

Summer Electronic Benefit Transfer for Children (Summer EBT)

Plan for Operations and Management (POM)

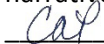
West Virginia Summer 2024

Required Attachments – described in Sections 1 & 6

- A copy of the inter-agency written agreement(s) between the Summer EBT coordinating agency and each partnering agency, if applicable [[7 CFR 292.3\(c\)](#), [7 CFR 292.8\(e\)\(1\)](#), [7 CFR 292.8\(e\)\(8\)](#)]
- An FNS-366A expenditure plan for each agency within the State or ITO that will draw administrative funds from FNS [[7 CFR 292.8\(e\)\(3\)](#)], i.e., part of the administrative budget
- A budget narrative that corresponds with the 366A(s), which describes how costs within the budget categories were derived, and demonstrates links between expenditures and specific activities/tasks [[7 CFR 292.8\(e\)\(3\)](#)], i.e., part of the administrative budget
- A copy of the fair hearing procedures for participants [[7 CFR 292.8\(e\)\(12\)](#); [7 CFR 292.26](#)]

Section 1: Administrative Budget

- 1.1 Attach 366A expenditure plans(s) that reflect planned Fiscal Year 2024 administrative cost requirements for each agency within the State or ITO that will draw Summer EBT administrative funds from FNS [see [7 CFR 292.8\(e\)\(3\)](#)]. See the policy memo [SEBT 01-2024, FM 01-2024 Summer EBT Administrative Funding Process for FY2024, October 18, 2023](#) for further information about the 366A.
- 1.2 Attach a budget narrative that corresponds with the 366A(s), describes how costs within the budget categories were derived, and demonstrates links between expenditures and specific activities/tasks. The budget narrative will include the administrative needs of all Summer EBT agencies and local educational agencies [see [7 CFR 292.8\(e\)\(3\)](#)].
- 1.3 The Summer EBT agency attests that the attached 366A expenditure plan(s) and budget narrative comply with any standards prescribed by the Secretary for the use of these funds.



Initial Here

Section 2: Issuance [[7 CFR 292.8\(e\)\(10\)](#)]

- 2.1 Provide an estimate of the number of children who will be served for the year this plan covers [[7 CFR 292.8\(e\)\(2\)](#)]:

West Virginia estimates **202,000** students will be eligible for Summer EBT in 2024. Approximately 135,000 students will be streamline certified due to receipt of SNAP, WV WORKS (TANF) or Medicaid. The state estimates 67,000 student families will apply to establish Summer EBT eligibility.

- 2.2 Provide the start and end dates of the summer operational period and an explanation of why these dates were selected [[7 CFR 292.2](#); [7 CFR 292.8\(e\)\(10\)\(i\)](#)]:

First day of the summer operational period: June 1, 2024

Last day of the summer operational period: August 20, 2024

Explanation: West Virginia analyzed approved county board of education calendars for the 2023-2024 school year. The summer operational period was derived from the average conclusion date of the regular school calendar year.

2.3 Provide the date(s) when benefits will be issued [[7 CFR 292.8\(e\)\(10\)\(ii\)](#)], [7 CFR 292.15\(c\)](#)]:

First issuance: May 24, 2024

Second issuance (if applicable): August 31, 2024 (makeup issuance only)

Third issuance (if applicable): N/A

Additional information on schedule for benefit issuance, if any:

West Virginia will issue a total benefit of \$120 in a single issuance. It is likely the date of the first issuance could be delayed. This is due to setting up brand new program infrastructure, technical requirements, testing and system implementation. The state may not be able to comply with the requirement to issue benefit 7-14 days prior to the start of the summer operational period.

All eligible children will be issued Summer EBT on May 24, 2024 (a waiver will be submitted in case the state is unable to provide benefits on this date), this includes approximately 135,000 children who receive TANF/SNAP/Medicaid/NSLP approved. Also issued on May 24, 2024, will be all eligible students who have submitted an approved Summer EBT application by April 15, 2024. All other students who have not been determined eligible (and become eligible during the summer operational period) will be issued at the end of the summer period.

WV is focused on accurate and effective benefit issuance. Should the state determine a delay in issuance will occur, the coordinating agency will promptly inform the regional FNS office and file a POM amendment.

West Virginia will also not likely be able to comply with the rule to issue benefits 15 days after receiving an application (for those who apply during the summer operational period). The state will make all efforts to issue benefits timely but will need to align processing dates closer to that of SNAP regulations. If WV cannot comply with this responsibility, the state will promptly notify our regional FNS office for next steps to an alternative process.

West Virginia will complete a makeup issuance at the end of the operational period to issue to students who will become eligible during the operational period. The state also estimates that three separate issuances will be required for replacement of summer benefits due to household misfortune or disaster.

West Virginia has a historical record of emergency/disaster flooding during the months of June – August (annually). The three disaster/household misfortune issuances are being placed into the POM so that the state can anticipate the work necessary should a disaster situation occur in any county. There may be less than three or no disaster/household misfortune issuances that occur. In any situation, replacement due to household misfortune/disaster will be determined on an individual basis by the Department of Human Services.

2.4 Does the State or ITO service area have Local Education Agencies (LEAs) operating on a **continuous** school calendar [[7 CFR 292.2](#)]:

- Yes (complete the rest of this question)
- No (skip to question 5)

If yes, describe the school calendar(s) and break schedule(s) for LEAs operating on a continuous school calendar [[7 CFR 292.15\(b\)](#)]:

West Virginia has only one school that participates in the National School Lunch Program (NSLP) that operates on a continuous school calendar. These students, their enrollment records and their direct certification eligibility will be available through existing statewide databases (WVEIS and PrimeroEdge).

