

**North Dakota State Plan for Pandemic EBT
Children in School and Child Care, 2020-2021**

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Summary:	(1) This document is a template to assist States in the development of State plans to operate Pandemic EBT for school children during school year (SY) 2020-2021 and for children in child care during federal fiscal year 2021. (2) This document relates to Section 4601 of the Families First Coronavirus Response Act (P.L. 116-127) as amended by the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159) and the Consolidated Appropriations Act, 2021 (P.L. 116-260).
Disclaimer:	The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Additional context and background for this document can be found at:
<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>

The P-EBT Assistance for Children in Schools and Child Care should be covered under an Emergency Information Collection Request for the Pandemic EBT (Schools), to be adjusted as appropriate, which is currently under review at OMB. Once OMB has approved the request and assigned the OMB# Control Number, FNS will include the necessary information on the State Plan.

State Plan for Pandemic EBT
Children in School and Child Care, 2020-2021

1. **State:** North Dakota

2. **Primary Citations:** Families First Coronavirus Response Act (FFCRA);
Continuing Appropriations Act, 2021 and Other Extensions Act;
Consolidated Appropriations Act, 2021

3. **Executive Summary:**

Please provide the following data. In addition, please include a statement indicating that you commit to informing USDA of any significant increase or decrease in these data points during the *date range*¹ covered by this initial plan (or subsequent amendment).

Note that P-EBT benefits for school children are available from the start of school year 2020-2021. P-EBT benefits for children in child care are only available from the start of federal fiscal year 2021, or October 1, 2020.

- a. The *date range* covered by this State plan or amendment
 - for children in school
 - for children in child care
- b. Estimated monthly and total *amount* of P-EBT benefits the State will issue within this plan/amendment's date range.
 - Estimated amount issued to school children in SNAP households.
 - Estimated amount issued to school children in non-SNAP households
 - Estimated amount issued to non-school children in child care
- c. Estimated total *number* of children to which the State will issue P-EBT benefits.
 - Estimated number of school children in SNAP households
 - Estimated number of school children in non-SNAP households
 - Estimated number of non-school children in child care
- d. Estimated total amount of administrative funds the State needs to complete the work described in this State plan/amendment.²
- e. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
 - School children in SNAP households
 - School children in non-SNAP households
 - Children in child care

¹ The date range covered by P-EBT State plan or amendment. For example: a State's initial plan could cover August 31 through September 30, 2020; and a later amendment could cover October 1, 2020 through December 31, 2020.

² Note that States may only claim 100% reimbursement for P-EBT administrative expenses incurred from October 1, 2020 forward.

Response:

North Dakota Department of Human Services (NDDHS) and the North Dakota Department of Public Instruction (NDDPI) will coordinate to issue P-EBT benefits through the Supplemental Nutrition Assistance Program (SNAP) EBT card system to SNAP and non-SNAP households with eligible children. North Dakota's plan covers the time-period of August 2020 through May 2021. The State commits to informing USDA – Food and Nutrition Services of any significant increases or decreases in the data provided within this plan.

The estimates of P-EBT issuance during the covered period are as follows:

- Estimated total issuance from August 2020 through May 2021 is \$9,754,687.
 - Estimated issuance to school age children in a hybrid learning mode is \$4,261,716. Issuance will fluctuate based on changes in individual student learning mode and as schools move to full in-person learning.
 - Estimated issuance to school age children in a fully distance learning mode is \$5,492,971. Issuance will fluctuate based on changes in individual student learning mode and as schools move to full in-person learning.
- There are 175 days in the North Dakota school year. A fully distance learning student may receive a benefit for a total of 175 days while a student in a hybrid learning mode may receive a benefit, on average, for half of the 175 days. However, since North Dakota is obtaining actual student level data, P-EBT benefits will be paid based on the number of days reported by the districts for each student.
- North Dakota will be issuing P-EBT benefits retroactively, therefore, continuous re-evaluation of individual student learning modes to ensure correct issuance will be ongoing each month. All student learning modes will be evaluated for the previous month prior to any benefit issuance occurring.
- Estimated total number of school age children issued a P-EBT benefit will be 31,435. The number of children receiving a benefit each month will fluctuate based on changes to each student's mode of learning and schools returning to full in-person learning.
 - Estimated total number of school age children receiving a P-EBT benefit in SNAP households is 16,000.
 - Estimated total number of school age children receiving a P-EBT benefit in non-SNAP households is 15,435.
- To eliminate the burden on retailers, North Dakota anticipates following a staggered issuance plan as outlined below for both SNAP and non-SNAP households. This plan is contingent on FNS's approval of the P-EBT plan, as well as completion of all programming requirements that NDDHS's EBT

processor and system contractor will need to implement in order correctly issue P-EBT.

