Delaware. In addition, family planning and reproductive health services are available to Delaware State University students through the DSU health center.

These Delaware initiatives to reduce out-of-wedlock births are complemented and strengthened by the policies of TANF which:

- Require adults and minor parent(s) to obtain family planning information from the provider of their choice;
- Provide for a fiscal sanction of an initial $50 reduction in benefits for failure, without good cause, to obtain family planning information. This reduction will increase each month by $50, either until there is compliance or the case is closed. The sanction will end when the adult and/or minor parent(s) obtains the family planning information at the provider of their choice;
- Eliminate benefit increases for children conceived while a caretaker is receiving TANF, and apply this family cap to children who are the firstborn of minors included in a TANF grant where the children are born after March 1, 1997; and
- Treat two parent families the same as single parent families.

The goals for the Division of Public Health teen pregnancy prevention are mirrored in the 'Responsible Sexual Behavior' section of the Healthy Delaware 2010 guidebook. They include:

a. By 2010, increase the proportion of teens who abstain from sexual intercourse or use condoms if currently sexually active from 79% to 85%
b. By 2004, implement an evidence-based media campaign to promote responsible sexual behavior
c. By 2010, maintain the proportion of youth that report remaining abstinent before age 13 at 90%
d. By 2005, reduce the birth rate for teenagers aged 15 through 17 from 39.2 to 33.3 per 1,000.

Goals a. and c. are measured through the Youth Risk Behavior Survey administered every two years by the Department of Education. Goal b. has been satisfied by the implementation of an ongoing teen pregnancy prevention media campaign managed by the Alliance for Adolescent Pregnancy Prevention through Christiana Health Care under contract by DPH. Goal d. is measured by the Delaware Health Statistics Center.

DSS will see that TANF families receive education about the benefits of marriage and planning to have children when they can be best supported by both parents within the financial management component of their training. Our goal is to reduce the out of wedlock birth rate by 1% each year beginning with FFY 2004.

Initiatives to Promote Two-Parent Families

To provide broad-based support for working families, Delaware was one of the first States to recognize that the special eligibility requirements that applied to two-parent families contributed to both the non-formation and the break up of two-parent households. The six-quarter work history requirement was particularly responsible for non-marriage of teen parents, who had not yet worked enough to meet this qualification. The denial of benefits to two-parent families if one of the parents was working at least 100 hours a month also contributed to the low work rate of two-parent families that were receiving AFDC.

When Delaware eliminated these special deprivation requirements as part of our welfare reform waiver, the numbers of two-parent families receiving TANF soared, and we believe that, without the TANF change, many of these households would have applied for and been found eligible for benefits as single mother families. These never formed two-parent households would have had profound effects on the ability of the family to exit welfare and on the future success of the children. We have found that the average length of stay on TANF is much lower for two-parent families, reflecting the greater incidence of retained employment when two adults are able to engage in work and share child care duties.

Delaware has always allowed taxpayers to file separately and applied the progressive rate structure to each spouse's income separately, which avoided most tax increases resulting from marriage. However, a marriage penalty could still result from uneven standard deduction amounts. By increasing the standard deduction amount for married taxpayers to exactly twice the single standard deduction beginning January 1, 2000, enactment of HB 411 has effectively eliminated the income tax "marriage penalty" in the State of Delaware.

Addressing Problems of Statutory Rape and Domestic Violence

Statutory Rape

The Sexual Predator Act of 1996 imposes more severe criminal sanctions on adult males who are significantly older than their victims and holds them financially accountable when children are born as a result of violations of this law.

The legislation requires a cooperative agreement as part of a multi-faceted effort to combat teenage pregnancy and reform welfare. Specifically, the law requires the Attorney General's Office, the Department of Health and Social Services, the Department of Services to Children Youth and Their Families, the Department of Public Instruction and law enforcement agencies statewide to establish a cooperative agreement specifying the various roles of the agencies involved. The Memorandum of Understanding establishing the cooperative agreement, executed on December 10, 1996, and SB 346 are provided as Attachment B.

As a result of this legislation the Department of Health and Social Services and the Department of Public Instruction conducts programs designed to reach state and local law enforcement officials, the education system, and relevant counseling services on the problem of statutory rape. The program provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.

Victims of Domestic Violence

As required under the optional Certification of Standards and Procedures to Ensure that a State Will Screen for and Identify Domestic Violence, DSS will refer identified victims of domestic violence to appropriate services such as shelters and counseling and to Family Court. Under the Protection from Abuse Act (PFA), 10 Delaware Code, Chapter 9, Sections 1041-1048 (Attachment C), Family Court has the power and authority to expeditiously adjudicate all matters related to domestic violence including court ordered restraints, custody, property and financial resources.

Through this strong domestic violence Law, Delaware is clearly committed to assisting victims of domestic violence to overcome circumstances which put them in physical, emotional and/or financial jeopardy, and to assist them in seeking redress and a safe environment for themselves and their families. The Law is a strong deterrent to domestic violence, according to a study by the National Center for State Courts, released on December 2, 1996. The study reported that 86 percent of those who sought protection under the Law, which permits individuals in danger of serious physical abuse to obtain a protection order, were no longer being physically abused.

In addition, using our Family Development Profile, caseworkers ask a series of screening questions designed to identify victims of domestic violence. (See Attachment D) So that we are certain that workers can use this tool to effectively identify domestic violence issues, beginning 1998 all staff members at each of Delaware's 17 field sites receive a full day of Domestic Violence Training, focused on the impact of domestic violence on clients and their ability to abide by the conditions of the Contract of Mutual Responsibility. As part of this training, staff learn how to recognize and assist women who are victims of domestic violence. DSS has continued this training on an ongoing basis and now provides the training not only to field staff but to all staff.

We believe that our methodology of resolving domestic violence situations as quickly as possible, as provided for under a strong statute, is the most appropriate and best course of action to assist current victims and to prevent future violence where possible.

Delaware certifies that the Family Development Profile establishes a procedure that screens for domestic violence and that, pursuant to a determination of good cause, program requirements may be waived if it is determined that compliance would make it more difficult for individuals to escape violence. However, decisions to waive compliance with TANF requirements will be made on an individual, case by case basis, and will not endorse an individual's failure to behave proactively to ameliorate

destructive domestic violence situations. For our program to work, domestic violence victims must take actions to recover their lives, using the relief provided by the domestic violence statute and the other resources Delaware makes available.

Addressing Barriers Related to Parental Mental Health and Substance Abuse Problems

The Bridge Program

Delaware's TANF program strives to identify, accommodate, and/or resolve barriers that impede our clients' paths to employment, self-sufficiency and optimal family functioning. The Bridge Program assists clients suspected of having problems related to substance abuse or mental health through screening, assessment, and case management services. All adult TANF recipients suspected of having problems related to substance abuse and/or mental health are referred to the Bridge Program. A contracted vendor provides the services offered by the Bridge Program. The Bridge vendor is contracted through the Division of Substance Abuse and Mental Health who has collaborated with DSS to provide the Bridge services. The program was modified in 2008 to include recipients suspected of having mental health problems, and by locating the Bridge services at the Employment Connection vendor sites. The goal of co-locating the Bridge and Employment Connection (EC) vendors is to ensure that case managers from the Bridge Program and the EC vendors engage in on-going joint case planning and case collaboration. This integration of services ensures a long-term focus on self-sufficiency while being responsive to the need for immediate referral and access to treatment services. It is also hoped that the new structure will also serve to remove possible stigma attached with participation in the Bridge Program, and make it more likely that previously unidentified clients will receive services through the program.

Addressing Child Poverty

During August of 2007, the Delaware Child Poverty Task force was created by executive order. The Task Force is tasked with developing a ten-year plan to reduce the number of Delaware children living in poverty by 50% and to establish recommendations for prevention and intervention services in order to promote the health, safety and well-being of Delaware's children and their families. The text of the executive order establishing the Child Poverty Task Force is included in Attachment G.

TRIBES

Delaware has no federally recognized tribes.

ADMINISTRATION

Structure of Agency

The Department of Health and Social Services is the cabinet level agency designated by the State as responsible for Delaware's public assistance programs as allowed under Title IV-A of the Social Security Act. Within the Department, the Division of Social Services (DSS) administers these programs. (DSS organizational chart included as Attachment E to State Plan.)

Administrative Spending

Delaware will comply with federal requirements.

Compliance With Participation Rates

Delaware intends to meet the participation rate requirements set forth in the TANF legislation. Recognizing that Delaware's hourly requirements for participation in work and work-related activities are broader than those prescribed by the current TANF legislation, we are prepared to provide some benefits utilizing solely state funding (SSF) if this later becomes necessary in order to continue to meet TANF work participation requirements. Delaware will comply with federal requirements.

Maintenance of Effort

Delaware is aware of and intends to fully comply with the requirements of the law (P.L. 104-193) to maintain a prescribed level of historic state expenditures. Delaware will ensure that expenditures of state funds for benefits and services ("Qualified State Expenditures" as defined in the law) for TANF participants (either in the Part A federally funded program or non-Part A state funded program) who are TANF eligibles will equal or exceed the required annual spending level.

As a 1975 fill-the-gap state, Delaware has opted to continue to use fill-the-gap for the issuance of child support disregard and child support supplemental payments to TANF clients. Delaware considers these payments to be "cash assistance" to eligible families and therefore to be within the definition of "Qualified State Expenditures".

Financial eligibility criteria for MOE-funded and solely state funded assistance or services are the same as for other TANF assistance or services, except that MOE claimed for child care under the provisions of 45 CFR Ch. II § 263.3 will follow the financial eligibility criteria established in the CCDF State Plan and associated State regulations.

CERTIFICATIONS

The State will operate a program to provide Temporary Assistance For Needy Families (TANF) so that the children may be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work and marriage; to prevent and reduce the incidence of out-of-wedlock pregnancies, and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and encourage the formation and maintenance of two-parent families.

This program is known as Delaware's Temporary Assistance For Needy Families (TANF).

Executive Officer of the State is Governor Ruth Ann Minner.

In administering and operating a program, which provides Temporary Assistance For Needy Families with minor children under Title P1-A of the Social Security Act, the State will:

1. Specify which State agency or agencies will administer and supervise the program under Part A in all political subdivisions of the State.

   Department of Health and Social Services is (are) the agency(ies) responsible for administering the program.

   Division of Social Services is (are) the agency(ies) responsible for supervising the program.

2. Assure that local governments and private sector organizations:

   (A) have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and

   (B) will have at least 45 days to submit comments on the plan and the design of such services.

3. Operate a Child Support Enforcement program under the State Plan approved under part D.

4. Operate a Foster Care and Adoption Assistance program in accordance with part E, and certify that the State will take all necessary action to ensure that children receiving assistance are eligible for medical assistance;

5. Provide each member of an Indian Tribe, who is domiciled in the State and is not eligible for assistance in a Tribal Family Assistance plan approved under Section

412, with equitable access to assistance under the state program funded under this part attributable to funds provided by the Federal Government.

6. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political language.

OPTIONAL CERTIFICATION

The State has established and is enforcing standards and procedures to:

1. Screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;

2. Refer such individuals to counseling and. supportive services; and

3. Waive, pursuant to a determination of good cause, other program requirements such a time limits (for as long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence. .

Delaware is certifying as to its standards and procedures to: ensure that the State will screen for and identify domestic violence; refer such individuals to counseling and supportive services; and, pursuant to a determination of good cause, waive other program requirements for victims of domestic violence. However, decisions to waive compliance with TANF requirements will be made on an individual, case by case basis, and will not endorse an individual's failure to behave proactively to ameliorate destructive domestic violence situations. We support domestic violence victims taking actions to recover their lives through the relief provided by the domestic violence statute and other resources Delaware makes available.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

_____ _____

Date Governor Ruth Ann Minner

Attachment A

Emergency Assistance

Delaware will continue to provide services to families as approved under Parts A and F of Title IV of the Social Security Act as in effect on August 21, 1996. Delaware defined a comprehensive services program under the AFDC-EA service component and intends to continue to fund these services. Federal TANF funds will be used under this provision. The approved plan that was in effect on August 21, 1996, is included on the following eight (8) pages for reference.

State MOE funds may also be used to provide family preservation and non-IV-E foster care benefits or services to relatives and to non-relatives when required to address a child's needs during a period of temporary absence from the TANF eligible family. For MOE-funded services and benefits, the period of temporary absence is defined as 12 months as long as the child is expected to return home within that 12-month period. Under special circumstances that must be documented in the case file or to ensure the safety of the child, a good cause extension of the family reunification plan may be granted for up to an additional 180 days. The types of benefits that may be provided to the child during the period of temporary absence include food, clothing and shelter in a group or foster care setting. Services include information and referral, investigation, assessment, case management, family and individual counseling and therapy, health and mental health treatment, legal, and protective services.

CITATIONS

SECTION 3 EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN

233.120
406(e)

A. Emergency assistance to needy families with children under the Age of 21 is provided in accordance with 45 CFR 233.120.

___ No. (Paragraphs B to D. of this Section do not apply)

_X_ Yes, as specified below, coverage is limited to:

1. Must be a family with a child under age nineteen (19).

2. Families with children in receipt of or eligible for Medicaid for emergency A.1. and Assistance B. in Attachment 3-A.

3. Families with:

Children at risk of removal or removed from their home due to, or suspected at risk of, abuse or neglect, or

Children removed from, or at risk of removal from, the community for Emergency A.2. and Services C in Attachment 3-A.