This school (Piedmont Elementary) is housed within a Community Eligibility Provision (CEP) district. This school will receive communication about applying for Summer EBT - *Households that believe their student(s) is income eligible and not already directly certified will need to complete a Summer EBT application.* Piedmont Elementary School in Kanawha County (Charleston, WV) will complete its second semester on June 4, 2024. Students will return to class on July 10, 2024. The school will have its next extended break during September 12-29, 2024.

Provide date(s) or timeframes when benefits will be issued:

First issuance: May 24, 2024

Second issuance (if applicable): _____

Third issuance (if applicable): _____

Any additional information on the schedule(s) for benefit issuance:

West Virginia will issue Summer EBT benefits to eligible students attending Piedmont Elementary on the same issuance schedule as traditional calendar students. Eligible students attending a continuous calendar school will also receive \$120 in benefits. It is not reasonable or cost effective for the state to have a separate issuance schedule for a single school.

2.5 Benefits will be provided using (select all that apply) [[7 CFR 292.15\(c\)\(2\)](#)]:

- An existing EBT account used to deliver other electronic benefits
Describe the existing account to which benefits will be added (e.g. SNAP or WIC) and how they will be separately tracked in that account (e.g. a different benefit type or sub-type):

- A unique account for Summer EBT only
- Other payment instrument (provide explanation):

Eligible students will receive a Mountain State EBT card that contains Summer EBT benefits only.

2.6 Summer EBT agencies will need to issue new cards for children who are not associated with an existing EBT account, or for all children if the Summer EBT agency does not choose to co-load benefits on existing accounts for children who have them (see question 5) [[7 CFR 292.15\(c\)\(2\)](#)]. Benefits that are not loaded on existing EBT accounts will be issued (select all that apply):

- On one account/card to heads of households, to the extent States and ITOs have contact information and can determine which children are in a household
- To each eligible child on account/card

Each eligible student will receive a Mountain state EBT card (with a Summer EBT inscription on the card face) loaded with \$120 in Summer EBT benefits. The EBT card will be listed in the name of the student and mailed in care of the first guardian on file with the student's school record. This information will be obtained from the statewide data system.

NOTE: *Guardianship can only be changed through the student's school. The Summer EBT agency cannot change the student's guardian. After Summer EBT benefits are issued to the student, the guardian cannot be changed simply to redirect the Summer EBT benefit to a different household. The only exception to redirection of benefits is for students in foster care. The Summer EBT guardian for students (who must apply) will be the first guardian on file with WVDE as of May 1, 2024.*

Students who are directly certified through receipt of a qualified benefit will also receive an EBT card in the name of the student. The EBT card will be mailed to the primary person of the People's Access to Help (PATH) case. PATH is West Virginia's statewide benefit eligibility system.

EBT cards for directly certified students will be mailed to the address on file with PATH. If the student is in separate cases for TANF and SNAP, the EBT card will be mailed to the primary person of the TANF case. If the student is in separate SNAP and Medicaid cases, the EBT card will be mailed to the primary person of the SNAP case.

- 2.7 Describe the procedures the Summer EBT agency will implement to provide access to households experiencing homelessness and other vulnerable populations, e.g., children in foster care, children from households with limited English proficiency [[7 CFR 292.8\(e\)\(10\)\(vi\)](#), [7 CFR 292.15\(c\)\(1\)\(v\)](#)].

Serving Vulnerable Populations through West Virginia Summer EBT

Students Experiencing Homelessness: WVDE will communicate Summer EBT information with participating schools, and in particular make information available to each Homeless Services Liaison within public school systems.

At every benefit application and redetermination, DoHS eligibility staff is required to discuss household living situations. This includes whether a family is unhoused or housing insecure. This allows the agency to better serve our more vulnerable families.

Foster students: Students in foster placement will receive benefits on the same schedule as non-foster students. DoHS will collaborate with the Bureau for Social Services for dissemination of program information to foster guardians and kinship placement.

WVDE data will be utilized to issue benefits for foster students. DoHS Social Services will inform Family Assistance/Office of EBT when a child has changed residency. DoHS will work to ensure the current guardian receives the Summer EBT benefit on behalf of the student in state's care.

Lack of Social Security Number: West Virginia's Summer SEBT plan will not require social security numbers for benefit issuance. Each student has a WVEIS number that is not affiliated with private social security numbers. The WVEIS number will be utilized for verification when guardians contact the Summer EBT hotline.

DoHS collects social security numbers for all students who are directly certified through receipt of a qualified benefit. Social security numbers for these students have been collected as a regulatory requirement of another public assistance program.

Households with Limited English Proficiency: 95% of West Virginia residents speak English as their first or preferred language. For the 5% of residents who are considered to have limited English proficiency, DoHS will utilize the agency's interpreter service that is regularly used for other DoHS benefits. Also, household notification will be available in Spanish upon request.

Households without Internet Access: DoHS will provide county office notification using paper flyers. All 54 DoHS field offices will make paper Summer EBT applications available for houses without or having limited internet access. All benefit determination notifications will be sent to the household in the form of a mass mailing. This includes families who qualify based upon direct-certification status.