- August through September 2020 issuance to occur March 18, 2021.
 - October through December 2020 issuance to occur March 25, 2021.
 - January through February 2021 issuance to occur April 6, 2021.
 - March 2021 issuance to occur April 20, 2021.
 - April 2021 issuance to occur May 11, 2021.
 - May 2021 issuance to occur June 8, 2021.
- North Dakota anticipates administrative funding in the amount of \$230,000 will be required to implement the P-EBT program for the SY 2020-2021. This includes approximately \$80,000 for administrative costs incurred by NDDPI and \$150,000 for administrative costs incurred by NDDHS. These estimated costs will be itemized on the FNS 366-A report.

4. P-EBT for School Children

A. Eligible Children

Standard for P-EBT Eligibility

A child is eligible for P-EBT benefits if two conditions are met:

1. The child would be eligible for free or reduced-price meals if the National School Lunch Program and School Breakfast Program were operating normally. This includes children who are:
 - a. directly certified or determined “other source categorically eligible” for SY 2020-2021, *or*
 - b. certified through submission of a household application processed by the child’s school district for SY 2020-2021, *or*
 - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, *or*
 - d. directly certified, determined other source categorically eligible, or certified by a application in SY 2019-2020 *and* the school district has not made a new school meal eligibility determination for the child in SY 2020-2021.
2. The child does not receive free or reduced-price meals at the school because the school is closed or has been operating with reduced attendance or hours for at least 5 consecutive days in the current school year. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours due to COVID-19.

- Describe how the State will identify eligible school children for P-EBT. Also describe what measures the State will take to prevent the issuance of benefits to school year 2019-2020 graduates and other non-students.
- How will the State determine and/or confirm each child’s eligibility for free or reduced-price meals? Please describe separately for SNAP-recipient and non-SNAP-recipient children, children in public and non-public schools, new students (such as kindergarteners and transfer students), and children who become eligible during the school year.

- How will the State confirm each child’s lack of access to meals at school? Please describe separately for SNAP-recipient and non-SNAP-recipient children, and children in public and non-public schools.
- Describe the process that the State will use to update and re-establish each child’s in-person and virtual schedules. How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.).
- Describe the roles and responsibilities of each State agency or other partners involved in P-EBT (e.g. which agency is responsible for confirming eligibility).
- Describe any simplifying assumptions the State proposes to use and the justification for using those simplifying assumptions. Please address both in detail. In addition, please describe any proposed measures that the State will take to address program integrity when using the proposed simplifying assumptions.

Response:

The following entities are involved in the administration of P-EBT:

- The North Dakota Department of Human Services (NDDHS) is responsible for the issuance of P-EBT benefits, as well as the issuance of P-EBT cards and replacement cards.
- The North Dakota Department of Public Instruction (NDDPI), in collaboration with the local school districts, is responsible for eligibility determination through the direct certification process, the NSLP application process and the monitoring and collecting of student learning mode classifications.

North Dakota will identify children who are eligible for free or reduced-price meals for the school year 2020-2021 by leveraging its existing data share agreement with NDDPI. A small number of ND schools continue to offer meals under the NSLP and are, by regulation, required to solicit new eligibility applications. All other school districts are operating under the SFSP and, therefore, are not actively soliciting new meal benefit applications. However, these schools are accepting new applications from families on which new determinations are being made. For these schools, eligibility from 2019-20 is carrying forward unless a new application and determination is made. ND continues to conduct Direct Certification on a weekly basis and continues to directly certify children who are newly eligible this year.

Benefits will be provided retroactive to the beginning of the school year if a new eligibility determination is made in SY 20-21. Once a child is deemed eligible for P-EBT, they are approved through the full school year.