B. Families of migrant workers are covered.

_X__ No.

____ Yes, on a statewide basis.

____ Yes, but only in the following areas in the State.

C. Other eligibility requirements are in effect.

____ No.

_X__ Yes, as specified below:

1. An application must be filed, signed and dated by a parent, another member of the family when the parents are unable or unwilling to apply, or a state agency acting on behalf of the child.

2. The child must be living with a specified relative, or was living with a specified relative, within six (6) months prior to the month in which assistance is requested. The child must be, or have been, living in a place of residence maintained by one or more specified relatives as his or their own home.

3. The child is without resources immediately accessible to meet his/her needs.

4. The emergency assistance is necessary to avoid destitution or removal of such child or to provide living arrangements for him in a home.

5. The destitution or need for living arrangements did not arise because the needy child or specified relative refused, without good cause, to accept employment or training for employment.

D The kinds of emergency situations which are covered by this program and the kinds of assistance and services provided to meet the emergency situations are detailed in Attachment 3-A.

CITATIONS

GROUPS COVERED AND ELIGIBILITY REQUIREMENTS AND CONDITIONS 233.10 and 233.90

Eligibility Conditions related to Federal Requirements

1. Deprivation of parental support or care

Following are State agency's definition of

a. Continued absences: [45 CFR 233.90 9(c)(1) (i) and (iii)]

Continued absence of a parent from the home constitutes the reason for deprivation of parental support or care when the parent is out of the home, the nature of the absence is such as either to interrupt or terminate the parents functioning as a provider of maintenance, physical care, or guidance for the child and the known or indefinite duration of the absence precludes counting on the parent's performance of his function in planning for the present support or care of the child. If these conditions exist the parent may be absent for any reason and may have left only recently or some time previously. A parent who is a convicted offender but is permitted to live at home while serving a court-imposed sentence by performing unpaid public work or unpaid community service during the workday is considered absent from the home.

b. Incapacity; [45 CFR 233.90 (c) (l) (i) and (iv)]

The physical or mental incapacity of a parent will be held to exist when one parent has a physical or mental defect, illness, or impairment. The incapacity will be supported by competent medical testimony and must be of such a debilitating nature as to reduce substantially or eliminate the parent's ability to support or care for the otherwise eligible child and be expected to last for a period of at least 30 days.

In making the determination of incapacity, the Division will rely upon Form PA-16 or other complete medical documentation. In making the determination of ability to support, the Division will take into account the limited employment opportunities of handicapped individuals. (e.g., person accepted for service by the Division of Vocational Rehabilitation.)

A finding of eligibility for OASDI or SSI benefits, based on disability or blindness is acceptable proof of incapacity of AFDC purposes.

c. Assistance is continued for a temporary period while the effects of these eligibility conditions are being overcome [45 CFR 233.10 (b) (4)].

Continued Absence

[ ] No [X] Yes, under the circumstances and for the time periods specified below:

Upon release from incarceration, for a period not to exceed 120 days, the child may remain eligible on the factor of deprivation of parental support or care unless the parent returns to employment or another factor of deprivation can be established.

Incapacity

[ ] No [X] Yes, under the circumstances and for the time periods specified below:

For a period not to exceed 120 days after the parent no longer has an incapacitating condition, the child may remain eligible on the factor of deprivation of parental support or care, unless the parent returns to employment or assumes the usual child care and housekeeping responsibilities.

Unemployment

[ ] No [X] Yes, under the circumstances and for the time periods specified below:

For a period not to exceed 120 days after release from involuntary confinement.

For a period of four (4) months if the parent is employed more than one hundred (100) hours per month but otherwise eligible.

2. Living with specified relative in a place of residence maintained by one or more such relatives as his or their own home. [45 CFR 233.90 (c) (1) (v)].

(continued)

Following is a list of the relatives with whom a child may be living, in conformity with Sec. 406 (a) (l) of the Social Security Act and 45 CFR 233.90 (c) (l) (v) (A):

Any relation by blood, marriage, or adoption who is within the fifth degree of kinship to the dependent child. The appropriate caretaker relative must therefore be a parent (1st degree), grandparent (2nd degree), sibling (2nd degree), great-grandparent (3rd degree), uncle or aunt (3rd degree), nephew or niece (3rd degree), great-great grandparent (4th degree),great-great-great grandparent (5th degree), great-great uncle or aunt (5th degree), or a first Cousin once removed (5th degree). The spouse of any person named in the above groups even If the marriage is terminated by death or divorce is considered a specified relative

3. The relative exercises "day to day care" of the child when the following criteria established by the State are met:

   The relative makes decisions regarding the child's education, medical care, and religious upbringing. Additionally, the relative provides physical care of the child on an every day basis.

4.a. The relative exercises "care and control" of the child when the following criteria established by the state are met:

   The relative case of care and control defines the child wit the following:

   The relative:

   - makes decisions regarding the child's education.
   - makes decisions regarding the child's medical care.
   - makes decisions regarding the child's religious upbringing.

b. The definition of "temporarily absent is:

   A child who is temporarily absent from the home to receive medical care, or allege school absentee because of special education needs, such as enrollment in Job Corps or Starck School for the Deaf, or is absent for some other reason as long as the absence is no longer than 120 days, may receive assistance if the following conditions exist:

   - The caretaker with whom the child is living continues to have responsibilities for the child's care.
   - The caretaker continues to maintain a home for the child, and
   - The caretaker plans for the child to return home at the end of the absence.

Note: A child who is absent from the home as a result of a court action is not considered temporarily absent. In such cases, the assistance for the child is terminated.

EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN CITATIONS
233.120

A. Kinds of emergencies covered.

1. Emergencies as the result of a circumstance or combination of circumstances which require immediate action in order to avoid the destitution of a child.

2. Situations in which a child has been removed from his/her home into publicly-funded care or supervision, or the risk of such removal, as determined by the Department of Services for Children, Youth and Their Families, or its designee.

B Kinds of assistance provided to meet emergency situations.

1. Rent/Mortgage (includes securing housing)
2. Food for Special Medical/Diet needs
3. Necessary clothing
4. Appliances/Furniture
5. Fuel/Utilities during any period in which coverage is not available under either Title XX or the Low Income Home Energy Assistance Program (LIHEAP)
6. Home Repairs
7. Medical Expenses
8. Transportation
9. Temporary Emergency Shelter payments

C. Kinds of services provided to meet the emergency situations, as determined appropriate and necessary by the responsible state agency officials, or their designee.

1. Information and Referral
2. Case Management, Counseling, Therapy, and Assessment
3. Securing family or child shelter
4. Child care
5. Temporary substitute Care payments for children not covered under Title IV-E
6. Health Related Services not paid for by third parties
7. Mental Health Services not paid for by third parties
8. Protective Services for children such as Homemaker and Foster Grandparent services
9. Legal Services

10. Parenting Education and Training
11. Support Services to normalize family functioning such as Homemaker Services

Limitations on Assistance

1. Assistance for Emergency A.1. and Assistance B, is authorized during one period of Thirty (30) consecutive days in any twelve (12) consecutive months. The payments may be used to meet current needs or prior needs (under B 1-8), which occurred before the 30-day period.

   Temporary Emergency shelter payments (B 9) may extend up to 60 days after the end of the 30-day period, for a total of 90 days.

2. Assistance for Emergency A.2., and Services C., are authorized during one period of Thirty (30) consecutive days in any twelve (12) consecutive months, for a period up to twelve (12) months or until the emergency situation is concluded, whichever is earlier.

3. Assistance for Emergency A.2. and Services C., are provided to the extent that they are determined necessary and appropriate by the responsible IV-A state agency.

4. Emergency Services C. costs provided by the agency staff will be determined by its Approved Cost Allocation Plan.

Assistance for Emergency A.2. and Service C., is provided prior to complete determination of eligibility when facts support a presumption of eligibility, and the state IV-A agency has methods for assuring that federal sharing is claimed only after a final determination that eligibility exists for the period for which such assistance was authorized.

The Department of Services for Children, Youth and Their Family will take the application, assess the need, and verify eligibility factors. In all cases, the Department of Health and Social Services (IV-A state agency) will determine eligibility and authorize reimbursement.

Attachment B

MEMORANDUM Of UNDERSTANDING

The Sexual Predator Act of 1996, Senate Bill 346, was signed into law by Governor Thomas R. Carper on August 1, 1996. In recognition of the fact that illicit sexual activity between adult males and teenage girls is contributing to the high teenage pregnancy rates in Delaware and the nation, this legislation is intended to combat teen pregnancy by imposing more severe criminal sanctions on adult males who are significantly older than their victims and holding them financially accountable when children are born as a result of violations of this law.

This legislation and the cooperative agreement required by it arc part of a multi-faceted effort to combat teenage pregnancy and reform welfare in Delaware, All too often, older men prey on young, vulnerable girls. Nationally, two-thirds of the births to teenage mothers are fathered by men 20 and older. In three recent years, over 600 babies were born in Delaware to girls under 1 6 1 /2 years of age. As they are encouraged to postpone sexual activity, the State has an obligation to do all it can to prevent young girls from being exploited by adults. By creating a cooperative effort among schools, social service agencies and law enforcement to target this crime, Delaware has one more weapon in the fight against teenage pregnancy.

The Sexual Predator Act of 1996 requires the Attorney General's Office, the Department of Health and Social Services, the Department of Services to Children, Youth and Their Families, the Department of Public Instruction and law enforcement agencies statewide to establish a cooperative agreement, specifying the various roles each agency will play in making certain our laws governing unlawful sexual intercourse with minors are rigorously enforced. Senate Bill 346 also requires the Department of Public Safety, with cooperation from the above referenced agencies, to report to the Governor and the General Assembly on enforcement efforts pursuant to this Act by June l, 1998.

SPECIFIC PROVISIONS OF THE LAW

This law increases penalties for adults who have sexual relations with a minor 10 or more years younger, as well as persons who have sexual intercourse with minors under the age of 14. Specifically, the Sexual Predator Act of I996 doubles the penalty for this class of statutory rape by elevating it from a Class C felony, with a penalty of 0-10 years, to a Class B felony, with a penalty of 2-20 years, if:

- **the victim is younger than 16 years of age and the predator is 10 or more years older than the victim; or**
- **the victim is younger than 14 years of age and the predator is 19 years of age or older.**

The Sexual Predator Act of 1996 also requires that in the cast of any conviction of a violation of this law which results in the birth of a child who is in the custody and care of the victim or the victim's legal guardians, the court shall order, as a condition of any probation imposed, that the defendant timely pay any child support ordered by Family Court.

ROLES AND RESPONSIBILITIES

I. Division of Family Services. Department of Children. Youth and Their Families

The Division of Family Services shall:

- expand its role to accept reports of sexual predators, regardless of their relationship to the victim;
- when reports are made to DFS. which meet the definitions of sexual predator, regardless of whether it is intra-familial or extra-familial, immediately report the situation, along with all information collected in the intake process, to the police by the 911 system;
- participate in joint investigations with law enforcement on all intra-familial sexual predator reports;
- maintain statistics for all sexual predator reports received and reported to the police;
- assist in developing an education document(s) about the legislation; and
- work in partnership with other signatories to this Memorandum of Understanding to ensure appropriate practice of this law.

II. Department of Health and Social Services

The Department of Health and Social Service shall:

- publish, through the Bureau of Vital Statistics, a monthly report of all births to young women under] 6 years of age, to be distributed to the Division of Family Services and the Division of Child Support Enforcement for informational, investigative and/or child support enforcement purposes; assume responsibility for the collection of child support payments from the non-custodial parent;
- provide relevant information concerning cases involving sexual predators to the Division of Family Services, however, the use of such information shall be limited to the purpose of prevention, investigation and prosecution of violations under the Sexual Predator Act of 1996;
- collaborate with other signatories to this Memorandum of Understanding to identify and target at-risk clients;
- assist in developing an education document(s) about the legislation; and
- work in partnership with other signatories to this Memorandum of Understanding to ensure appropriate practice of this law.

III. Department of Public Instruction

The Department of Public Instruction shall:

- **assist in developing an education document(s) about the legislation;**
- **assist in the dissemination of information about the legislation to parents and the community;**
- **notify school personnel (specifically principals, counselors, nurses and those identified as liaisons to DFS) of their responsibilities for reporting under this legislation;**
- **work with the Division of Public Health to notify School Based Wellness Center personnel regarding their responsibility for reporting; and**
- **work in partnership with other signatories to this Memorandum of Understanding to ensure appropriate practice of this law.**

IV. Law Enforcement/Department of Justice

Law Enforcement Agencies statewide and the Department of Justice will vigorously enforce the Sexual Predator Act of 1996 as follows:

- **Law Enforcement Agencies shall receive reports of a sexual assault pertaining to the new sexual predator legislation. This information can be brought to their attention via several sources, such as schools, uniform personnel, relatives of alleged victims, or the 91 1 emergency communication system.**
- **In all cases, the agency conducting the investigation shall contact the Division of Family Services if they have not already been contacted and provide them with key information.**
- **All incidents shall be investigated by an assigned investigator and then referred to the Attorney General's Office by means of a scheduled intake for further processing and data collection.**
- **The Attorney General's Office will periodically provide any available data on reports of these incidents to the Division of Family Services and shall work in partnership with other signatories to this Memorandum of Understanding to ensure appropriate practice of this law.**

V. Department of Public Safety

In addition to its law enforcement role and responsibilities, the Department of Public Safety shall:

- **report to the Governor and the General Assembly on enforcement efforts pursuant to the Sexual Predator Act of 1996 by June 1, 1995, with the cooperation of the other signatories to this Memorandum of Understanding; and**
- **work in partnership with other signatories to this Memorandum of Understanding to ensure appropriate practice of this law.**

KEY INFORMATION TO BE PROVIDED TO THE DIVISION OF FAMILY SERVICES

All sexual predator reports made to the Division of Family Services from the community and from employees of-law enforcement agencies, school districts, the Department of Public Instruction, and the Department of Health and Social Services shall include the following key information:

- **name, age, and home address of child;**
- **name, approximate age, and home address of the predator;**
- **name and home address of the parent, guardian, or custodian;**
- **time and location of reported abuse; and**
- **as much of the following as is known by or available to the reporter:**
    - **nature and extent of situation; and**
    - **other information about the predator, such as mental illness, pending criminal charges, substance abuse.**

The monthly report of the Bureau of Vital Statistics shall include such official birth information as it regularly records.