Individuals with Disabilities: The state is bound by the Americans with Disability Act (ADA) compliance. DoHS offices are accessible to individuals with disabilities – including those in wheelchairs and other navigation devices. The state will provide ANY reasonable accommodation for individuals living with a disability. DoHS employs a statewide ADA Coordinator tasked with maintaining agency compliance with ADA standards and ensuring consistency for all DoHS clients, including those with disabling factors.

2.8 Describe the claims procedures for cases of erroneous payments in accordance with requirements at [7 CFR 292.27](#).

By design, West Virginia's Summer EBT Program should mitigate large instances of erroneous benefits being issued. The application portal for SEBT is designed to limit students and children unaffiliated with a school that participates in the National School Lunch Program from successfully submitting an application. Further, the WVSEBT application portal can access students enrolled in an NSLP school, but also pull to a direct certification list or indicator.

If a household with a directly certified eligible student does seek to apply in the WV SEBT application portal, and that student is enrolled in an NSLP-participating school, the parent/guardian completing the application will receive a pop-up notification box indicating a record for that student has been found and no application will be necessary. This logic and process would also be applicable to students who already have an approved free or reduced-price application on file for the current school year.

Because both the coordinating and partnering agencies have access to existing streamlined certification data for the State of West Virginia through an existing data sharing agreement, a special query can be run to compare the file of applicants through the WV SEBT application against the current list of direct certification students – to determine if somehow a child pulls to both lists. One can be removed so that an erroneous payment is not issued.

West Virginia's Office of Inspector General (OIG) was involved in the development of the state's SEBT plan. *Households may submit a claim for Summer EBT benefits that were not issued or issued in the incorrect amount by contacting the WV Department of Education.*

Upon discovery of a potential Summer EBT claim, the Department of Human Services refers the case to Investigations and Fraud Management (IFM) for evaluation. Should the alleged over-issuance be substantiated, a claim will be established against the primary household member or

the household member who signed the application for Summer EBT benefits. Should the error be determined to be an inadvertent household error, no claim will be established against the household. Claims will not be written for under \$125 unless it is determined that those benefits were intentionally obtained by fraudulent means or trafficked.

Households may request a partial or complete repayment of benefits from any available balance on their Summer EBT card by signing a benefit repayment form or giving verbal permission for the investigator to do so.

2.9 Describe the plan to ensure that Summer EBT benefits are issued to children based on their eligibility at the end of the instructional year immediately preceding each summer [[7 CFR 292.8\(e\)\(6\)](#); [7 CFR 292.12\(e\)\(2\)](#); [7 CFR 292.12\(f\)\(4\)](#)].

Within the WVDE, the Office of Data Management and Information Systems, the West Virginia Education Information System (WVEIS) is housed. This is a statewide enrollment database. It is the only database available on a state-level to county boards of education and participating schools. Public county boards of education input their student data and enrollment directly into this system housed with the WVDE. All data captured is owned by the county boards of education/participating schools and housed or accessed by the State of West Virginia.

WVEIS captures enrollment for public school students. Only students who are enrolled during the 2023-2024 school year have active enrollment records in WVEIS. WVEIS updates nightly which means any changes in enrollment are captured daily.

Students who will graduate at the conclusion of the 2023-2024 school year will have their enrollment records tagged as “active” in WVEIS until June 30, 2024. This will ensure graduating seniors that qualify for the benefit will be able to have their enrollment verified in conjunction with benefit issuance.

Students that attend a private school that participates in the National School Lunch Program and/or School Breakfast program may have their information housed within WVEIS, but at a minimum – it will be captured in PrimeroEdge. PrimeroEdge is the child nutrition system that captures student eligibility information based upon individual status. This includes students who qualify for free or reduced-price school meals in real-time for all students enrolled/attending a school an NSLP-participating school.

Both WVEIS and PrimeroEdge utilize data that is provided and owned by county level boards of education and/or participating private or charter schools. Data is input and owned by the LEA – but housed and accessed by the WVDE.

Before Summer EBT benefits are issued, both an education and residence check will occur for all potentially eligible students. WVDE and DoHS are jointly responsible for ensuring that only children residing in the state of West Virginia receive WV SEBT. Students residing outside of WV borders will need to apply for Summer EBT in the state they are most closely related.

To clarify further, NSLP/SBP-participating children who meet the eligibility criteria (i.e., are determined to be eligible while also being enrolled in an NSLP-participating school) at any point during the period of eligibility will be issued benefits. (The period of eligibility goes from July 1st

of the year preceding the Summer Operational Period (SOP) through the last day of the SOP.) The enrollment check will be completed by drawing from a system code behind the scenes of the application that allows a match of enrollment to occur. The State of West Virginia confirms, it's application system will appropriately be able to accommodate receiving and processing applications for eligible children who participated in the NSLP/SBP during the SOP but may have unenrolled from the NSLP/SBP-participating school during the SOP.