The school related attendance data provided by NDDPI will be the primary mechanism for confirming eligibility for P-EBT benefits/school meal eligibility. Using up-to-date attendance data from the school districts and the private schools will ensure that benefits will not be issued to school year 2019-2020 graduates and other non-students.

The NDDPI State Automated Reporting System (STARS) collects student enrollment data from all public-school districts and several private schools. Student demographic data as well Free/reduced price eligibility and Direct Certification status are maintained in STARS.

Free/reduced eligibility from SY 19-20 is also available in STARS. Student transfers, new registrations and demographic updates are made at the district level and updated in STARS through an automated file transfer process.

Student learning mode and parent/guardian contact information are maintained at the district level and are accessible by NDDPI for the purpose of identifying students eligible for P-EBT and the benefit level to be paid. Student learning mode is entered into the district system as either remote (full-time distance learning) or hybrid. The learning mode is reported with a start and end date. NDDPI will calculate the number of days of P-EBT eligibility by using the district calendar to identify the number of school days each month for which a student is eligible for P-EBT benefits. If learning mode changes during the month, student will have 2 records. The number of days will be determined by manually combining the number of fully distance learning days in on record with the number of hybrid days in the second record before submitting for benefit issuance. Students who are temporarily quarantined or isolated for a short period of time are also reported on remote learning mode for the days that they cannot attend school in person. This can also be reported multiple times throughout the school year. Districts update the student learning mode when changes occur. This allows NDDPI to collect updated data throughout the year.

NDDPI will collect monthly attendance data from each school district in North Dakota, including private schools, that contains the demographic information for each student eligible for free or reduced priced meals. The file will include the number of days that child is entitled to P-EBT based on the student's learning mode (fully distance or hybrid). North Dakota plans to leverage simplifying assumptions to issue a standard benefit amount to all students in a hybrid learning scenario based on the predominant hybrid learning mode utilized by districts.

Benefits will be issued to eligible students attending a school that has been closed or operating with reduced attendance or hours for at least 5 consecutive days. This threshold will only be required to be met one time. Once the minimum threshold has been met, students will be eligible to receive benefits for any day where the school is closed or operating with reduced hours and/or attendance.

B. School Status

Standard for P-EBT Eligible School Status

Children are eligible for P-EBT benefits if they are eligible for free or reduced price meals, but are unable to receive those meals at school due to the operating status of their schools as outlined below:

1. The school is closed (including any delayed start or early closure to the school year), or the school is operating with reduced attendance or hours.
2. School closures do not include weekends, or days when the school is closed due to a holiday or regularly scheduled break (Thanksgiving, New Year's Day, Spring Break, etc.).
3. The period of closure or reduced attendance or hours must meet the current school year minimum 5 consecutive day threshold before any child is eligible for P-EBT benefits. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours and/or attendance due to COVID-19.

- Describe how the State will identify, confirm and monitor the status of individual schools. Also describe how the State will identify the period of duration of the closure, reduced hours, or reduced attendance of the State's schools.
- How will the State confirm that the child's school has been closed or is operating with reduced attendance or hours for a minimum of 5 consecutive days?
- Describe how this information will be obtained and how often the State will collect updated information from schools. (Note that this information must be updated no less frequently than every other month.)
- Describe the State's plan for monitoring changes in eligible school status between the State's bi-monthly (or more frequent) collection of updated school data. Describe how the State will use this updated school information to revise issuance amounts.
- Describe any simplifying assumptions the State proposes to use and the justification for using those simplifying assumptions. Please address both in detail. In addition, please describe any proposed measures that ensure program integrity when using the proposed simplifying assumptions.

Response:

Since the demographic file will come directly from the school districts to NDDPI and then to NDDHS, benefits will be issued retroactively, ND will be better able to track any changes in student learning mode and the number of days reported by learning mode and student. The file provided by the schools will capture information relating to the required 5 consecutive days of reduced hours or attendance.

As mentioned before, learning mode information is updated by the district whenever student learning mode changes, NDDPI can assure that data is accurate and updated. Collecting this data monthly and issuing benefits retroactively for the previous month will mitigate the need for school districts to report changes on a frequent basis. However, districts will be asked to report any significant changes for the previous month to NDDPI before the issuance file is sent to NDDHS.