Attachment F

MEMORANDUM OF UNDERSTANDING

DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DEPARTMENT OF PUBLIC INSTRUCTION

DEPARTMENT OF JUSTICE

DELAWARE POLICE DEPARTMENTS

The Department of Services for Children, Youth and Their Families, the Department of Health and Social Services, the Department of Public Instruction, the Department of Justice and the undersigned Delaware Police Departments, wish to improve the services which they provide to children and their families. We are committed to interagency cooperation in an effort to protect children, reduce intervention trauma for the child and the family, and assist the child and family during the investigation, prosecution and treatment.

This memorandum seeks to define and clarify the roles and expectations of each department, to set standards for interagency cooperation and to establish guidelines for collaborative intervention, cross reporting, information sharing, training and problem resolution.

We further agree to distribute a complete copy of the Memorandum of Understanding to our respective employees. This Memorandum of Understanding shall be effective from the date of signature of all parties.

Thomas R Carper 12/10/96
Thomas R. Carper Date
Governor

M Jane Brady 12/10/96
M. Jane Brady Date
Attorney General
Department of Justice

Michael C Ferguson 12/10/96
Michael C. Ferguson Date
Acting Superintendent
Department of Public Instruction

Carmen R Nazario 12/10/96
Carmen R. Nazario Date
Secretary
Department of Health & Social Services

Karen L Johnson 12/10/96
Karen L. Johnson Date
Secretary
Department of Public Safety

Thomas P Eichler 12/10/96
Thomas P. Eichler Date
Secretary
Department of Services for Children, Youth and their Families

Attachment C

§ 1041. Definitions.

The following terms shall have the following meanings:

(1) "Abuse" means conduct which constitutes the following:

a. Intentionally or recklessly causing or attempting to cause physical injury or a sexual offense, as defined in § 761 of Title 11;

b. Intentionally or recklessly placing or attempting to place another person in reasonable apprehension of physical injury or sexual offense to such person or another;

c. Intentionally or recklessly damaging, destroying or taking the tangible property of another person;

d. Engaging in a course of alarming or distressing conduct in a manner which is likely to cause fear or emotional distress or to provoke a violent or disorderly response;

e. Trespassing on or in property of another person, or on or in property from which the trespasser has been excluded by court order;

f. Child abuse, as defined in Chapter 9 of Title 16;

g. Unlawful imprisonment, kidnapping, interference with custody and coercion, as defined in Title 11; or

h. Any other conduct which a reasonable person under the circumstances would find threatening or harmful.

(2) "Domestic violence" means abuse perpetrated by one member against another member of the following protected classes:

a. Family, as that term is defined in § 901(9) of this title, regardless, however, of state of residence of the parties; or

b. Former spouses, a man and a woman co-habitating together with or without a child of either or both, or a man and a woman living separate and apart with a child in common.

(3) "Petitioner" means:

a. A person who is a member of a protected class and files a petition alleging domestic violence against such person or against such person's minor child or an infirm adult;

b. The Division of Child Protective Services acting in the interest of a minor child and files a petition alleging domestic violence; or

c. The Division of Adult Protective Services acting in the interest of an infirm adult and files a petition alleging domestic violence.

(4) "Protective order" means an order issued by the court to a respondent restraining said respondent from committing domestic violence against the petitioner, or a person in whose interest a petition is brought, and may include such measures as are necessary in order to prevent domestic violence.

(5) "Respondent" means the person alleged in the petition to have committed the domestic violence. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1; 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 137, § 1.)

§ 1042. Commencement of action; procedure.

(a) A request for relief from domestic violence is initiated by the filing of a verified petition by the petitioner, or by the Division of Child Protective Services or the Division of Adult Protective Services, asking the court to issue a protective order against the respondent.

(b) The petitioner need not reveal an address, place of residence, school or employment or the address or place where the petitioner's child or children receive child care or attend school, if it is alleged that disclosure of this information would endanger the petitioner. However, the Court may require the petitioner to reveal in confidence a current address or place of residence for the purpose of determining jurisdiction or venue.

(c) A petition for a protective order may be filed in any county where the petitioner resides, the respondent resides, the alleged domestic violence occurred, or where the petitioner is temporarily located away from the residence to avoid domestic violence.

(d) Forms and instructions for initiating a proceeding under this part shall be available from the Clerk of the Court. Assistance from court staff or court volunteers shall be available during business hours to assist the parties with all papers which may be filed in connection with a proceeding under this part. Any assistance or information provided by court staff or court volunteers under this part does not constitute the practice of law.

(e) All forms and instructions developed for use by the parties to a proceeding under this part shall contain simple, understandable language. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1; 70 Del. Laws, c. 186, § 1.)

§ 1043. Ex parte orders and emergency hearings.

(a) A petitioner may request an emergency protective order by filing an affidavit or verified pleading alleging that there is an immediate and present danger of domestic violence to the petitioner or to a minor child of the petitioner or to an infirm adult.

(b) An emergency protective order may be issued on an ex parte basis, that is, without notice to the respondent, where the petitioner certifies in writing the efforts, if any, which have been made to give notice to the respondent or the reasons supporting the claim that notice should not be required.

(c) An emergency hearing held on an ex parte basis shall be held the same day that the petition is filed or the next day that the Court is in session. All other emergency hearings shall be scheduled for an expedited hearing within 10 calendar days after the petition is filed.

(d) In any case in which an ex parte protective order has been issued, a full hearing shall be held within 10 days. The Court may extend an ex parte order as needed, but not to exceed 30 days, to effectuate service of the order where necessary to provide protection.

(e) If the Court finds by a preponderance of the evidence that the alleged domestic violence has occurred, or if the respondent consents to entry of a protective order, the Court shall grant any appropriate relief, including, but not limited to, the relief set forth in § 1045 of this title.

(f) In those cases where the respondent is not present for the hearing, or where the hearing is held ex parte, any protective order issued shall be served immediately upon the respondent, in accordance with § 1065 of this title. A certified copy of the order shall also be given to the petitioner after the hearing, before leaving the courthouse. If the order recites that the respondent appeared in person before the Court, the necessity for further service is waived and proof of service of the order is not necessary; in those cases, the respondent shall be given a copy of the order before leaving the courthouse. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1.)

§ 1044. Nonemergency hearings.

(a) Upon receipt of a petition for a protective order, the Court shall order a hearing within 30 days.

(b) If the Court finds by a preponderance of the evidence that the alleged domestic violence has occurred, or if the respondent consents to entry of a protective order, the Court shall grant any appropriate relief, including, but not limited to, the relief set forth in § 1045 of this title.

(c) Service of the protective order, as well as provision of copies to the parties, shall take place in accordance with § 1043(f) of this title. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1.)

§ 1045. Relief available; duration of orders, modification and termination.

(a) After consideration of a petition for a protective order, the Court may grant relief as follows:

(1) Restrain the respondent from committing acts of domestic violence, as defined in § 1041 of this title;

(2) Restrain the respondent from contacting or attempting to contact the petitioner;

(3) Grant exclusive possession of the residence or household to the petitioner or other resident, regardless of in whose name the residence is titled or leased. Such relief shall not affect title to any real property;

(4) Order that the petitioner be given temporary possession of specified personal property solely or jointly owned by respondent or petitioner, including but not limited to, motor vehicles, checkbooks, keys and other personal effects;

(5) Grant temporary custody of the children of the parties to the petitioner or to another family member. Either party may request visitation at any time during the proceeding. The Court may provide for visitation by separate interim visitation order pursuant to Title 13, which order shall be binding upon and enforceable against both parties. Such interim visitation order may include third party supervision of any visitation, if necessary, in accordance with Chapters 7 and 19 of Title 13;

(6) Order the respondent to pay support for the petitioner and/or for the parties' children, in accordance with Chapter 5 of Title 13, including temporary housing costs;

(7) Order the respondent to pay to the petitioner or any other family member monetary compensation for losses suffered as a direct result of domestic violence committed by the respondent, including medical, dental and counseling expenses, loss of earnings or other support, cost of repair or replacement of real or personal property damaged or taken, moving or other travel expenses and litigation costs, including attorney's fees;

(8) Order the respondent to temporarily relinquish to the sheriff, constable or to a police officer the respondent's firearms and to refrain from purchasing or receiving additional firearms for the duration of the order;

(9) Prohibit the respondent from transferring, encumbering, concealing or in any way disposing of specified property owned or leased by parties;

(10) Order the respondent, petitioner and other protected class members, individually and/or as a group, to participate in treatment or counseling programs;

(11) Grant any other reasonable relief necessary or appropriate to prevent or reduce the likelihood of future domestic violence.

(b) Relief granted under this section shall be effective for a fixed period of time, not to exceed 1 year, except that such order may be extended or modified by a further order of the Court as described in subsections (c) and (d) of this section.

(c) An order issued under this part may be extended, for up to 6 months, or terms of the order modified, upon motion of either party. Hearings on such motions shall be scheduled within 30 days after proof of service on the respondent is filed. Such motions may be heard on an emergency basis if filed in accordance with § 1043 of this title. Orders may be extended only after the Court finds by a preponderance of the evidence that domestic violence has occurred since the entry of the order, a violation of the order has occurred, if the respondent consents to the extension of the order or for good cause shown.

(d) Only the Court shall modify an order issued under this part and the reconciliation of the parties shall have no effect on the validity of any of the provisions of such an order. The protective order may be modified or rescinded during the term of the order upon motion, after notice to all parties affected and a hearing.

(e) Any subsequent support, custody or visitation order entered by the Court in any proceeding brought pursuant to Title 13 shall supersede any relevant provisions regarding those issues which are included in a protection from abuse order, without the need to modify such protective order. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1; 71 Del. Laws, c. 137, §§ 2-4.)

§ 1046. Enforcement; sanctions for violation of order.

(a) The Court may direct that pleadings and orders filed or issued under this part be served upon the respondent by the Sheriff or the Sheriff's deputy or by any person authorized by statute or court rule to serve process.

(b) A copy of a protective order granted under this part shall be entered into the Delaware Justice Information System by the Court on or before the next business day. Entry into the Delaware Justice Information System constitutes notice to all law-enforcement agencies of the existence of the order. The order is fully enforceable in any county of the State.

(c) A law enforcement officer shall arrest, with or without a warrant, any individual whom the officer has probable cause to believe has violated a protective order issued under this part or a valid foreign protection order under Part E of this subchapter and who has notice or knowledge of the protective order. Presentation of a protective order that identifies both the protected person and the respondent and, on

its face, is currently in effect constitutes probable cause to believe that a protective order exists. The protective order may be either in tangible form or stored in DELJIS or other electronic medium if it is retrievable in perceivable form. Probable cause for arrest may be established by a good faith reliance on information contained in DELJIS. If a protective order is not presented, the law enforcement officer may consider other information in determining whether there is probable cause to believe that a protective order exists.

(d) If a law enforcement officer determines that an otherwise valid protective order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent, and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.

(e) The individual arrested shall be taken immediately before the Family Court. If the Family Court is not in session, the arrested person shall be taken before the nearest justice of the peace. In determining the amount of any bail, the justice of the peace or judicial officer shall take into consideration whether the defendant has previously violated a protective order.

(f) A law enforcement officer is immune from civil and criminal liability for an act or omission arising out of the enforcement of a protective order or the detention or arrest of an alleged violator of a protective order if the act or omission was done in a good faith effort to comply with this part or in good faith reliance on information contained in DELJIS.

(g) The provisions of this section apply to the enforcement of foreign protection orders under Part E of this subchapter.

(h) All protective orders issued under this part shall state that violations may result in:

(1) A finding of contempt;

(2) Criminal prosecution; and

(3) Imprisonment or fine or both.

(i) It shall be unlawful for a respondent to knowingly violate a protective order. Violations shall be punishable as a class A misdemeanor. Nothing in this subsection shall preclude the filing of a civil contempt petition by the petitioner for violations of a protective order issued under this part. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1; 70 Del. Laws, c. 186, § 1; 72 Del. Laws, c. 63, §§ 3, 4; 73 Del. Laws, c. 367, § 2.)

§ 1047. Nonpreclusion of remedies.

Nothing in this part shall preclude a petitioner or law enforcement officer from filing criminal charges when probable cause exists. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1.)

§ 1048. Jurisdiction.

The Family Court shall have jurisdiction of proceedings under this part. (69 Del. Laws, c. 160, § 2; 69 Del. Laws, c. 335, § 1.)

§ 1049. Title.

This part may be cited as the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act. (73 Del. Laws, c. 367, § 1.)