Section 3: Enrollment and Verification

3.1 Streamlined Certification [[7 CFR 292.12\(d\)](#)]

3.1.a Program data that will be used to enroll children through streamlined certification:

- NSLP/SBP free and reduced-price lists (required)
- SNAP (required)
- TANF (Temporary Assistance for Needy Families) - Used for Direct Certification
 - FDPIR (Food Distribution Program on Indian Reservations) (required if used for Direct Certification in the school meal programs)
- ✓ Medicaid data confirming Summer EBT income eligibility - WV participates in the Direct Certification with Medicaid Demonstration projects in the school meal programs.
 - Other (explain how the income eligibility guidelines for each align with Summer EBT requirements, as well as how each program's eligibility is determined):
 - Foster
 - Homeless
 - Migrant
 - Runaway
 - HeadStart

3.1.b Describe how, when, and in what format the Summer EBT agency will obtain data on eligibility determinations made by LEAs (i.e., children certified by schools through an NSLP/SBP application or categorical eligibility). Address specific data needs such as the child's date of birth, mailing address, and other information required to issue benefits. Address how data confidentiality will be maintained [[7 CFR 292.12\(b\)-\(d\)](#)].

West Virginia Summer EBT eligibility determinations will not be made at or by the LEA-level. However, the data that is housed within the state system is "owned" by the LEA and therefore, we will reference this process in both sections of this question.

Within the WVDE, the Office of Data Management and Information Systems, the West Virginia Education Information System (WVEIS) is housed. This is a statewide enrollment database. Public county boards of education input their student data and enrollment directly into this system housed with the WVDE. WVEIS was an integral part of the PEBT program in West Virginia. WVEIS captures enrollment for public school students.

Only students who are enrolled during the 2023-2024 school year have active enrollment records in WVEIS. Any changes in student enrollment are captured in WVEIS daily. Students who will graduate at the conclusion of the 2023-2024 school year will have their enrollment records tagged as "active" in WVEIS until June 30, 2024. This will ensure graduating seniors that qualify for SEBT will be able to have their enrollment verified in conjunction with SEBT issuance.

Students that attend a private school that participates in the National School Lunch Program and/or School Breakfast program may have their information housed within WVEIS, but at a minimum – it will be captured in PrimeroEdge.

PrimeroEdge is the child nutrition system that captures student eligibility information based upon individual status. This includes students who qualify for free or reduced-price school meals in real-time for all students enrolled/attending a school that participates in NSLP.

Both WVEIS and PrimeroEdge utilize data that is provided and owned by county level boards of education and/or participating private or charter schools.

West Virginia conducts direct certification (DC) matching at a more frequent interval than what is required by federal regulations. West Virginia conducts DC-matching at weekly intervals for SNAP, TANF and Medicaid, and at monthly intervals for students in the foster system. Records for SNAP, TANF, Medicaid and Foster are all contained in a single system, known as PATH.

For children that attend a West Virginia school that participates in the NSLP, and do not receive other qualifying public benefits (such as SNAP or TANF) but believe they would qualify on the basis of income, an online application through PrimeroEdge School Café, will be the preferred method for benefit determination. WVEIS and PrimeroEdge contain fields to include the child's date of birth, mailing address, and other relevant information pertinent to SEBT. A paper application will be made available. All paper applications will be entered into the School Café portal for reporting purposes and program evaluation.

Data elements needed to issue the benefit include, first and last name of the student, first and last name of the guardian, date of birth, county of residence, name of school, physical and mailing addresses, and benefit amount.

To clarify further, NSLP/SBP-participating children who meet the eligibility criteria (i.e., are determined to be eligible while also being enrolled in an NSLP-participating school) at any point during the period of eligibility will be issued benefits. (The period of eligibility goes from July 1st of the year preceding the Summer Operational Period (SOP) through the last day of the SOP.) The enrollment check will be completed by drawing from a system code behind the scenes of the application that allows a match of enrollment to occur. The State of West Virginia confirms, it's application system will appropriately be able to accommodate receiving and processing applications for eligible children who participated in the NSLP/SBP during the SOP but may have unenrolled from the NSLP/SBP-participating school during the SOP.

3.1.c For each other data source listed above, describe how, when, and in what format the Summer EBT agency will obtain data sufficient to determine a child's eligibility for Summer EBT. Address specific data needs such as the child's date of birth, mailing address, and other information required to issue benefits. Address how data confidentiality will be maintained [[Z CFR 292.12\(b\)-\(d\)](#)].

All West Virginia data for SNAP, TANF, Medicaid and Foster care are stored in PATH (the statewide eligibility system database). For students whose eligibility will be determined based on receipt of SNAP, TANF, Medicaid or foster status (data stored in PATH), and children who are

reported homeless, runaway, or HeadStart (WVDE statewide data system) records will be pulled for issuance as of May 1, 2024. This list will be cumulative and will include all students eligible from July 1, 2023 – May 1, 2024. This will ensure that the most accurate information is being used to make an eligibility determination. May 2024 data will provide a list of Medicaid children who are income eligible. In West Virginia, COVID-19 Medicaid unwind will conclude in April 2024.

At the end of the summer operational period (in August 2024) another data pull for SNAP, TANF, Medicaid and Foster will occur to pick up records of students who became directly certified through a Department administer benefit, during the operational period. These records will be cross referenced from the May 2024 issued list (of students who apply and those who were DC) to ensure no student receives more than one \$120 SEBT benefit.

Due to West Virginia having a single system for educational records and a single system for public assistance determination, our state has the capacity to determine eligibility in an efficient and effective manner. List of both students who apply and students streamlined certified will be cross referenced for deduplication requirements.

To clarify further, NSLP/SBP-participating children who meet the eligibility criteria (i.e., are determined to be eligible while also being enrolled in an NSLP-participating school) at any point during the period of eligibility will be issued benefits. (The period of eligibility goes from July 1st of the year preceding the Summer Operational Period (SOP) through the last day of the SOP.) The enrollment check will be completed by drawing from a system code behind the scenes of the application that allows a match of enrollment to occur. The State of West Virginia confirms, it's application system will appropriately be able to accommodate receiving and processing applications for eligible children who participated in the NSLP/SBP during the SOP but may have unenrolled from the NSLP/SBP-participating school during the SOP.