Though districts report students on a hybrid learning mode, the exact number of days of hybrid learning is not captured by the reporting system. Information on the student learning mode will be used to calculate the number of days each student is reported on hybrid schedule. A survey of districts utilizing a hybrid learning mode found that 90% of their students on a hybrid mode attended school 2 days per week and learned remotely 3 days per week. Ten percent of the students at the districts surveyed attended school in person 2.5 days per week and learned remotely 2.5 days per week. The total enrollment of the surveyed districts represented nearly 50% of the entire state enrollment and more than 90 percent of the districts reporting a hybrid learning model. Based on this information, the State proposes to use a simplifying assumption that students reported on a hybrid learning mode will receive benefits for 60% of the days in which they are reported on the hybrid mode.

The State will reassess the calculation of the number of days per week paid to student on hybrid schedule by collecting updated school schedules each month after March 1, 2021. Data will be collected from the same sample of schools as originally collected to develop the State plan for

calculating the number of days per week paid to student on hybrid schedule. If future surveys of hybrid schedules find a considerable variation in schedules across the State, regional averages will be used. If considerable variation in schedules are found within the regions, county specific averages will be used.

5. P-EBT for Children in Child Care

Standard for P-EBT Eligibility

A child enrolled in a covered child care facility is eligible for P-EBT if:

1. The child is a member of a household that received SNAP benefits at any time since October 1, 2020.
2. The child is enrolled in a covered child care facility. (Note that under the FFCRA, USDA deems all children under the age of 6 to be enrolled in a covered child care facility.)
3. During a public health emergency designation, the child's child care facility is closed or is operating with reduced attendance or hours for at least 5 consecutive days, resulting in the child's inability to attend the facility; or one or more schools in the area of the facility, or in the area of the child's residence, is closed or is operating with reduced attendance or hours.

- Describe how the State will identify eligible children and confirm their eligibility consistent with the above standard.
- How will the State determine and confirm the child's receipt of SNAP benefits in accordance with relevant SNAP privacy requirements?
- How will the State determine that a child's residence is in the area of one or more schools that is closed or is operating with reduced attendance or hours?
- For children whose residence is *not* in the area of one or more closed schools or schools operating with reduced attendance or hours, how will the State determine that child's eligibility? Specifically, how will the State determine that:
 - the child's child care facility is closed or is operating with reduced attendance or hours, or
 - the child's child care facility is in the area of one or more schools that are closed or operating with reduced attendance or hours?
- Are there any State or local public health ordinances that limit the capacity of child care facilities in response to COVID-19 in your State? If yes, describe how you will use those to find that all SNAP-participant children under age 6 are eligible for P-EBT in those areas?
- Describe the process that the State will use to update and re-establish each child's continued P-EBT eligibility and benefit level consistent with changes in the operating status of the child care facility or area schools? How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.)
- Describe the roles and responsibilities of each State agency or other partners involved in P-EBT (e.g. which agency is responsible for confirming eligibility).
- What simplifying assumptions does the State propose? Why must the State make those simplifying assumptions? Please address both of these questions in detail.

Response:

North Dakota is not including the P-EBT for children in childcare within this plan. Discussions on whether the state intends to pursue this are on-going.

6. Benefit Levels

Standard for Benefit Levels

1. The full daily benefit level for each eligible child is equal to the free reimbursement for a breakfast, a lunch, and a snack for school year 2020-2021. The benefit is multiplied by the number of days that the eligible child’s status makes them eligible for P-EBT benefits.

SY 2020-2021 July 1, 2020 - June 30, 2021	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack (NEW)	Daily Total
Contiguous U.S.	\$3.60	\$2.26	\$0.96	\$6.82
Alaska	5.79	3.64	1.56	10.99
Hawaii, Guam, Virgin Islands, Puerto Rico	4.20	2.64	1.13	7.97

Notes:

1. Lunch rates include the 7 cent performance-based reimbursement and the extra 2 cents per meal received by school food authorities in which 60 percent or more of the lunches served during the second preceding school year were served free or at a reduced price.
 2. Breakfast rates are those received by "severe need" schools.
 3. Snack rates are those for afterschool snacks served in afterschool care programs
- Source: <https://www.govinfo.gov/content/pkg/FR-2020-07-22/pdf/2020-15764.pdf>

- Describe the benefit levels proposed, including how days of eligibility will be determined. What simplifying assumptions does the State propose? Why must the State make those simplifying assumptions? Please address both of these questions in detail.

