

EES Policy No. 23-03-03	RE: Victims of Sexual Harassment and Survivors of Domestic Violence, Sexual Assault, or Stalking
Policy Memo	Contact Persons: Sheila Hollis, Angela Stinson, Vicky Lambert
From: Sandra Kimmons	KEESM Reference: 1412.3, 1723, 2130, 2162, 2165, 2242, 2243, 2251, 3100, 3130, 3310.1, 3310.8, 3330.9, 3530, 13330
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Primary DCF Areas Affected: TANF, EMPLOYMENT SERVICES, LIEAP	Where Posted on Web: The Kansas Economic and Employment Support Manual (ks.gov)

On March 15, 2022, President Biden signed the final funding bill for FY 2022, or the [Consolidated Appropriations Act, 2022](#) [Visit disclaimer page](#) (PDF). The Act amends section 402(a) of the Social Security Act (42 U.S.C. 602(a)), adding a new required certification for state TANF agencies related to providing information to victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking. The text of the new required certification, section 402(a)(8) can be found in section 703 on pages 2133 to 2137 of the Consolidated Appropriations Act, 2022 in the link above.

The new certification includes several elements:

- Each state must certify that it has established and is enforcing standards and procedures to ensure that applicants and potential applicants for TANF are notified of assistance made available by the state to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking.
- It must also ensure that agency personnel responsible for administering the TANF program are trained in: the nature and dynamics of sexual harassment, domestic violence, sexual assault, and stalking; state standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking.

Agency personnel should explain the good cause exemption for program requirements and offer any relevant options, including available resources on how to get help and how their information will be kept confidential, when speaking with applicants or potential applicants.

Eligibility workers will use the ES-4416 to send DV/SA referrals. The instructions on how to complete DV/SA Referral Form ES-4416 are now included in the updated interview templates for all programs. A referral for services may be made at any time by completing the ES-4416 DCF/DVSA Referral Form and sending it to DCF.EESDVSA@ks.gov. Local services are available on the Kansas Coalition Against Sexual Assault and Domestic Violence website: <http://kcsdv.org>.



ES-4416.docx

The career navigator will provide frequent opportunities for clients to disclose they are DV/SA survivors. These opportunities should be confidential, in a safe environment, clearly voluntary, and accessible. If the career navigator learns of a DV/SA issue, they will review the requirements to participate in the Domestic Violence/Sexual Assault activity with the client and answer any questions the client has. The career navigator will discuss how the agency can assist the client while participating in the activity. If the client chooses to participate in the DV/SA activity, the career navigator will assist the client with setting up an initial appointment with the local DV/SA advocate. If the client declines assistance but wants a referral or if the career navigator is not able to reach the advocate while the client is in the office, the career navigator will complete the ES-4417 and send it to the local DV/SA advocate.



ES-4417.doc

All agency personnel who interact with applicants or potential applicants must complete a training on the nature and dynamics of sexual harassment and domestic violence, sexual assault, or stalking.

Two tiers exist:

- Tier 1 training is a 1-hour virtual (online), self-driven course and is available through Kansas Learning and Performance Management system. Following positions are required to complete this training:
 - ❖ Human Services Assistant
 - ❖ Human Services Specialist
 - ❖ Human Services Supervisor
 - ❖ Human Services Consultant
 - ❖ Program Administrators and Assistant Program Administrators
 - ❖ Regional Directors and Assistant Regional Directors
 - ❖ Administration Staff as determined.

- Tier 2 training is an extensive one day facilitator-led in-person or virtual training. The following positions are required to complete this training (access Kansas Learning and Performance Management system to sign up for this training):
 - ❖ Career Navigators for TANF, GOALS, FA E&T

- ❖ Employment Services Program Administrators
- ❖ Employment Services Assistant Program Administrators
- ❖ Administration Staff as determined