3.1.d For the purposes of streamline certifying children without matching to NSLP enrollment provide the State's legal ages of compulsory school enrollment [[7 CFR 292.2](#); [7 CFR 292.12\(d\)](#)].

Minimum age: 6

Maximum age: 17

West Virginia certifies that no person under 6 or over 17 will be streamline certified. In 2021, West Virginia state compulsory law was changed to require children ages 6-17 years old to be in some form of school model. See <https://code.wvlegislature.gov/18-8-1A/>

3.1.e Describe the process you will use to compile your issuance list from the data sets used for streamlined certification [[7 CFR 292.12](#)].

The People's Access to Help (PATH) is West Virginia's singular public assistance benefit warehouse. This is the system where ALL statewide SNAP, TANF, Medicaid and Foster records are housed. In addition, all children whose eligibility determination is derived from data received from PATH have social security numbers for verification purposes.

[Streamline Certification Process](#)

1. Search for all children ages 6-17 years old in SNAP, TANF and Medicaid. Any person outside of this age range will be excluded for SEBT from a direct certification standpoint.
2. Pull records for those children who are receiving Foster care anytime from 7/1/2023 – 5/1/2024.
3. Pull records for those children who are receiving SNAP anytime from 7/1/2023 – 5/1/2024.
4. Pull records for those children who are receiving TANF anytime from 7/1/2023 – 5/1/2024.
5. Pull records for those children who are receiving Medicaid anytime from 7/1/2023 – 5/1/2024.
6. Pull data for all children who applied and were approved for NSLP (data owned by the LEAs) from anytime from 7/1/2023 – 5/1/2024. There are less than 12K students in West Virginia who have been approved for an NSLP application (due to widespread CEP status).
7. Cross reference all lists of direct certification categories to provide assurance that no child receives more than \$120 in WV SEBT.
8. Remove any child whose social security number appears more than once from the streamlined certified total list.
9. Any child who becomes eligible after the May 1, 2024 data pull will be identified for benefit issuance during the makeup issuance period.

To clarify further, NSLP/SBP-participating children who meet the eligibility criteria (i.e., are determined to be eligible while also being enrolled in an NSLP-participating school) at any point during the period of eligibility will be issued benefits. (The period of eligibility goes from July 1st of the year preceding the Summer Operational Period (SOP) through the last day of the SOP.) The enrollment check will be completed by drawing from a system code behind the scenes of the application that allows a match of enrollment to occur. The State of West Virginia confirms, it's application system will appropriately be able to accommodate receiving and processing applications for eligible children who participated in the NSLP/SBP during the SOP but may have unenrolled from the NSLP/SBP-participating school during the SOP.

3.1.f Describe the process to encourage and facilitate households to provide updated contact information for the purpose of receiving Summer EBT.

In West Virginia, the following process will be used to allow households to provide updated contact information for the purpose of receiving Summer EBT:

1. Households enrolled in schools that participate in the NSLP will be instructed to ensure their address is updated/current with their child's school and/or board of education. This is consistent with the process established during PEBT to ensure the child's guardian is the person who can make verifiable changes and updates to their child's address. In consultation with West Virginia data privacy and FERPA experts, this is the standard by which we will seek to protect bad actors from accessing or limiting access to a child's benefits. This will allow households with verifiable changes to make changes at the school level at any time throughout the school year.
2. For children directly certified in a manner that is not associated with enrollment in an NSLP school, those households will have to update their information with their assigned case worker (such as their SNAP case worker). DoHS works with our families daily to ensure we have current demographic and contact information needed to accurately issue benefits. Local DoHS county offices and the Office of Constituent Services are available Monday – Friday to update

household contact information. The Bureau for Social Services is responsible for being aware of foster placement changes.

Households that do not provide complete information or those that have significant eligibility changes, **may reapply at any point prior to the end of the summer operational period (August 20, 2024)**. An example of a significant eligibility change could be loss of income to the household.

Households will have the ability to make address changes throughout the summer operational periods – even if schools are closed or central office staff are unavailable. County boards of education are staffed throughout the summer and the SEBT customer service hotline is available to assist verified guardians with making necessary address changes.

3.1.g Describe the process for households to confirm eligibility status and unenroll if they do not want to receive benefits [[7 CFR 292.8\(e\)\(11\)\(iii\)](#); [7 CFR 292.12\(b\)\(3\)](#)].

All students who are determined eligible for Summer EBT will receive a notice of eligibility (approval/denial). For students who are approved, the eligibility letter will detail how the family can opt out of benefit participation. Opt-out details will also be found on the statewide SEBT website, DoHS website, and in print at local DoHS offices.

Children who are directly certified will be instructed to contact their local DoHS office or Office of Constituent Services (1-866-716-1212) to have benefits removed. Benefits will be removed by OIG. Summer EBT benefits (if they are uninterested in participation). Families that apply for S-EBT will be instructed to destroy their S-EBT cards. The State does not feel a specific opt-out process is necessary for families that have actively applied for a benefit program.

Families who have opted out can reenroll prior to the end of the summer operational period. Households must contact the Summer EBT agency and request reenrollment. At the conclusion of the summer operational period reenrollment will no longer be available.