Response:

ND public school districts report distance learning on a per-student basis. Students are reported as full-time distance learning or hybrid distance learning. Beginning and ending dates for each type of distance learning are entered with this report. Learning mode is updated as student distance learning status changes. Distance learning days for students that are temporarily distance learning due to quarantine or isolation are also reported in this manner, listing beginning and end date of their temporary learning mode change.

North Dakota will utilize school calendars to calculate total number of days of distance learning by month for each student. Each public-school district submits an annual school calendar to NDDPI before the beginning of the school year. As the school calendar may include some days

intended for faculty professional development, only school days intended for student instruction will be counted.

Though districts report students on a hybrid learning mode, the exact number of days of hybrid learning is not captured by the reporting system. A survey of districts utilizing a hybrid learning mode found that 90% of their students on a hybrid mode attended school 2 days per week and learned remotely 3 days per week. Ten percent of the students at the districts surveyed attended school in person 2.5 days per week and learned remotely 2.5 days per week. The total enrollment of the surveyed districts represented nearly 50% of the entire state enrollment and more than 90 percent of the districts reporting a hybrid learning model. Based on this information, the State proposes to use a simplifying assumption that students reported on a hybrid learning mode will receive benefits for 60% of the days in which they are reported on the hybrid mode.

Twenty-seven private or BIA/BIE LEAs do not report student enrollment data to NDDPI. A separate process has been developed to collect eligibility, distance learning, and contact information. The spreadsheet template that will be populated by NDDPI with student data for NDDHS to issue benefits will be sent to these LEAs to populate at the local level.

Fourteen of these LEAs are small and have very few students eligible for free or reduced-price meals, resulting in minimal data reporting effort. These schools report student contact information for eligible students along with the total number of distance learning days per month. Actual hybrid days will be reported rather than using the simplifying assumption for public districts described above.

Thirteen of the LEAs have implemented Provision 2 or Community Eligibility Provision (CEP) district wide. These schools will report student contact information for all students along with the total number of distance learning days per month. Actual hybrid days will be reported rather than using the simplifying assumption for public districts described above.

7. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2020-2021 with estimated dates for major milestones in your plan.

- States should develop their timeline cooperatively, including input from its EBT processor and all State agencies involved in implementing P-EBT. Instead of using specific dates, describe important milestones and realistic durations between them. USDA suggests that States build their timelines from the date USDA approves the State's plan (Day #0).
- The timeline must include the State's tentative issuance dates. In SY 2019-2020, most States issued in phases, and on a rolling basis thereafter. For example: issuance to SNAP households Day #10, to non-SNAP households on Day #15, and to newly identified cases from Day #16 onward. This is a best practice, which we encourage States to continue.
- Examples of other possible milestones include, but are not limited to:

- State Education agency provides student data to SNAP State agency (Day #5)
- P-EBT hotline becomes active (Day #9)
- Public notice campaign begins (Day #10), etc.

Please also address each of the following:

- Will the State issue P-EBT benefits on a unique P-EBT card design? If so, who will receive these cards, non-SNAP households only? Or also SNAP households?
- How will the State distinguish P-EBT from SNAP and D-SNAP issuances? USDA strongly encourages the use of a sub-benefit type, even if your State did not do so in SY 2019-2020. This will greatly facilitate the States' ability to report and USDA to maintain accountability for P-EBT.
- What will be your draw/spend priority for P-EBT, SNAP, and D-SNAP? USDA suggests making P-EBT first on your draw/spend priority.
- How will the State handle expungement of P-EBT benefits? USDA recommends that States follow the same expungement rules that the State currently follows for SNAP.
- During SY 2019-2020, large numbers of P-EBT cards were returned to EBT processors via mail, due to incorrect addresses. How will you and your EBT processor handle returned P-EBT cards? How will you handle the need to issue replacement cards in these cases?
- Will you issue *new* P-EBT cards to existing P-EBT households?
 - If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?
 - If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

Response:

Timeline:

Day(s)	Activities
0	USDA approves the State's plan
1-5	DPI begins pulling student data for eligibility.
4-5	DHS and DPI issue a combined notification to all eligible families. Public notice campaign begins.
6-7	Dry run of DPI data pull and file transfer to DHS with review of file layout.
8	DHS and DPI approval of dry run results. Approval contingent that all necessary data provided as required on the file and results in a successful test issuance with the EBT processor.
9	DPI completes production data pull for eligible children for August-September and sends to DHS.
10	Demographic and Issuance files created and sent to EBT processor to set up cases in the EBT system with P-EBT benefits.