Attachment D

FAMILY DEVELOPMENT PROFILE

DOMESTIC VIOLENCE DETERMINATION POLICY

Delaware Health and Social Services

Division of Social Services

For further information, please contact
Thomas Hall
TANF Policy Administrator
Division of Social Services
(302) 255-9605

FAMILY DEVELOPMENT PROFILE

All information on this form will be kept in strict confidence and will be used for DSS purposes only! We would rather risk offending you than fail to refer you to some one who might help you.

(Circle the most appropriate response to each question. Please add any additional comments which help clarify any response to a particular question.)

Question #1: How do you like yourself?

Consider this:

What we think is important.
What we think contributes to how we feel.
What we feel contributes to what we do.
If we feel good, we do well.

Not very much — Very Much

More days than not, do you feel:

-sad, "down in the dumps" _____ Y N
-tense, "stressed out" _____ Y N
-worthless, inferior, inadequate _____ Y N
-"like I'm about to lose control" _____ Y N
-"full of anger," resentful _____ Y N
-low energy, "hard to get moving" _____ Y N
-unfairly criticized _____ Y N
-unable to concentrate _____ Y N

Do you ever think about killing yourself? _____ Y N

Do you:

-know of any health problems you currently have _____ Y N
-sleep well, awaken feeling rested _____ Y N
-have a good appetite _____ Y N
-use drugs _____ Y N
-use alcohol _____ Y N

Comments: _____
_____
____

Question #2: "How do you get along with your family?"

Consider this:

If we are to serve you best, then we need information about your experiences both growing up and as an adult. Those experiences - good and bad - have helped shape the person that you are today. Sometimes difficulties in past or current relationships can get in the way of our being successful.

Terrible					Great

Did your parents (caretakers):

-receive public assistance _____ Y N
-communicate well _____ Y N
-abuse or neglect you _____ Y N
-use drugs or alcohol _____ Y N
-behave violently _____ Y N
-show you how to positively solve problems _____ Y N
(through communication or example)
-have psychiatric problems _____ Y N

Has any current or former partner or spouse ever…

…hit, kicked, pushed, choked, or slapped you? _____ Y N
…destroyed or taken your property or possessions? Y N
…consistently told you that you were worthless or called you names? _____ Y N
…interfered with you getting or keeping a job?_____ Y N

Do you ever feel afraid of your partner? _____ Y N

Comments: _____
_____

Question #3: "How do you get along with other people, including your children?"

Consider this:

The stresses of life are considerable. Having family and friends who are there for you, provides an important support system. What is the condition of your support system?

Terrible					Great

Do you have friends/family you can count on? _____ Y N
Do your children cause you problems?
(i.e., behavior, running away, truancy, health)_____ Y N
Do you have any problems with child care or transportation? _____ Y N

Comments: _____
_____

DOMESTIC VIOLENCE
IMMEDIATE DANGER SCREENING QUESTIONS

When someone screens positive for domestic violence, ask the following additional questions to determine whether the person maybe in immediate danger:

1. Do you believe your life is in danger or your partner is capable of hurting you?

2. Has your partner threatened homicide or suicide?

3. Has the frequency or severity of violence recently escalated?

4. Have you and your partner recently separated or discussed separation?

5. Does your partner abuse alcohol or drugs?

6. . Does your partner have access to firearms or other weapons?

C.A.G.E. Questions

1. Have you ever felt that you ought to cut down on your drinking or drug us?

   _____

2. Have people ever annoyed you by criticizing your drinking or drug use?

   _____

3. Have you ever felt bad or guilty about your drinking or drug use?

   _____

4. Have you ever had a drink or used drugs first thing in the morning (or second thing) to steady your nerves or help you get rid of a hangover? (Eye opener)

   _____

One "yes" response raises suspicions of an alcohol or drug problem. More than one "yes" is a strong indication that a problem exists.

Family Development Profile

The DSS social worker case manager will conduct this assessment with any new TANF clients. DSS social worker case managers must review the assessment with clients at each redetermination appointment to measure client progress in each area of the assessment.

The Family Development Profile assessment is the basis for a conversation between DSS staff and clients surrounding issues of client self-esteem, domestic violence and substance abuse. Introduce the profile by explaining that the following questions will help determine if there are any barriers which need to be addressed in order for the client to meet the goal of self-sufficiency. Many of the questions will require you to ask follow-up or clarification questions in order to obtain an accurate picture of the client's level of self-esteem. Use your discretion and experience when completing the assessment with your clients. Don't be afraid to ask for assistance from your supervisor or lead worker if you are extremely uncomfortable with a particular client response to a question on the profile.

Any issues which surface as a result of the assessment should be addressed on the client's Contract of Mutual Responsibility, as long as the client is willing to seek assistance or acknowledge the problem area. The DSS social worker case manager will make appropriate referrals for the client and document the basis for the referral on the client's contract and case record.

If the DSS social worker case manager feels it is necessary to gain more in-depth knowledge concerning possible drug or alcohol involvement with a particular client, then the worker has the option of asking the client C.A.G.E. These questions can assist the worker in determining if a client has a problem with either drugs or alcohol and is not willing to admit it.

If the DSS social worker case manager feels it is necessary to gain more in-depth knowledge concerning possible domestic violence, then the worker should ask the domestic violence immediate danger screening questions. These questions can assist in determining if DSS should make referrals to a domestic violence treatment provider for follow-up assessment and treatment services.

Comments should be written on the profile after the client leaves the office. Clients may have a copy of the profile if they request it. The employment contractor should be made aware of any issues which are barriers to employment or participation in work-related fields.

Family Development Profile

The Family Development Profile is a tool used to identify possible social, family and emotional barriers to self-sufficiency as they affect an individual's ability to obtain and retain employment. The Family Development Profile covers issues of self-esteem, health and family relationships. This tool is designed to surface those issues which, when resolved, will increase the participant's ability to become truly self-sufficient.

Domestic Violence

One of the issues which may pose a challenge to individuals and families becoming self-sufficient is domestic violence. Domestic violence is a pattern of abusive behavior that happens between two people in an adult relationship. Stress, family history of abuse, drug use and alcohol use may be contributing factors in a domestic violence situation.

Delaware is committed to assisting victims of domestic violence to overcome circumstances which place them in physical, emotional and/or financial jeopardy. This assistance includes aiding the victims in seeking redress and a safe environment for their families. Additionally, on a case-by-case basis, Contract of Mutual Responsibility requirements may be waived if it is determined that by complying with the requirements it would be more difficult for the individual and the family to escape and/or remain safe from the violence. This determination will be made in conjunction with input and information from the domestic violence victim.

Domestic Violence Definition

Domestic violence occurs when one spouse, domestic partner or significant other tries to maintain power and control over the other person. The perpetrator of the violence may use physical, verbal or sexual violence to maintain power and control over the victim. Although domestic violence can happen to anyone, most victims are women. Therefore, we will use feminine pronouns.

The following acts perpetrated by a current or former intimate partner, relative or household member shall be considered to be domestic violence:

- physical acts that resulted in, or threatened to result in, physical injury;
- being forced to engage in nonconsensual sexual acts or activities;
- threats of, or attempts at, physical or sexual abuse;
- mental or emotional abuse;
- neglect or deprivation of medical care; or

- stalking.

Examples of domestic violence situations are:

Please note that this is not an all encompassing list, but some examples to give you an idea of how domestic violence may look.

- A husband who cuts up his wife's clothing so she has nothing to wear to work; or
- A partner who constantly tells his partner that she is worthless or calls her names in private or public; or
- A partner who has to know her partner's every movement and gets furious for not knowing those movements; or
- A partner who doesn't allow his partner to go out without him; or
- A partner who touches or strikes his partner in anger; or
- A partner who constantly calls or shows up at his partners job to interfere with her work.

Domestic Violence Determination

DSS shall consider any evidence that is relevant to the domestic violence claim. This is to include a victim's significantly reduced capacity to care for herself or her child, or significantly reduced capacity to perform essential activities of daily living.

DSS shall determine what evidence is credible and the weight to be given to that evidence. Evidence can be, but is not limited to:

- court, criminal, law enforcement or Division of Family Services records;
- medical or, psychological records;
- Protection from Abuse order;
- indication that the person has taken legal action to end the domestic violence;
- evidence that she has taken refuge in a shelter or similar safe haven;
- photographs of injuries; or

- a statement from a domestic violence service agency documenting the claim.

CMR Requirements

DSS may waive certain CMR requirements when complying with those requirements would make it more difficult for the individual and family to escape and/or remain safe from the violence. For clients who are not active with a domestic violence agency, DSS will refer the client to a domestic violence agency. DSS will allow the client 10 days to contact the agency.

During this time, DSS will suspend CMR requirements. If the client does not go to the domestic violence agency or the domestic violence agency determines that the client is not a victim of domestic violence, then the client will be subject to the usual CMR requirements. If the client goes to the domestic violence agency and the domestic violence agency determines that the client is a victim of domestic violence, then the CMR requirements will be developed by DSS, the client and the domestic violence agency.

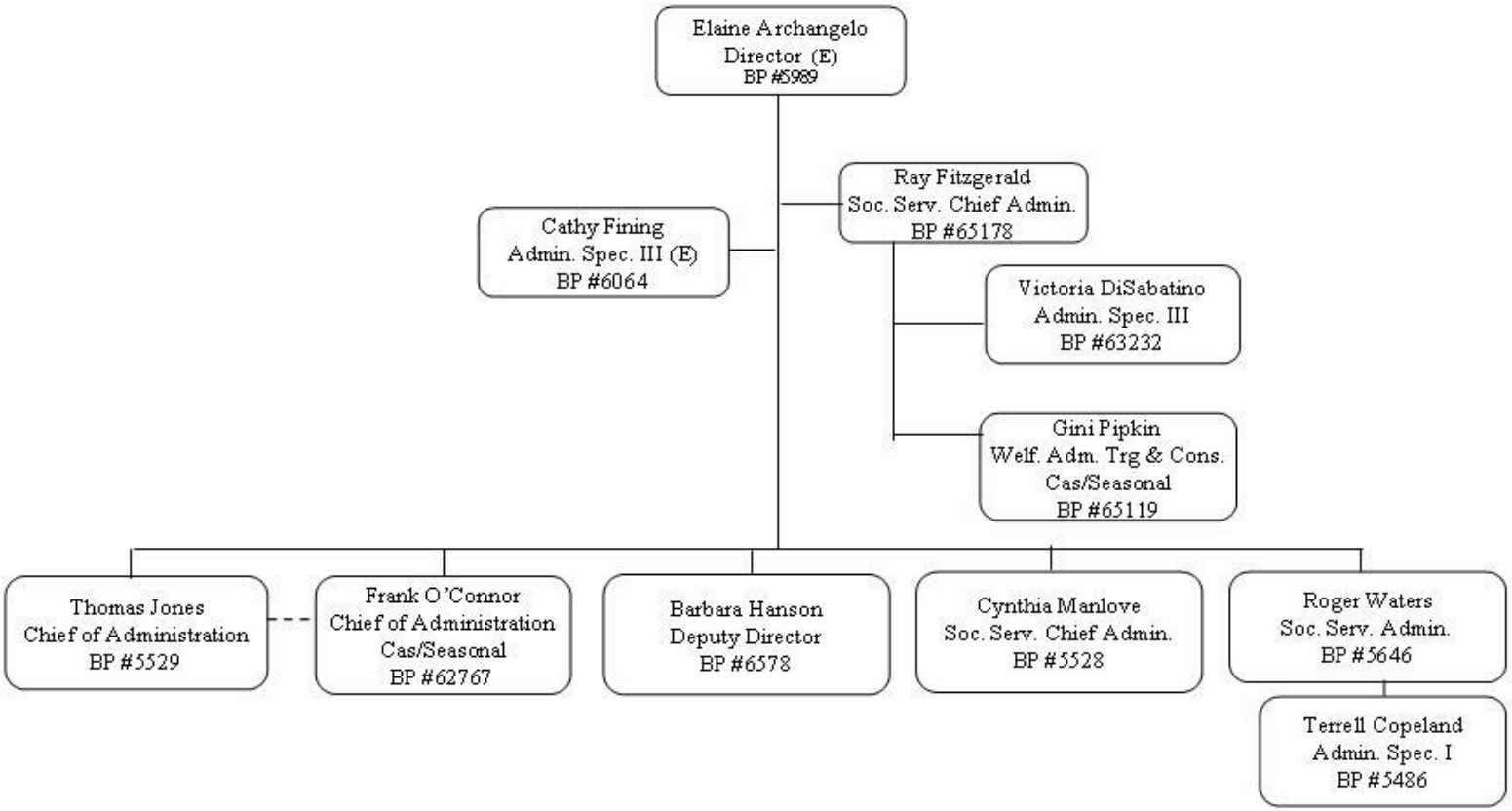
Any CMR requirement could be waived based on information from the domestic violence agency.

Exemptions from the CMR requirements can be made up to a maximum of six months at a time. The number of months of exemption will be based on input from the victim and the domestic violence agency. Exemptions will be re-evaluated during the final month they are in effect. Continuance or non-continuance of the exemptions will again be based on input from the domestic violence agency and the client.

Children's Program

When employment and training client responsibilities are waived, then the family will be placed in the Children's Program and be exempt from the time limit requirements. This exemption from the time limits will be in place for as long as the employment and training client responsibilities are waived.