3.2 Applications [[7 CFR 292.8\(e\)\(7\)](#)]

3.2.a For 2024, Summer EBT applications will be processed by (choose one) [[7 CFR 292.13](#)]:

- The Summer EBT agency
- LEAs
- The Summer EBT agency and LEAs

3.2.b Will alternative income applications be used in 2024?

- Yes
- No

_____ If yes, initial here to attest that the alternative applications collect enough information to determine program eligibility.

West Virginia has completed the work necessary to expand our existing NSLP free/reduced price meal application to collect data elements necessary for issuing Summer EBT. The application will be available online and in paper. All applications will be entered onto the online platform.

The application asks questions regarding the student's enrollment status and school attendance, demographic information, household income and composition, direct certification, etc. The application will provide a general eligibility determination that will require review.

A blank or incomplete SSN field will not prohibit submission of the application or impact the Summer EBT eligibility determination.

3.2.c Describe the data and processes used to confirm that an applicant for Summer EBT is enrolled at an NSLP/SBP school and that they are not issued duplicate benefits through the streamlined certification [[7 CFR 292.8\(e\)\(7\)](#), [7 CFR 292.12\(e\)\(2\)](#)].

Because both the coordinating and partnering agencies have access to existing direct certification data for the State of West Virginia through an existing data sharing agreement, a special query can be run to compare the file of applicants through the WV SEBT application against the current list of direct certification students – to determine if somehow a child pulls to both lists. One can be removed so that an erroneous payment is not made.

Prior to benefit issuance, a school enrollment check will occur for all potentially eligible students. A student who is not directly certified must attend an NSLP participating school to be eligible for Summer EBT. Enrollment verification will occur in WVEIS and PrimeroEdge.

To clarify further, NSLP/SBP-participating children who meet the eligibility criteria (i.e., are determined to be eligible while also being enrolled in an NSLP-participating school) at any point during the period of eligibility will be issued benefits. (The period of eligibility goes from July 1st of the year preceding the Summer Operational Period (SOP) through the last day of the SOP.) The enrollment check will be completed by drawing from a system code behind the scenes of the application that allows a match of enrollment to occur. The State of West Virginia confirms, it's application system will appropriately be able to accommodate receiving and processing applications for eligible children who participated in the NSLP/SBP during the SOP but may have unenrolled from the NSLP/SBP-participating school during the SOP.

All children who are directly certified will have a social security number on record. The SSN will be a unique identifier for this population. The SSN will ensure that duplication does not occur for streamlined certification.

Both WVDE and DoHS agree that protecting the data of Summer EBT students is of utmost importance. The Summer EBT agency will work together to ensure that privacy protections are maintained.

3.2.d Describe how data confidentiality will be maintained [[7 CFR 292.12\(c\)\(2\)](#)].

Agencies implementing WV SEBT will limit the purpose of data usage by ensuring that any student data exchanged, particularly related to SEBT eligibility is used exclusively for SEBT purposes. Student data will not be used or disclosed for any purposes other than those directly related to the administration of the SEBT program.

Student data will only be shared with individuals who are explicitly authorized to receive eligibility information. This ensures that access to sensitive information is limited to those individuals or entities who have a legitimate need for the data (such as a parent or guardian). All

individuals with access to Summer EBT master files (for students who apply) must receive up to date Family Education Rights and Privacy Act (FERPA) training.

All data that will be used for streamlined certification is housed in the WV PATH eligibility system. No individual is provided access to PATH without first receiving confidentiality training, signing a confidentiality agreement, and have a background check that does not include any criminal offenses. Individuals assigned PATH access are eligibility and social services staff. The portal is administered by Optum (the state's ADP developer).

3.3 Verification of Summer EBT applications [\[7 CFR 292.8\(e\)\(7\)\]](#)

3.3.a For 2024, the following types of verification will be implemented [\[7 CFR 292.14\]](#):

- Verification for cause (required) [\[7 CFR 292.14\(a\)\(1\)\]](#)
- Direct verification of selected applications (required) [\[7 CFR 292.14\(e\)\]](#)
- 3% random sample [\[7 CFR 292.14\(a\)\(2\)\]](#)
- Alternative verification procedure [\[7 CFR 292.14\(a\)\(3\)\]](#) (if selected, please describe below):

3.3.b For 2024, Summer EBT applications will be verified by (choose one) [\[7 CFR 292.14\]](#):

- The Summer EBT agency
- LEAs
- The Summer EBT agency and LEAs

3.3.c For Direct Verification purposes, Program data that will be used to verify selected applications *prior* to contacting a household include (check all that apply) [\[7 CFR 292.14\(e\)\]](#):

- NSLP/SBP free and reduced-price lists
- SNAP
- TANF (Temporary Assistance for Needy Families)
- FDPIR (Food Distribution Program on Indian Reservations)
- Medicaid (only allowed if participating in the Direct Certification with Medicaid Demonstration projects in the school meal programs)
- Other:
 - Foster
 - Homeless
 - Migrant
 - Runaway
 - HeadStart

Section 4: Data Sharing and Preventing Dual Participation

4.1 Provide plans to coordinate among ITO Summer EBT Program(s) and/or State Summer EBT Program(s), as applicable [\[7 CFR 292.8\(e\)\(8\), 7 CFR 292.9\]](#).