11	EBT processor sends card file to card processor for mail issuance of EBT cards.
12- onward	Continued issuance retroactively from October 2020 through February 2021 and for newly identified eligible students.

Distribution of Benefits:

Benefits will be distributed on a SNAP EBT card. NDDHS intends to use the existing card design.

All eligible households, SNAP and non-SNAP households, will receive a new EBT card that the P-EBT benefit will be issued to.

EBT Benefit Type:

In Spring 2020, NDDHS in coordination with the EBT processor created a new P-EBT benefit type of FSPEBT. NDDHS intends to use this existing benefit type to issue P-EBT benefits for SY 20/21 for both SNAP and non-SNAP households.

Benefit Spend Priority:

Since new EBT cards will be issued to SNAP and non-SNAP households, the only benefit on the card will be P-EBT.

Expungements:

Expungements for both SNAP and non-SNAP households will occur according to the normal SNAP expungement rules.

Returned Mail:

P-EBT cards that are returned in the mail will be handled as follows:

1. Return mail will be received at the NDDHS SNAP state office.
2. If a forwarding address is provided by the postal service, NDDHS administrative support staff will mail the card to the forwarding address.
3. If a forwarding address is not provided by the postal service, a list of the returned mail will be provided each week to NDDPI to determine if another address exists.
4. If an alternate address is identified by NDDPI, the address will be provided to NDDHS and the card will be mailed to that address.
5. If no alternate address is available, the card will be destroyed.

Replacement Cards:

NDDHS anticipates that replacement cards will be requested due to households misplacing or losing their EBT card. Since NDDHS currently does over-the-counter issuance at the local human service zone offices, households who request a replacement card will be instructed to contact their local Human Service Zone Office. Due to the pandemic, several human service zone offices are not open to the public and therefore, a telephone request will need to be made by the household. In order to maintain a consistent process for issuing replacement cards, DHS will instruct all human service zones to obtain an accurate address when a replacement card is requested and mail a replacement card to the address provided. Current process of documenting the mailing of an EBT card for SNAP purposes will be used in documenting the replacement

card issuance for P-EBT purposes. Replacement cards for P-EBT will not be available for pick-up at the zone offices.

8. Customer Service

Recommended Standard for Household Support

USDA strongly encourages States to develop a customer service plan that anticipates common questions from households of children that are eligible and potentially eligible to participate in P-EBT, and that ensures that all who are eligible are able to receive and use their P-EBT benefits.

1. USDA strongly encourages States to provide a means to resolve disputes and answer questions from actual or potential P-EBT households.
2. USDA strongly encourages States to provide relevant program information to actual and potential P-EBT households.

- How will the State resolve disputes or issuance errors (incorrect benefit amount, denied benefits, etc.)? Based on the large number of such inquiries received by USDA, the States, and EBT processors, USDA suggests a phone number (hotline) staffed by personnel empowered to research and address such cases.
- Please describe how the State will serve groups with potential access problems, for example: homeless children, foster children, children without social security numbers, children with limited English proficiency, households without internet access, and people living with disabilities.
- Describe the State's public information campaign. That is, the information you will provide to the general public (i.e., **not directly** to P-EBT participants), and how you will provide that information (i.e., print or broadcast advertising, social media, mailers to the general population).
- Describe what information you will provide for households that do not want the P-EBT benefit that is directly issued to them. How dispose of the card, etc.
- Describe the information you will provide **directly** to P-EBT participants (this is different than the information you provide to the general public), and how you will provide that information. For example:
 - What will you provide to explain the purpose of P-EBT and how to use the benefit? Based on the large number and wide variety of public inquiries that USDA, States, and EBT processor call centers received regarding P-EBT in Spring and Summer of 2020, USDA recommends it include:
 - A description of P-EBT
 - Instructions for PINing a P-EBT card
 - Explanation of where benefits can be used
 - Explanation of how benefits can and cannot be used (i.e., eligible foods and non-eligible items)
 - Explanation of violations and penalties, such as trafficking
 - An indication that benefits are non-transferable
 - Instructions for destroying the card, if they want to decline benefits