Division of Social Services



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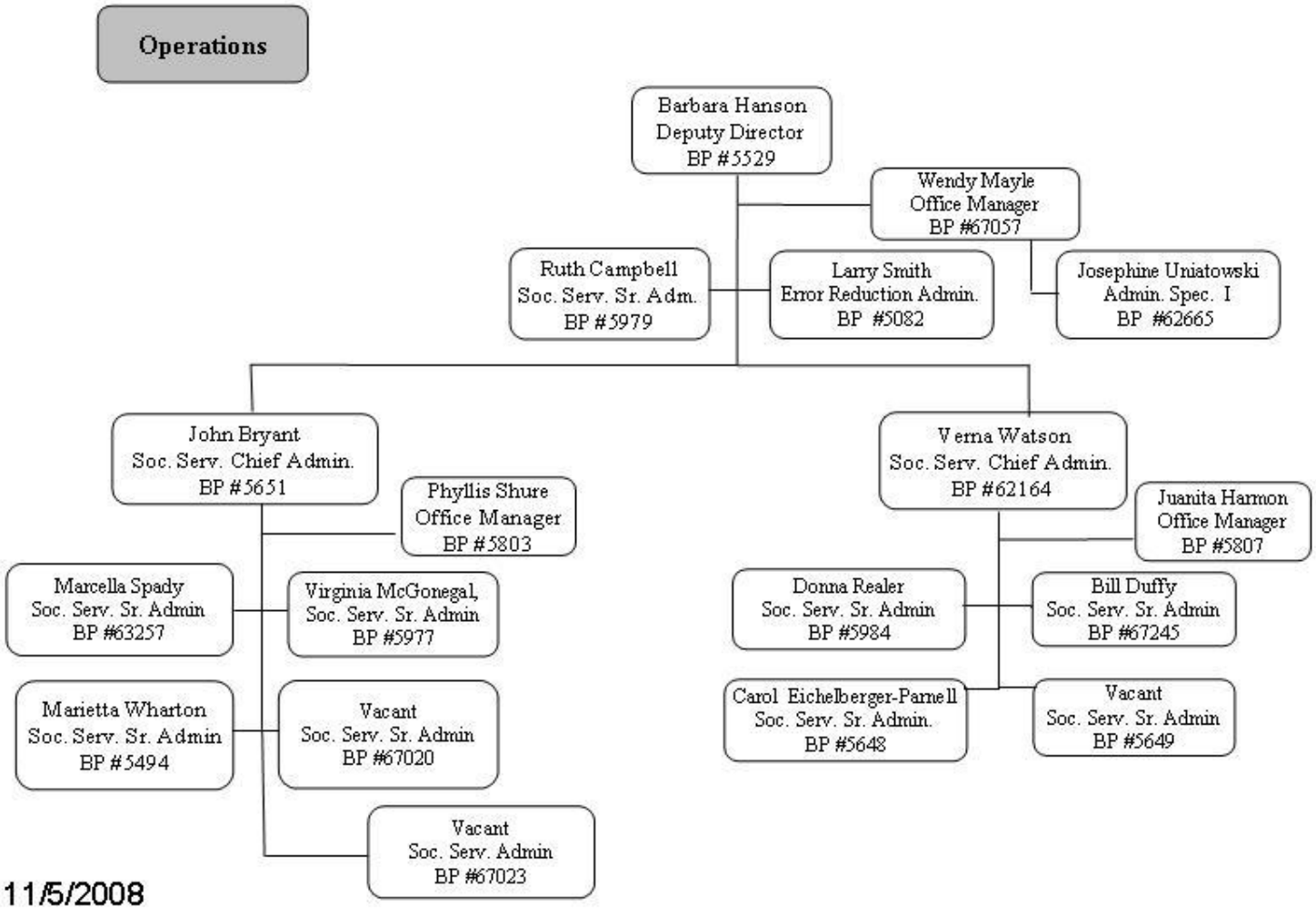
Division of Social Services



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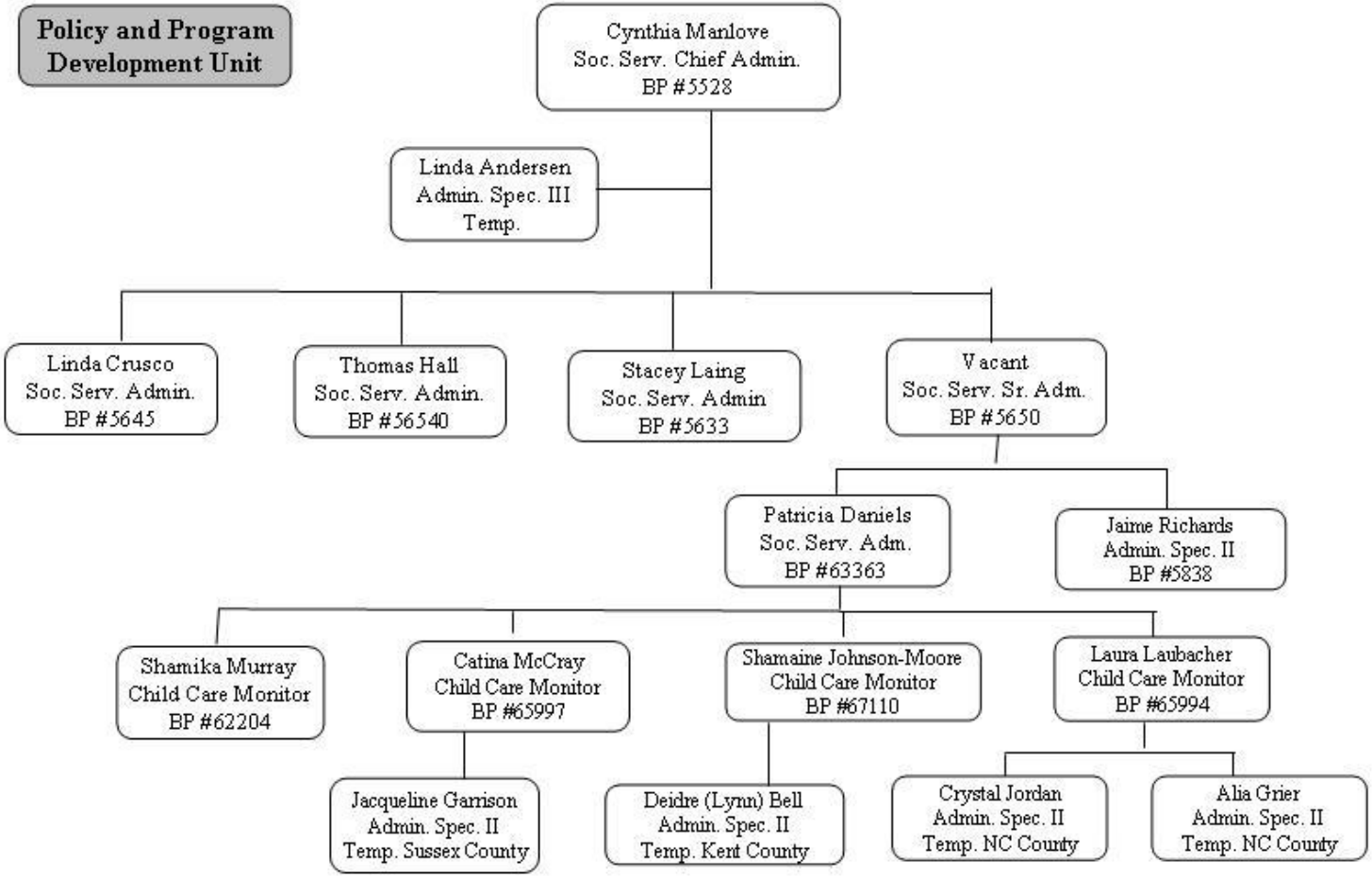

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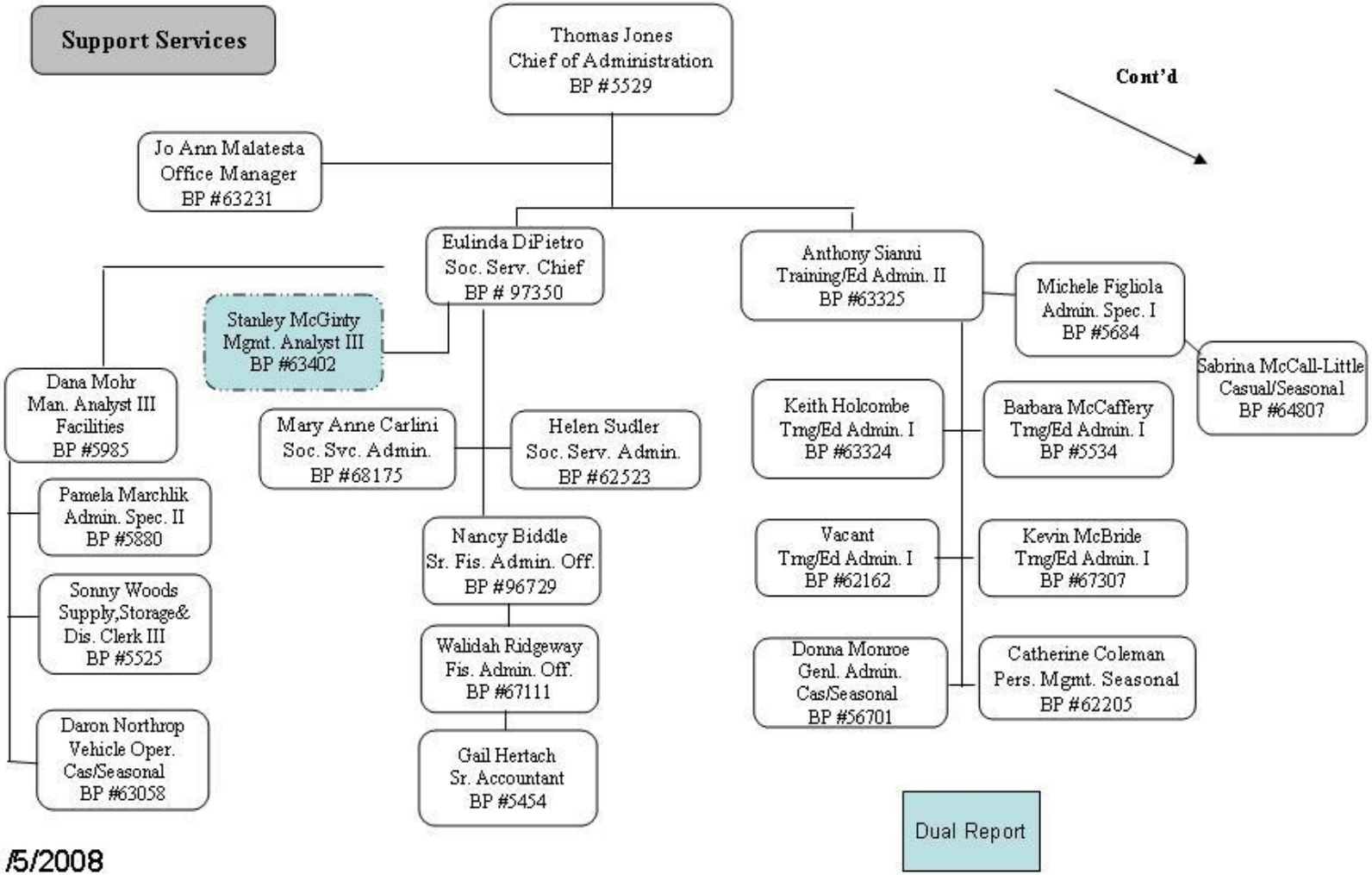
Division of Social Services



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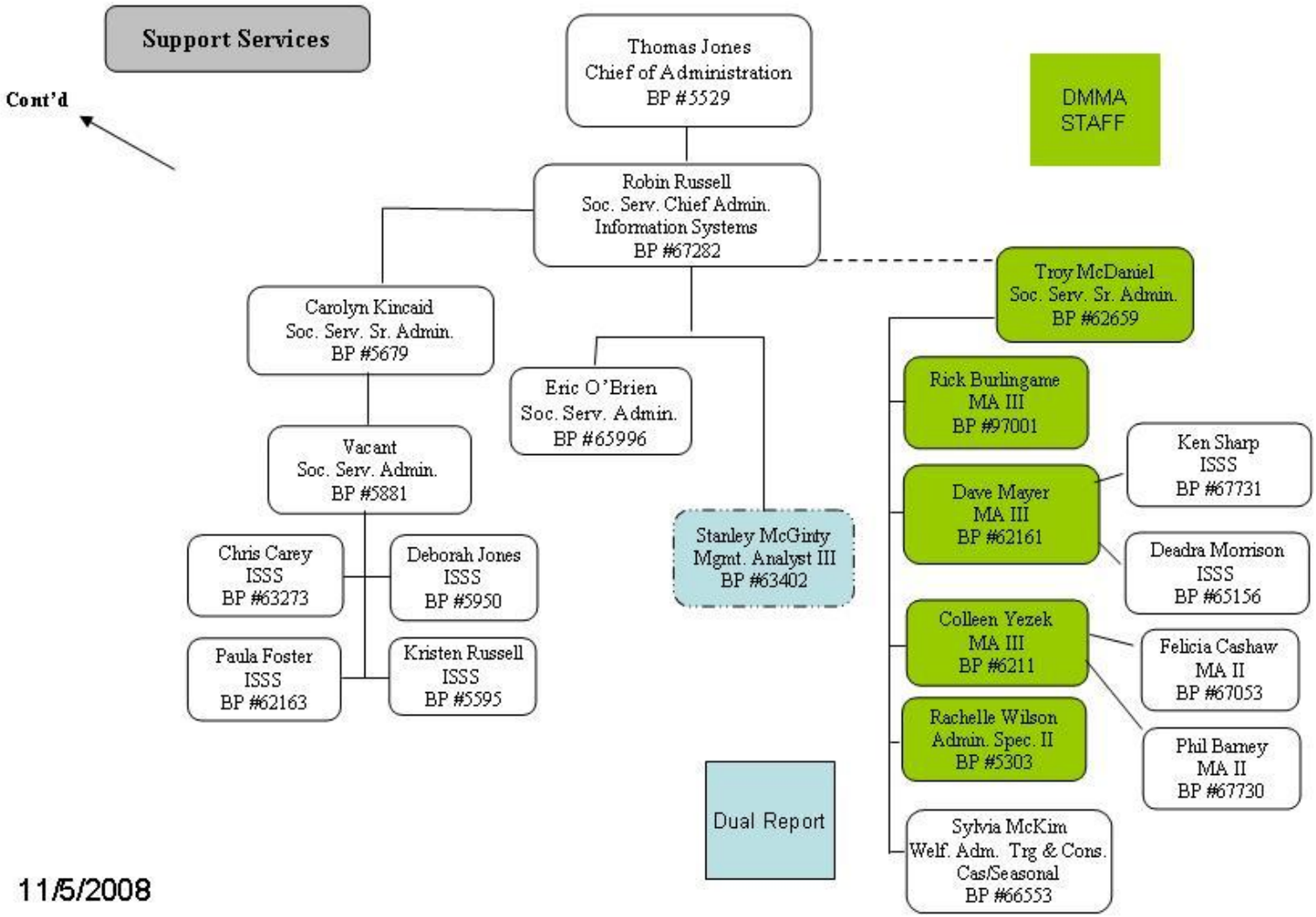
Division of Social Services