ITO Summer EBT agencies will receive priority consideration to serve eligible children within their service area, as identified in an FNS-approved POM. This means that children from the ITO's service area who can be enrolled through streamlined certification will automatically be enrolled in the ITO-administered Summer EBT Program, to the maximum extent practicable.

However, children from ITO service areas may opt to participate in the State-operated program and opt out of the ITO-operated program if they so choose.

State Summer EBT agencies must:

- Share student data with the ITO, including student eligibility status and contact information of children deemed eligible within the ITO's service area.
- Provide information in a manner and timeframe that will allow the ITO Summer EBT agency to issue benefits timely.
- Ensure the confidentiality of all Program-related student data used to determine Program eligibility and prevent dual participation.

ITO Summer EBT agencies and the State Summer EBT agencies serving proximate areas must:

- Ensure the coordination of Summer EBT program services, which may include a written agreement between both parties.
- Notify eligible children or households that they may choose to receive Summer EBT program benefits from either the State or the ITO Summer EBT agency.
- Provide referral information to the alternative program upon a child or household's request, thereby facilitating household choice.

West Virginia does not have any recognized tribes in its geographic or service area.

4.2 Provide procedures to detect and prevent dual participation [[7 CFR 292.8\(e\)\(9\)](#); [7 CFR 292.9\(b\)\(3\)](#); [7 CFR 292.12\(c\)](#); [7 CFR 292.12\(f\)\(4\)](#); [7 CFR 292.15\(d\)](#)], which includes:

- A child simultaneously receiving benefits from more than one State or ITO-administered Summer EBT program or,
- A child simultaneously receiving multiple allotments from the same State or ITO-administered Summer EBT program.

West Virginia has only one Summer EBT agency. There are no recognized tribes in West Virginia. The state will only issue benefits to students who apply using a WV address, or who receive another qualifying benefit from WV. The student must attend school in WV to receive WV Summer EBT.

Summer EBT notification and program details will contain information for families about dual participation. When dual participation is identified, the case will be referred to the Office of the Inspector General (OIG). WV will remove any benefits when it is confirmed a student has already received Sumer EBT.

The Notices of Approval/Eligibility sent to households with eligible children will contain a statement clarifying that a child should not receive Summer EBT benefits of more than \$120 per eligible child in 2024. (For example, a child may not receive benefits from more than one State or more than one \$120 benefit from West Virginia.)

The Notice will:

- Inform the household that they should only use benefits from the State where their child(ren) completed the instructional year immediately preceding the summer operational period.
- Include instructions to notify the State if the household receives a duplicate benefit, along with instructions to destroy any duplicate benefit.

- Affirm that there are no circumstances whereby a household can use two separate benefits issued to the same child(ren) and the consequences that may apply should they knowingly use duplicate benefits.

The Summer EBT application's attestation section requires the applicant to certify that they have not already received Summer EBT benefits from any other State-run or ITO-run program for summer 2024.

To prevent duplicate issuance, as described in Section 3.1.e of this POM, a rigorous data reconciliation process takes place before each issuance of Summer EBT benefits to deduplicate any potential data sets and ensure a single issuance. Each eligible child will also be compared against the list of children who have already received Summer EBT benefits to ensure no duplication.

Further, should any instances of dual participation come to the State's attention, they will be investigated swiftly and thoroughly based on cost effective measures and in accordance with SEBT claims against households.

Section 5: Customer Service Plan

- 5.1 Provide a customer service plan that includes [7 CFR 292.8(e)(11); 7 CFR 292.15(g)]:
- a. A single point of contact for all customer service information and inquiries including a hotline and website;
 - b. A plan to inform eligible households of the availability of Program benefits and the process to apply for benefits, if necessary; and
 - c. A simplified process for households to opt out of the program.

The WVDE will maintain a public-facing web site (www.wvsebt.org) that will be updated and house pertinent information regarding SEBT. In addition to a dedicated web site, social media channels of both the WVDE and DoHS will be used to communicate SEBT information. Every effort will be made to target messages throughout the state where an opportunity exists for families to apply for the program or better understand if they will automatically be issued a streamlined benefit based upon their child's DC-status.

Additional methods of communication include – sharing information with county boards of education superintendents; communicating with non-profits and advocacy groups (specifically, those that deal with issues of hunger in West Virginia); sharing SEBT information with homeschool associations and private school groups; ensuring that DoHS field offices have access to information for consumers and the general public. Customer Service support will be available 24/7 using the FIS IVR customer service line 1-866-545-6502.

Schools participating in the NSLP (public, private, and charter) will all receive suggested scripts and template communication that can be used to share with their school communities and student families. This includes information that can be used for robocalls, newsletters, school social media channels, emails, and other forms of quick communication with families.

DoHS will provide targeted information for children who are streamlined certified by Department administered benefits through updates to the PATH public portal, social media and the BFA website. DoHS will utilize existing channels through SNAP-Ed and SNAP-Outreach to reach rural and minority populations that are underserved.

WVDE and DoHS will leverage existing communication channels and conduct outreach to ensure messaging about SEBT is cohesive, effective, and targeted. Both agencies will work together to compile press release information and social media posts.

All students who are determined eligible for Summer EBT will receive a notice of eligibility (approval/denial). For students who are approved, the eligibility letter will detail how the family can opt out of benefit participation. Opt-out details will also be found on the statewide SEBT website, DoHS website, and in print at local DoHS offices.