- Information regarding a hotline, helpdesk, or website/portal that participants can reach out to, if they have questions, need assistance (setting up a PIN, for example)
- How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?
 - Will you provide information via mailers? Will the mailer(s) be a flyer/brochure, buck slip, letter, or some other alternative? USDA recommends flyers/brochures, because these can be used more flexibly than buck slips.
 - Will you provide information via e-mail, text messages, social media, website, robo-call, and/or other electronic means?

Response:

ND will resolve disputes or issuing errors by working with the households and schools. Student eligibility, calculation of benefits and household contacts will be handled by NDDPI. Dedicated staff have been assigned to these duties. NDDHS will resolve issues related to EBT card use, replacements and benefit issuance dates. Households may contact either agency by email or telephone. Appropriate email and telephone numbers will be provided on the combined notification sent to eligible families on days 4-5 as noted in the timeline section seven. NDDPI and NDDHS will work together when disputes involve multiple issues. It is anticipated that most disputes will be resolved by contacting schools and collecting information from the households.

NDDHS and NDDPI are committed to equitable access for all eligible families regardless of circumstances. NDDPI will work with each school district's homeless liaison to address issues related to families who have not received their cards due to outdated addresses or lack of permanent address. NDDHS will serve as the mailing address for the families that do not have a permanent mailing address. The P-EBT card will be mailed to the NDDHS state office address. When these cards are received, NDDHS will communicate with NDDPI who will work with the district's homeless liaison to determine the best appropriate method to ensure the eligible family is able to obtain their card. If the district's homeless liaison is able to obtain an address that a family may receive their mail, NDDPI will provide that address to NDDHS and the card will be mailed accordingly. Should the family not have an address to receive mail at, the P-EBT card will be sent to the Human Service Zone office located closest to where the family can easily obtain the card. Should a Human Service Zone office be closed to the public, arrangements can be made between that office and the family to determine the best method for the family to receive their card. In all instances, regardless of the method used, a flyer will be attached to the P-EBT card providing specific details for the family to utilize when PINing the card.

NDDPI will also work with district English Language (EL) directors and coordinators to identify and provide guidance to households of students with limited English proficiency. Program information will also be provided to organizations that work with districts in providing services to these students.

Each district also has a Foster care contact and foster children are identified within their district enrollment data. NDDPI will work with foster care contacts to ensure they update address/location of foster children.

ND will not require social security numbers (SSN) for P-EBT benefits. NDDPI does not collect student or parent/guardian SSNs.

Public Awareness Campaign: The state will conduct a public information campaign through use of the DHS and DPI websites and social media platforms. North Dakota intends to issue a press release to target state-wide and local news organizations and Senior Leadership will announce at a press conference. The state will work with schools and community organizations to push out template emails, robo-calls, text messages and flyers.

Direct Communication: Districts have been notified about the upcoming P-EBT benefit program. They have been asked to ensure student information, including parent/guardian contacts are updated. Accurate contact information is crucial to ensure P-EBT benefits are issued to the correct person.

Prior to the first issuance of benefits a letter will be sent to all households with identified eligible students. The letter will include the following information:

- Description of the P-EBT program and eligibility.
- Instructions on how to PIN a P-EBT card.
- Explanation of where and how benefits can be used.
- P-EBT hotline with DPI at (701) 328-2732 and the P-EBT email address of SNAP-PEBT@nd.gov. The email will be monitored by staff with DHS and DPI.

9. Over-issuance of P-EBT benefits

States should outline a process to recover or adjust P-EBT payments to correct errors on previous issuances. States cannot simply apply their existing SNAP benefit claim process to P-EBT. Accordingly, States should develop P-EBT-specific rules and procedures and include those in their State plans. States must also consider the capability of their SNAP systems to distinguish P-EBT from SNAP benefits.