Attachment F

SOCIAL SERVICES ADVISORY COUNCIL
DSS Smyrna SSC Office, Smyrna, DE
Minutes of October 1, 2008

Present:

Council Members	**State Staff**
Sr. Jeanne Cashman	Elaine Archangelo
Mabel Cephas	Ray Fitzgerald, DSS
Jessica Fullman	Charles Hayward, DCSE
Retha Fisher	Ted Mermigos, DCSE
Robert Doyle	

Sister Jeanne called the meeting to order at 5:15 P.M. Corrections were noted from the September 2008 meeting minutes. The minutes were accepted and seconded.

Elaine gave the report for DSS. She gave a report on the status of DSS' Change Report Center (CRC). She shared a copy of the press release with the group and informed them that the CRC is operational effective 10/1/2008. Elaine also explained that DSS pulled staff from the field operation to work at the CRC because our request for staff was not approved. As a result of DSS' mid-month mailing, the CRC has already received some change report information in the mail.

Elaine also reported that DSS has some serious issues with DCIS system access. As a result, staff are behind in processing. This problem combined with our high volume and staff shortages has increased staff frustration. Elaine reported that she authorized more overtime and has authorized temps to fill in some holes because we can't replace staff because of the intensive hiring review.

Elaine reported that DSS' official Food Stamp Error Rate through May is 6.59%. It's disheartening that as our rate is going down, so is the national average which is 4.60%.

Elaine reported that the Department of Agriculture's Spay and Neuter Program Coordinator asked DSS to nominate a member to the Performance Review Committee. The Spay Neuter Program is primarily for income eligible clients. DSS will be part of the committee chaired by Dept of Ag Secretary or designee, various animal rescue organizations and DPH Public Health Rabies Control. Applicants to the low cost Spay Neuter Program qualify if they are receiving DSS benefits.

Elaine reported that DSS staff were evicted from Ashley Mansion because of an issue with the certificate of occupancy based on an issue with the landscaping. Apparently, the landscaper failed to file proper landscaping design paperwork with the county. DSS staff went to the Canby office for two days. After paying $500, the landlord got a 30 day certificate of occupancy and we got back into the building. Elaine believes that the fact that the building is an historic site that may be the reason for the scrutiny.

Elaine reported that DSS has been in our Canby office since June 30th and staff are seeing very significant volume increases. Client flow into the office increased 25% in July and August compared with the previous 6 months. Medicaid applications have increased 50% and close to 45% are denied. Food Stamp intakes,

which used to average around 90-100, was 140 in July and 175 in August. Most employed applicants do not qualify. Walk-ins are up all over the state.

Finally, Elaine gave handouts to the group which included CRC business cards, post-cards, VA outreach post-cards, and simplified reporting policy.

Chuck Hayward gave the report for DCSE. He reported that the DACSES replacement process is moving along very smoothly as reported last month. DCSE are scheduling a site visit to a New Jersey Child Support Office that is currently operating a similar automatic system as we are trying to develop here in Delaware. There could be as many as 100 people working on the project. Chuck reported that it is important that this project is done correctly because of Federal oversight.

Chuck reported that the OPEX "mail handling" has been installed. Staff is using the mail handling capabilities now to get familiarized with the equipment. Since the OPEX system is Microsoft based, DCSE are scheduling our current mail room staff to receive additional training in Microsoft. Utilizing this state of the art system is a new skill for most of the current mail staff.

Chuck reported that DCSE's Family Fun Night at Xbos Family Fun Center in Smyrna, DE generated a disappointing turnout. DCSE invited NCPs who were 100% current on their child support obligations since January 2008 to reward and recognize their efforts. This group totaled 3,900. The turnout at Xbos was no where near what DCSE anticipated. DCSE wanted to build a more customer friendly relationship with this group of our NCPs. He stated that DCSE will have to rethink such efforts in the future.

The November meeting will be held at Appoquinimink SSC.

The December meeting will be held at Thomas England House in Smyrna, DE.

SOCIAL SERVICES ADVISORY COUNCIL
Carroll's Plaza, Dover, DE
Minutes of September 3, 2008

Present:

Council Members
Sr. Jeanne Cashman
James A. Villarreal
Jessica Fullman
Retha Fisher
Robert Doyle
Mabel Cephas

State Staff
Elaine Archangelo
Ray Fitzgerald, DSS
Charles Hayward, DCSE
Ted Mermigos, DCSE

Sister Jeanne called the meeting to order at 5:15 P.M. No corrections were noted from the April 2008 meeting minutes. The minutes were accepted and seconded.

Chuck Hayward gave the report for DCSE. DCSE set a new record for FY2008 by collecting $97,929,854. The additional collections realized from the offset of Economic Stimulus Payments via the Federal Offset Program have contributed to this year's collection base.

Chuck reported that DCSE did not pass the paternity establishment portion of the 2007 OCSE audit. DCSE challenged the finding on one of the cases. DCSE has taken the appropriate steps to challenge the auditors' finding on two children in one of the sample cases which is what caused DCSE not to pass the audit. The head of the Baltimore Audit office came to Delaware in August to review the Family Court and DCSE files on the final cases in question and took copies of all the information to be reviewed by the attorneys in the OCSE Central Office. As of today, DCSE has not received any feedback from OCSE related to final written decision on the subject. Chuck stated DCSE will formally appeal the results if their challenge is not granted.

Chuck reported that the DACSES replacement project is moving forward slower than he would have liked. The Feasibility Study has not yet been officially approved by OCSE. DCSE was supposed to hear back with an approval of the study in early August. They have informally told them to keep working on other phases of the project. DCSE is moving forward with the next RFP so that it can go out in January.

Chuck also reported that the Stored Value/Debit Card option is Child Support's next step in utilizing technology to provide our clients with their child support payments faster while streamlining the distribution process and ultimately cutting our business cost. Chuck mentioned in June that the EBT card used by DSS was not an option for DCSE to use. DCSE met with the department's key financial administrators and the contractor for the EBT card eFunds. Subsequently, eFunds has submitted a proposal for a new MasterCard branded debit card. DCSE will proceed with negotiations with eFunds and the target date for implementation is late winter or early spring of 2009.

Chuck reported that on Friday, September 26th, from 5:00-10:00 DCSE we will sponsor a Family Fun Night at XBOS in Smyrna. DCSE will be hosting Non-Custodial Parents and their children to celebrate & congratulate them making 100% of their support payments from January 1st to present. They will receive a postcard invitation and the first 250 who show up will get free admission. After that they will receive a reduced rate of $7.00 (paying their child support & spending time with their children)! There will be music,

games and community and social service providers to give out information and provide resources to families. Each attendee will receive: 1 slice of pizza, 1 soda, 1 game of bowling, 1 shoe rental, and 1 soft play area. Chuck reported that this was their "anti-wanted poster" initiative.

Elaine gave the report for DSS. Elaine reported that DSS took possession of Ashley Mansion on Friday, 8/1/2008. Customer Relations staff are scheduled to move in next week. Staff from operations will move later in the month. DSS begin operating the CRC on 10/1/08.

Elaine also reported that HCL is the selected vendor to implement document imaging in DSS. We are currently negotiating our contract with this vendor who is new to us.

DSS opened for business at Canby Park on Monday, June 30. DSS mailed letters to clients on May 23rd informing them that the 4th Street Office would be moving to the Canby Park location. Staff report experiencing more foot traffic at the new location.

Elaine reported that the DSS Food Stamp payment error rate through April is 7.34%. Delaware's rate improved more than a percentage point since our last meeting and so has the national average which is now below 5%. DSS is taking steps to address the QC findings.

Elaine reported that a special mailing is scheduled for the 33,000 Food Stamp households informing them of the new dependent care deduction rule that allows for the deduction of the actual costs for dependent care in the FS budget. The Food Stamp dependent care caps will be removed effective October 1, 2008. Chuck asked if the number of current food stamp households was an all-time high? Elaine stated that it was.

Elaine reported that the Farm Bill changed the name of the Food Stamp program to Supplemental Nutrition Assistance Program (SNAP). States can choose their own program name. DSS will use the Food Supplement Program in our new documents. DSS thinks this is easy because it keeps the same acronym as the Food Stamp Program. Instead of food stamps we will call what the client receives benefits.

Elaine reported that on Friday, 8/8, ACF published their proposed rule to eliminate the caseload reduction credit that results from excess Maintenance of Effort. DSS plans to engage the State's congressional delegation in this matter. DSS is hoping for two possible outcomes from Congressional involvement. One might be a moratorium on implementing this rule until the new Administration is in place and they have had an opportunity to consider it. A second acceptable alternative for Delaware would be a congressional action exempting us from this rule because Delaware is the only state that has used this rule consistently since the inception of our TANF program.

Elaine also reported that in July, DSS met with Child Care providers. The meetings are arranged Quarterly by the DSS Child Care Policy Administrator, attended by Field Operations staff as well as the Child Care Monitors who assist the providers with attendance, policy and billing issues. Mary DuPont is attempting to get the AFLCIO to represent the state's child-care providers. Legislation is needed to make this possible.

Elaine reported that on Friday August 8th the State Refugee Coordinator Tom Hall, and Wendy Tunis, Linda Parrott, and Deborah Elliott from Georgetown State Service Center met with Lutheran Children and Family Services (Lutheran Services) and representatives from Mountaire. Mountaire is a large poultry producer in Sussex County and Lutheran Services provides refugee resettlement services to refugees arriving from Philadelphia and Lancaster County, Pa. The meeting was held to discuss Mountaire's desire to partner with Lutheran Services to bring refugees into Delaware to fill positions at Mountaire's poultry plant in

Georgetown. The positions available offer health benefits after 90 days of employment. The starting wage is $8.20 an hour with the potential to earn $10.20 an hour after 1 year of employment.

Elaine reported that DSS is having systems issues which makes our computer system crash which creates workload issues. DSS is allowing overtime to staff so they can make the time up.

The council discussed the recruitment of new members because both Ryan and Betty Jo are no longer on the committee. We need to replace both with Republicans so that the council has balance.

The October meeting will be held at Smyrna SSC.

SOCIAL SERVICES ADVISORY COUNCIL
Smyrna SSC, Smyrna, DE
Minutes of June 4, 2008

Present:

Council Members	**State Staff**
Robert Doyle	Elaine Archangelo, DSS
James A. Villarreal	Barbara Hanson, DSS
Jessica Fulman	Charles Hayward, DCSE
Joan Caulk	Ray Fitzgerald, DSS

James Villarreal called the meeting to order at 5:00 P.M. No corrections were noted from the May 2008 meeting minutes. The minutes were accepted and seconded.

Chuck Hayward gave the report for DCSE and began his report by stating that DCSE received an official update from the OCSE auditors on their 2007 Data Reliability Audit. On May 29, 2008, DCSE received word that they did not pass the paternity establishment portion of the audit. DCSE challenged the auditors' finding that two children from the sample cases were not accurately recorded with correct paternity data. They maintain that paternity was established via a Family Court Custody Order. Chuck stated that DCSE's argument is based on DE Law and the Deputy Attorney General's support and interpretation. The argument is that the Delaware custody order did in fact establish paternity in the two cases and is supported by the Delaware Code.

Chuck also reported that DCSE is in the final stages of formalizing a new Family Court-DCSE Cooperative Agreement and Administrative Plan. He stated that this was last done in the mid 90's. The new agreement will save time and effort.

Chuck reported that DCSE's SDU project is well under-way. The vendor has completed the project "Roadmap" which identifies all of the project activities and projects a completion date for early February 2009. The first 2 deliverables for the SDU project have been submitted and approved.

Chuck reported that with the development of state's budget woes, DCSE will not move forward with changing the agency's name to the Division of Child Support Services. A name change will create expenses for items such letterhead, envelopes, signage, etc. He stated that they will hold off until the economic picture is better.

Chuck spoke about DCSE's collections for May 2008 which totaled $8,918,955.08 and were 0.84% greater than those posted for May 2007. May's collection total is the highest recorded collection total for the month of May in DCSE history. He stated that May's collection report is the first set of additional Federal Tax Offsets resulting from the Economic Stimulus Program for this year.

Chuck reported that DCSE is considering giving payees the option of using branded VISA/MasterCards to receive support payments instead of paper checks. He stated that using the EBT Cards won't meet their needs.

Jessica asked about the progress of paternity establishment and Chuck stated that DCSE has meetings scheduled with several Delaware hospitals to discuss this issue over the next few months.

Joan asked if there are any fees for collecting support and Chuck stated that the applicable fee is $25.00 which is required by the DRA.

Chuck reported that DCSE is planning to place a Child Support Specialist into the rotation to represent the agency in court proceedings as a way to create a career ladder. Staff will receive training from 8-10 AM on the 3rd Friday of each month to educate and prepare them for the process.

Elaine Archangelo gave the report for DSS and began with discussing the new DSS Change Report Center. She stated that the builder expects the building to be finished in July. Equipment such as PC's, cubicles, furniture, phone system etc., can not be ordered until the purchase orders are approved by the Office of Budget and Management. The Change Report Center Communications team expects to roll out a communication plan beginning with the City of Wilmington staff and clients by the end of July. The selection team for the document-imaging vendor will meet this week. Seven vendors submitted bids and two were selected to move forward with. One company is known to us and the other is unknown.

Elaine reported on the DSS 4th Street move to the new Canby Park location. Elaine was questioned about the need for new furniture and explained that the old furniture was unusable because it was old and damaged. Surplus will be removing the old furniture from 4th Street. DSS is planning a mass mailing to all 4th Street clients in the next few weeks to announce "to better serve you, DSS is moving…." After the move, DSS will send a follow up letter. DSS will make posters for the waiting room, as was done for the Smyrna move. Because of the demographics of the clients, DSS will also have a Spanish translation posted.

Elaine also reported that DSS has a new Bridge Vendor (PST). Both staff and Employment and Training vendors are pleased that this service is now operational to provide case management for TANF clients with substance abuse or mental health issues. The vendor is co-located with current employment and training vendors. Two months after the service restarted, vendors and staff have referred more than 40 clients.

SOCIAL SERVICES ADVISORY COUNCIL
Carroll's Plaza, Dover, DE
Minutes of May 7, 2008

Present:

Council Members	**State Staff**
Robert Doyle	Ray Fitzgerald, DSS
James A. Villarreal	Barbara Hanson, DSS
Ryan Messatzzia	Charles Hayward, DCSE
Joan Caulk	Ted Mermigos, DCSE

James Villarreal called the meeting to order at 5:06 P.M. No corrections were noted from the April 2008 meeting minutes. The minutes were accepted and seconded.

Barbara Hanson gave the report for DSS. Barbara reported that the lease for Ashley Mansion is signed, the floor plan is finished and both are final.

Barbara reported that there were 11 proposals for document imaging for the DSS Change Report Center. Three were selected as finalist and performed demos for the DSS evaluation team.

Barbara also reported that the grand opening for Smyrna SSC was today. Most of the staff at Smyrna were transfers from other DSS locations.

Barbara reported that things are moving along quickly regarding the 4th Street Move. The certificate of occupancy should be received by Monday. DSS has been meeting with the community to announce and prepare them for the move.

Barbara reported that Elaine has been holding following-up meetings with DSS subgroups about their recommendations to improve our organization that they made as a result of the Department's Organization Health Assessment review meetings. Staff had the opportunity to select from a number of organizational development books which were delivered to staff last month.

Barbara also reported on the Food Stamp Error Rates. She reported that staff from DHSS, DSS and FNS met to discuss the error rate. Moving forward, the focus of DSS' attention will be on individual staff members who are making errors which is a switch from the global approach previously taken. Barbara also reported that DSS' negative Food Stamp error rate improved by 2.79 points from 14.84 in 2007 to 12.05 to date in Federal Fiscal Year 2008. She also reported that DSS' payment error rate improved by .54 points from the start of FFY. In 2007 DSS' payment error rate was 9.26 and it is currently 8.72.

Barbara reported that DSS has been given permission to hire 7 of a possible 37 Merit Direct Services staff in Field Operations.

Barbara reported that DSS has a new Bridge vendor, Psychotherapeutic Services Inc. (PSI), and they began to provide services to TANF applicants and recipients on March 31, 2007. The most noticeable change is that the Bridge vendors are now co-located with the Employment Connection vendors. This change was

made in an effort to ensure coordinated case management services and to allow immediate and frequent access to bridge services for clients referred to the Employment and Training vendors.

Barbara reported that Elaine has been in touch with Marianne Smith of the Division of Developmental Disabilities about indigent burials. Marianne is concerned about capacity for burials at Stockley because of a very large volume increase for Kent and Sussex Counties' indigent burial requests. She also reported that DSS' interpretation of the current Delaware Code authorizing this program, is that cremation is prohibited except in cases of premature fetuses. We are considering adding cremation for this program to next year's legislative agenda.

Finally, Barbara reported that Pauline Dawes and other members of the Virgin Islands Administrative staff visited Delaware on April 29th & 30th and that DSS' Staff Development Unit hosted the Virgin Island team. Mary Anne Salvatore of FNS directed the Virgin Island team to us because of the recent additions and upgrades to DSS' training facilities. Things like the new computer training lab at 16th and Thatcher Streets as well as to learn about several of our training initiatives (food stamp error reduction and corrective action efforts, "Pay Day Quiz", telephoning interviewing curriculum, view PET curriculum, etc.

Chuck Hayward gave the report for DCSE and began his report by stating that DCSE kicked off its State Disbursement Unit automation project. Chuck reported that the project is similar to document imaging and should save time. DCSE is meeting with the contractor weekly and staff is being trained. Chuck states that DCSE is hoping for a 2/2009 implementation date.

Chuck also reported that DCSE is officially released from the JSC's review.

Chuck reported that Sen. Sorenson requested that DCSE appear before the Family Law Commission on April 17th because they had not made a presentation for several years. He stated that the meeting went quite well.

Chuck reported on pending legislation, H.B. 370, which will allow DCSE to recoup payments that have been received and mistakenly disbursed to its clients, resulting in an overpayment to a child support recipient. Without this authority to recoup such misdirected payments or overpayments by administrative process, the Division's only remedy at present is to sue its own client in court to recover the funds. The legislation will allow DCSE to recoup money from existing orders in 25% increments.

Chuck reported that he expects Child Support collections to set records in the month of May because they will be able to intercept the federal stimulus checks. Ted Mermigos stated that the only other agency that has priority over DCSE in intercepting stimulus checks is the IRS.

Chuck reported that DCSE's Child Support Lien Network resource averages approximately 1 worker's comp hit per month.

Finally, Chuck reported that clients calling into DCSE's Customer Service Unit has experienced higher than usual wait times because their staff was attending training during the month of April.

The June next meeting will be held at Smyrna SSC.

SOCIAL SERVICES ADVISORY COUNCIL
Carroll's Plaza
Dover Delaware
Minutes of April 2, 2008

Present:

Council Members	**State Staff**
Sr. Jeanne Cashman	Elaine Archangelo, Director DSS
Mabel Cephas	Barbara Hanson, Deputy Director DSS
Jessica Fullman	Chuck Hayward, Director DCSE
Robert Doyle	Ted Mermigos, Deputy Director DCSE
	Ray Fitzgerald, DSS

The meeting was called to order at 5:00 pm by Sister Jeanne Cashman. The minutes from the February & March 2008 meetings were reviewed and were accepted and seconded.

Chuck Hayward gave the report for the DCSE. Chuck reported that DCSE completed its 2007 Self-Assessment Report for the review period of October 1, 2006 thru September 30, 2007. Chuck stated that DCSE has made improvements in four out of the nine categories and met or exceeded the Federal Minimum standards in seven out of nine categories. Chuck provided a table of information and the group discussed the information extensively.

Chuck reported on DCSE's Paternity Establishment Percentage. Chuck stated that each year DCSE is required to raise its overall Paternity Establishment Percentage by 2% from the previous year with the goal of reaching 90% and that they were just shy of achieving the required 2% in the last federal fiscal year 2006. Because DCSE did not achieve 84%, the state of Delaware was penalized $1.4 million by the Department of Health and Human Services. DCSE is implementing an initiative that will help them meet this mandate.

Chuck also gave an update about DCSE's budget reduction issues. Chuck reported that on February 7, 2008, Governor Minner issued a memorandum confirming a reduction in Delaware's FY09 revenue estimates. As a result, each agency including DCSE is required to submit a list of proposed General Fund operating budget reductions for FY09. DCSE submitted a plan that proposes a reduction in general fund spending by $402,000. Chuck stated that DCSE will be waiting to hear back about the final cuts which will help them determine how they will plan.

Chuck reported on DCSE's License Suspension Program. DCSE has made changed to their license suspension program. DCSE has removed the lump sum requirement from the payment plan agreement. The lump sum required non-custodial parents to make a one-time payment equal to one half of their monthly obligation within 60 days of signing the payment plan, in addition to the monthly court-ordered obligation. The payment plan agreement now solely requires the NCP to pay his or her court ordered child support obligation each month for a period of one year. Chuck also stated that DCSE reinstated option for those NCP's who have defaulted on a payment plan agreement, but contact DCSE prior to the license suspending and are willing to make a payment to satisfy the payment plan requirements.

Chuck also reported on child support collections; direct deposit results; extended hours; and customer service for March 2008.

Elaine Archangelo gave the report for DSS. Elaine reported that the current administration cut the Social Services Block Grant by $500 million, bringing down its present funding level of $1.7 billion to $1.2 billion. In its Entitlement Legislative Proposals, the Administration goes further to phase out SSBG entirely by 2010.

Elaine reported that Kevin McBride, a staff member from DSS' Staff Development Unit, supported an EITC training offered by Nehemiah Gateway. The training was conducted at DSS' Thatcher Street training lab. Kevin set up the computer lab each day for the users; provided instruction on the use of the trainer's lectern and other hardware and software used at the site; and provided technical support for their staff.

Elaine reported that DSS' Change Report Center still has no lease for Ashley Mansion. She reported that the landlord received a draft lease earlier this week. Staff have reviewed and signed off on the floor plan. IT Section has developed the specifications for voice and data needs. The landlord is soon to start renovations. Elaine also reported that there were 20 vendors at the imaging technology pre-bid meeting on 3/3.

Elaine reported that IBM did a study of mainframe capacity at the Biggs Data Center which is the home of the various DSS systems. The study found that the mainframe is reaching its upper capacity limit and needs to be upgraded before users begin to have problems such as delayed response time. The early warning sign that we currently see is that our systems are late coming up in the morning after nighttime processing runs. We expect this change in the next several months.

Elaine also reported that the food stamp feds visited with Secretary Meconi in February. Elaine and Barbara Hanson were included in the meeting. The meeting was to discuss Delaware's state ranking (second to last in the country) in Food Stamp accuracy and a possible penalty unless DSS can turn it around in this fiscal year. Elaine reported that the food stamp feds stated that if DSS can show a several point improvement not only will the penalty be avoided but DSS would be a contender for bonus.

Elaine reported that on February 26, Secretary Meconi addressed the Joint Finance Committee of the Delaware State Legislature. He presented the Department's budget request for next fiscal year that begins in July 2008. He highlighted the accomplishments of every Division in the Department. For DSS, he stated: "Delaware is one of the few states which have no waiting list for child care (a key component in moving individuals from assistance rolls to self sufficiency.)" ... the Division is always making the best use of technology to support our clients and our staff. "Just a few years ago, the Division of Social Services automated its application process to allow individuals to apply for our major benefit programs on-line. We can now report that over 10% of all applications are submitted on-line ..." He highlighted that the Division has programs "undergoing rapid growth" including Food Stamps and General Assistance. Medicaid is experiencing a steady growth. He commented that "the department's workload continues to grow steadily, even though a majority of the programs shrank over the past 12 months. This is because the programs with shrinking numbers of participants are the small ones, while those growing are the larger ones..." He noted that Medicaid did decline slightly with citizenship/identity requirements but "this was a one-time phenomenon, not a trend and enrollment growth resumed at the start of this fiscal year." The message was that the Department and our Division continue to serve more and more vulnerable residents, sometimes hampered by Federal rules, using the tools available, and always looking for creative ways to get the job done, even in these lean times without new funds.

Elaine reported on DSS' presentation to the State Legislature on February 27th. She reported that DSS worked hard to comply with the new Federal T ANF rules to revamp the program. Delaware met the Federal participation rate and avoided a $1.5 million TANF penalty. She also reported that DSS meets quarterly with the child care community to improve communication and to prepare for the new federal mandate to perform quality control on child care eligibility and payments.

Elaine reported on the State's Economic Outlook and its impact on DSS. Elaine reported that all purchase orders over $2,500 must receive Departmental approval which could slow down some purchases. Elaine also reported that the hiring slow down has prevented the Division from posting vacancies or hiring anyone since February 8th.

Elaine reported about the opening of Smyrna SSC. She stated that Gloria Upshur, Director of State Service Centers, updated DSS that progress at the new Smyrna center is moving along well. The facility is almost complete and equipment, technology and furniture have been ordered. DSSC will move in first and after a few days of settling in, DSSC will be a resource as we and other divisions move in.