The process should take into consideration that many households received their benefits, without application, through an automated match process that relied on the State's own administrative data. Reclaiming benefits under those circumstances calls for a process that weighs the equity of the claim, the burden on affected households, and the likelihood and costs of recovery. Given those considerations, a State's P-EBT plan should consider reasonable thresholds for taking action to recover over-issued benefits. States that establish a process for benefit recovery must provide clear notice to beneficiaries of the circumstances under which the

State may attempt to recover benefits or reduce a future issuance. Under no circumstances may the State reduce a SNAP benefit to settle a P-EBT claim.

Finally, the States recognize that USDA is responsible for ensuring accountability of funds for P-EBT purposes. As part of its oversight responsibilities, USDA may hold State agencies liable for aggregate over-issuances or improper payments. USDA's course of action is to pursue P-EBT over-issuance claims in the aggregate where USDA believes such action is merited, based on the nature of the error that gave rise to the over-issuance, the size of the error, and whether such action would advance program purposes.

Response:

North Dakota does not anticipate over-issuance being problematic. Because North Dakota is issuing benefits retroactively each month, North Dakota is confident that changes in attendance at the school level or child level will be acknowledged by NDDPI prior to the file sharing with NDDHS, therefore, limiting any incorrect issuance of P-EBT benefits. NDDPI has had direct communication with the school districts to ensure every attempt is made to update student demographic and attendance information. Should an error be discovered after issuance has been completed, NDDHS and NDDPI will work collaboratively to pursue a repayment of the incorrectly issued P-EBT amount. Repayment of the incorrectly issued amount will not occur out of a SNAP household's SNAP benefits. Since P-EBT issuance will not be tracked in NDDHS's eligibility system, any over issued or incorrectly issued benefit and repayment will be tracked independently using a manual process and excel file mechanism.

10. Benefit Issuance Reporting

The State agrees to complete the FNS-292 form as well as all other normally recurring SNAP reporting, including the FNS 46, 388, and 778 reports, on a timely basis in accordance with requirements.

11. Administrative Funding

A separate grant to cover State level administrative costs associated with the administration of P-EBT will be awarded to the SNAP State Agency within each State, for the period of performance October 1, 2020 through September 30 2021. As the authorized grantee, the SNAP State Agency will be granted access to the associated letter-of-credit in which the administrative grant funds will be placed. As P-EBT related State administrative costs may be incurred by State agencies other than the SNAP State Agency, the SNAP State Agency will be responsible for entering into interagency agreements in the form of a Memorandum of Understanding, or document of similar construct, with all other respective State agencies responsible for delivering P-EBT benefits. The SNAP State Agency will be responsible for reimbursing the administrative costs of all associated agencies accordingly.

Prior to USDA releasing the grant for administrative funding, each SNAP State Agency will be required to submit a P-EBT Budget Plan using the FNS-366(a) Program and Budget Summary Statement. Funds will not be released to the SNAP State Agency's letter-of-credit until this plan is

submitted and approved. The SNAP State Agency’s Budget Plan should include the estimated administrative costs for all State agencies that will be handling P-EBT.

As noted in Item 9 above, the SNAP State Agency will be also responsible for reporting all administrative expenditures on a separate FNS-778, Supplemental Nutrition Assistance Program, Federal Financial Report designated specifically for P-EBT. The expenditures on the FNS-778 should align with those outlined in the FNS-366(a), Program and Budget Summary Statement. The forms associated with P-EBT will be modified accordingly.

12. Release of Information

Per Section 1101(e) of the Families First Coronavirus Response Act: Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.”

13. Civil Rights Statement

The State will continue to comply with civil rights requirements, to include providing equal access to individuals with disabilities and individuals who are limited English proficient.

14. Administration of State P-EBT Plan

The State will administer P-EBT according to the terms of its approved State plan. If the State wishes to change any of the terms of its plan, the State shall first notify USDA and will, if requested by USDA, submit a plan amendment for USDA review and approval.

Signature and Title of Requesting SNAP and Child Nutrition State Agency Officials:

Michele Gee

Michele Gee
Director of Economic Assistance

Linda Schloer

Linda Schloer
Director of Child Nutrition and Food Distribution Programs

Date of Request: March 9, 2021