SOCIAL SERVICES ADVISORY COUNCIL
Carroll's Plaza
Dover Delaware
Minutes of March 5, 2008

Present:

Council Members
Sr. Jeanne Cashman
Retha Fisher
Ryan Messatzzia
Jessica Fullman
Joan Caulk
Robert Doyle
Jim Villareal

State Staff
Barbara Hanson, Deputy Director DSS
Chuck Hayward, Director DCSE
Ted Mermigos, Deputy Director DCSE
Ray Fitzgerald, DSS

The meeting was called to order at 5:00 pm by Sister Jeanne Cashman. Sister Jeanne suggested that we wait to review the February 2008 minutes because members did not receive them until the night of the meeting and the members agreed.

Barbara Hanson, Deputy Director of the Delaware Division of Social Services gave the report for her Division. Barbara reported that Federal Budget proposes cutting SSBG funding by $500 million dollars bringing down its present funding level of $1.7 billion to $1.2 billion.

Barbara also reported that DSS' Staff Development Unit supported Nehemiah Gateway during a recent training session they conducted at our Thatcher Street training lab. Kevin McBride helped set up the computer lab each day and provided instruction on the use of the trainer's lectern and other hardware and software used at the site; and provided technical support for their staff. Nehemiah Gateway was training EITC volunteers.

Barbara reported that staff have reviewed and signed off on the floor plan for DSS' Change Report Center at Ashley Mansion but no lease was signed. She stated DSS is working on other issues related to preparing the site like specifications for voice and data needs and preparing to order furniture. There were 18 vendors at the imaging technology pre-bid meeting on 3/3.

Barb reported that IBM did a study of DSS' mainframe capacity at the Biggs Data Center which is the home of the various systems. The study found that the mainframe is reaching its upper capacity limit and needs to be upgraded before users begin to have problems such as delayed response time. The early warning sign that we currently see is that our systems are late coming up in the morning after nighttime processing runs. We expect this change in the next several months.

Barbara reported that DSS Administrative staff and Secretary Meconi met with FNS representatives to discuss DSS' error rates. Delaware ranks second to last in the country in Food Stamp accuracy and we will be paying a penalty unless the rate improves in this fiscal year.

Barbara reported on the effects of the recently reported budget concerns in Delaware. Agencies expenditures will receive higher scrutiny for all purchase orders over $2,500. Barbara also reported that agencies have also been advised that all hiring must be approved for the foreseeable future.

Chuck Hayward, Director of the Division of Child Support Enforcement, gave the report for his Division. Chuck began his report by discussing the Federal Government's passage of the Economic Stimulus package specifically the tax rebate. He anticipates a spike in collections when people start receiving rebate checks.

Chuck reported that the JFC hearings for his Division were very smooth. Many of the legislator's questions were about the Wanted Posters, private child support cases and Direct Deposit. Chuck stated that the key item DCSE requested funding for was the modernization of their computer system.

Chuck reported that as a result of the revenue projections for the state that each agency including is required to submit a list of proposed General Fund operating budget reductions for FY09.

Chuck reported that he did an ABC interview with Lauren Wilson who came to the office and did an interview with him concerning the Wanted Posters. She also did an in-house interview with a custodial parent. The group also discussed the Wanted Poster project and process at length specifically tracking those that are apprehended, advertising strategies and effectiveness of the project.

SOCIAL SERVICES ADVISORY COUNCIL
Carroll's Plaza, Dover, DE
Minutes of February 6, 2008

Present:

Council Members	**State Staff**
Sr. Jeanne Cashman	Elaine Archangelo, DSS
Mabel Cephas	Barbara Hanson, DSS
Jessica A. Fullman	Charles Hayward, DCSE
Retha Fisher	Ted Mermigos, DCSE
Robert Doyle	Ray Fitzgerald, DSS

Sister Jeanne Cashman called the meeting to order at 5:22 P.M. No corrections were noted from the December 2007 meeting minutes. The minutes were accepted and seconded.

Chuck Hayward gave the report for DCSE. He reported that after the district court ruling against the appeal that the states filed to the Grant Appeals Board ruling, and a separate defeat to a state appeal for Indiana, it was decided that there was no reason to go any further with any appeals. At this point DCSE has exhausted all channels and the appeal is dead.

Chuck also reported that DCSE presented information to the Joint Sunset Committee and provided the committee with the most up-to-date status reports on the recommendations they suggested for DCSE. One of the ideas was that once DCSE is able to get a stored value/debit card in place, would they want to make either the debit card or direct deposit mandatory.

Chuck reported that The Division of Child Support Enforcement request to change its name to "Division of Child Support Services" has been approved by the Governor. The Division requested this change as the first step to help reduce negative perceptions and to provide clarification on the agency's role to provide services to anyone "custodial parent or non-custodial parent" who has reached out for help in the area of child support.

Chuck also reported that there is a proposed bill that would authorize the Division of Child Support Enforcement to recoup payments that have been received and mistakenly disbursed to its clients, resulting in an overpayment to a child support recipient, often to the detriment of another child support payee, or that create a financial obligation for the State. This proposal generated a lot of conversation about fairness.

Chuck reported that DCSE recently hired two Child Support Specialists to support the new Paternity Outreach Program. These two new employees are responsible for educating hospital staff and unwed parents in Delaware's birthing facilities "statewide" on the benefits of establishing paternity for children born out of wedlock.
Chuck also reported that DCSE has created a new program called The Delaware Private Paternity Testing Program which offers a discounted rate to families seeking paternity testing. The Division has developed a public relations plan to inform parents of the new program. Also, when parents call DCSE's automatic assistance line, they are provided with information on the program.

Chuck reported that License Suspension payment plan conferences were held in Sussex County. DCSE began offering this program in November 2007 in New Castle County and all effect non-custodial parents

statewide were required to travel north for a payment plan. Since offering these services in Sussex County, 24 appointments have been scheduled with 20 payment plans signed (83%). This percentage rate is slightly highly that the percentage rate in New Castle (80%).

Chuck also reported on the success of the Wanted Poster initiative. DCSE's new wanted poster was reviewed at the meeting. He also stated that the poster was published downstate in The Guide which has resulted in two tips so far and is scheduled to be published in the News Journal.

Chuck reported that DCSE's collections for January 2008 totaled $8,169,269.51 and were 3.73% less than those posted for January 2007. Chuck commented that he expects an increase in collections when the Federal Rebate checks are mailed.

Chuck also reported DCSE has joined the Child Support Lien Network (CSLN), whose purpose is to pursue the collection of past-due support from delinquent obligors who will receive a settlement in a personal injury or worker's compensation claim. Since the program was implemented in October 2007, 26 lien notices have been issued and one levy notice. DCSE received their first CSLN levy collection in December.

The council watched an interview Chuck gave on Comcast Newsmakers where he discussed many of DCSE's new programs and initiatives.

Elaine gave the report for DSS. She reported that DSS is working on improvements in TANF focusing on increasing clients' participation with our Employment and Training vendors. She also reported that DSS is working on managing TANF and MOE funds so that DSS is compliant with federal requirements. Elaine also reported that DSS is implementing a program for disabled TANF clients so that: those who can, apply and qualify for SSI and those who can't, have meaningful activities that might lead to employment.

Elaine also commented on DSS' systems and technology initiatives. She talked about contracts for implementing document imaging technology and for integration of imaging technology with DCIS. She also reported on changes DSS is making to their DCIS computer database to produce reports that are useful for measuring work.

Elaine reported on DSS' operational units. She commented on the move of the 4th Street office to Canby Park and hopefully DSS will have a lease soon. She reported on the implementation of the Change Report Center in Wilmington. DSS will incorporate rest of New Castle County into the Change Report Center using seasonal staff. She also reported that DSS is moving staff and cases from Dover to the Smyrna SSC when that office opens. Elaine expressed that DSS is working on standardize expectations for customer service based on statewide meetings. Monitor and measure the degree to which the Change Report Center impacts the workload.

Elaine also reported on DSS' Staff Development Unit goals for 2008. DSS plans to implement a downstate computer lab, hopefully at Staley, much like their Thatcher Street facility. She reported that DSS is developing e-training as one measure to reduce the FS error rate (which is in sanction territory) and also to more readily help staff learn and understand policy and practice. Elaine also reported that DSS has implemented other corrective action tools to address errors including the Pay Day Quiz which is sent to staff each pay day.

Elaine reported on DSS' goals for the Food Stamp program for this year. She reported that DSS wants to improve payment accuracy to 94% or better by providing feedback to individuals, supervisors and managers

about performance as it relates to the FS error rate; increased focus on accountability and encourage individual feedback from staff; and an increased focus on recognition of good performers.

Elaine also reported on DSS' leadership goals for this year. She commented that DSS would meet with small work groups of staff to clarify data received from the statewide meetings resulting from the Organizational Health Assessment Results to Action and DSS plans to implement the first phase of the recommendations from the working groups. Elaine stated that DSS plans to establish telecommuting as a regular business tool for state office staff and enter into a pilot for the field operation staff. She also commented that DSS is preparing their fiscal and other staff for the new accounting system.

The next meeting is scheduled for March 5, 2008.

Attachment G

Executive Order Number One Hundred-One Establishing The Child Poverty Task Force

WHEREAS, the United States of America has the highest child poverty rate of the seventeen wealthiest countries in the world; and

WHEREAS, although the State of Delaware made progress towards reducing child poverty in the 1990's, the poverty rate in Delaware has risen since 2002; and

WHEREAS, children who live in poverty are subjected to a number of harsh realities that include, but are not limited to, a substantially greater likelihood to die from infectious diseases and to drop out of school prior to obtaining a high school diploma; and

WHEREAS, the United Kingdom reduced the child poverty rate in Great Britain from 19% in 2000 to 11% in 2006 through its commitment to reduce child poverty by 50% within ten years; and

WHEREAS, the States of Connecticut, California, and Minnesota, as well as the cities of New York and Milwaukee, have made similar commitments to reduce the child poverty rate by 50% within ten years; and

WHEREAS, the State of Delaware recognizes the moral and economic interest in reducing child poverty, and appreciates the productivity that would result from a substantial decrease of child poverty in Delaware.

NOW, THEREFORE, I, RUTH ANN MINNER, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. The Child Poverty Task Force (the "Task Force") is hereby established.

2. The Task Force shall consist of twenty-five (25) members as follows:

a. The Secretary of the Department of Education or his/her designee;

b. The Secretary of the Department of Health and Social Services or his/her designee;

c. The Secretary of Labor or his/her designee;

d. The Secretary of the Department of Services for Children, Youth and Their Families or his/her designee;

e. The Executive Director of the Delaware State Housing Authority or his/her designee;

f. The Chief Judge of the Delaware Family Court or his/her designee;

g. The four Co-Chairs of the "Kid's Caucus" in the State Legislature;

h. The Child Advocate or his/her designee;

i. The Governor's Policy Advisor for Health;

j. The Governor's Policy Advisor for Education;

k. Three members of the Delaware non-profit community whose organizations serve children and families, to be appointed by the Governor;

l. A representative of the University of Delaware's Center for Community Research and Service;

m. A KIDS COUNT Delaware Board member or Data Committee Member or his/her designee;

n. A member of the business community appointed by the State Chamber of Commerce;

o. The President of the Metropolitan Wilmington Urban League or his/her designee;

p. A representative from the City of Wilmington, designated by the Mayor of the City of Wilmington;

q. One at-large member appointed by the President *Pro Tempore* of the Delaware Senate; and

r. One at-large member appointed by the Speaker of the Delaware House of Representatives.

3. The Task Force shall develop a ten-year plan to reduce the number of Delaware children living in poverty by 50% and to establish recommendations for prevention and intervention services in order to promote the health, safety and well-being of Delaware's children and their families. The plan shall include:

a. Identifying and analyzing the occurrence of child poverty in Delaware; and

b. Identifying the risk factors for and underlying etiologies of child poverty; and

c. Reviewing scholarly research that identifies the best practices for prevention and intervention of child poverty; and

d. Analyzing the long-term effects of child poverty on children, their families and their communities; and

e. Assessing the costs of child poverty to municipalities and to the State; and

f. Creating an inventory of existing state-wide public and private programs that address child poverty; and

g. Calculating the percentage of the target population served by such programs and the current funding levels, if any, for such programs; and

h. Identifying and analyzing any deficiencies or inefficiencies of such programs; and

i. Establishing the procedures and priorities for implementing strategies to achieve a 50% reduction in child poverty in the State of Delaware by June 30, 2017.

4. The chairperson of the Task Force, who shall be appointed by the Governor from among its members, shall lead the administration of the Task Force by:

a. setting a time, date and place for the initial organizational meeting;

b. ensuring the proper preparation and distribution of meeting notices, agendas, minutes, correspondence, and reports of the Task Force;

c. ensuring the Task Force identify any staffing requirements necessary to properly execute the functions of this order, and allow the representatives from among the various state agencies to distribute those responsibilities within those agencies; and

d. ensuring the final report of the Task Force is submitted to the Governor with copies submitted to the Speaker of the House of Representatives, the President *Pro Tempore* of the Senate, the Director of the Division of Research of Legislative Council and the Delaware Public Archives;

5. The Task Force shall submit its report on "Recommendations to Reduce Child Poverty" to the Governor, Speaker of the House and President *Pro Tempore* within one year of the effective date of this order.

Approved: August 29, 2007