Children who are directly certified will be instructed to contact the local DoHS office or Office of Constituent Services at 1-866-716-1212 (if they are uninterested in participation) and ask to have benefits removed. Benefit removal will be performed by OIG. Families that apply for S-EBT will be instructed to destroy their S-EBT cards. The State does not feel a specific opt-out process is necessary for families that have actively applied for a benefit program.

Families who have opted out can reenroll prior to the end of the summer operational period. Households must contact the Summer EBT agency and request reenrollment. At the conclusion of the summer operational period reenrollment will no longer be available.

Replacement: West Virginia will replace up to \$120 in food purchased with Summer EBT that was lost due to disaster or household misfortune. Household misfortune is defined by the Summer EBT agency. Replacement procedures for Summer EBT will be like SNAP. The household will need to complete a replacement form and attest to the food loss. The timeline for replacement will adhere to SNAP policy.

Since Summer EBT eligibility will not be determined using PATH, the DoHS Summer EBT Program Manager will track all replacement requests in the state. The list will be cross checked at each monthly replacement issuance to ensure no student receives more than \$120 in replacement in any situation. Optum will perform a final deduplication check prior to replacement issuance. The replacement log will be maintained for a three-year period.

Section 6: Program Violations

- 6.1 Provide a plan for timely and effective action against program violators [[7 CFR 292.8\(e\)\(4\)](#), [7 CFR 292.25](#)].

Referrals from the Department of Human Services should be sent to Investigations and Fraud Management (IFM) on any household who knowingly obtained benefits through fraudulent activities such as dual participation, making a false statement on the application for benefits, trafficking, or any other fraudulent means. After the investigation is completed, if the evidence substantiates the allegations, then an administrative claim(s) will be established against the applicant.

To the maximum extent practicable, claims against households will be limited to situations where there is evidence that the household knowingly obtained benefits through fraudulent activities and/or trafficking Summer EBT benefits.

Administrative disqualification procedures will be initiated by the State agency in cases in which the State agency has sufficient documentary evidence to substantiate that an individual has intentionally made one or more acts of intentional Program violations, the definition of which

shall consist of having intentionally: (1) Made a false or misleading statement, or misrepresented, concealed or withheld facts; or (2) Committed any act that constitutes a violation of Summer EBT benefits, Summer EBT regulations, or any State statute or policy from the Income Maintenance Manual (IMM) for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of Summer EBT benefits.

IPV claims must be established for trafficking-related offenses. Claims arising from trafficking-related offenses are the value of the trafficked benefits as determined by the individual's admission, adjudication, or documentation that forms the basis of the trafficking determination.

The client(s) who is found to have committed an IPV is ineligible to participate in the program for a specified time, depending on the number of offenses committed.

Persons who have been found guilty of an IPV are disqualified as follows:

First offense: One year

Second offense: Two years

Third offense: Permanent

IPVs include making false or misleading statements, misrepresenting facts, concealing or withholding information, and committing any act that violates the Consolidated Appropriations Act of 2023, SNAP regulations, or any State statute or policy found in the Income Maintenance Manual related to the use, presentation, transfer, acquisition, receipt, or possession of Summer EBT benefits.

An IPV can only be established in the following ways:

- The client will be provided with an Advance Notice of Administrative Disqualification letter, **AND**
- The client signs a Waiver of Rights to an Administrative Disqualification Hearing (ADH) (NOTE: These forms are only used by IFM Workers and Hearings Officers. When the client waives his right to an ADH, the disqualification cannot be changed by a subsequent Fair Hearing.), **or**
- By an ADH decision, **or**
- By Diversionary Consent Agreement, **or**
- By court decision

6.2 Attach a copy of the Summer EBT agency's fair hearing procedures for participants [[7 CFR 292.8\(e\)\(12\)](#), [7 CFR 292.26](#)].

West Virginia DoHS will be responsible for an equitable fair hearing process that aligns with other Department administered benefits. WVDE does not have the capacity to provide a statewide fair hearing process. This is a joint state decision.

The Department of Health, Office of the Inspector General (OIG) Board of Review is the responsible organization for monitoring and compliance of the fair hearing process. OIG will work in collaboration with DoHS to ensure all program participants have access to the fair hearing process.

Please see the attachment for West Virginia's fair hearing process.

Section 7: Indian Tribal Organizations

N/A for West Virginia's Summer EBT Program. WV does not have any recognized tribal groups.



In addition to Sections 1-6, provide the below information if you are an ITO administering the Summer EBT program.

Required Attachments:

- A map or other visual reference aid of the service area of the ITO, including a description of any areas beyond the ITO's jurisdiction that the ITO proposes to serve [[7 CFR 292.8\(f\)\(1\)](#)].
- 7.1 A plan and procedures to enroll children already deemed eligible by a State Summer EBT agency serving the same geographic area, without further application [[7 CFR 292.8\(f\)\(2\)](#)].
- 7.2 A plan and procedures to determine eligibility for and enroll children who must apply through the ITO Summer EBT agency to receive benefits because they have not already been identified as eligible (i.e., via streamlined certification or the State Summer EBT agency) [[7 CFR 292.8\(f\)\(3\)](#)].
- 7.3 A description of the benefit delivery model to be used including how the benefit issued will be equal to or not exceed \$120 for summer 2024. The ITO Summer EBT agency must use the same benefit model for all participants throughout its service area [[7 CFR 292.8\(f\)\(4\)](#); [7 CFR 292.19\(a\)](#)].
Select one:
 - Cash-value benefit model (CVB). Describe: _____
 - Food package model. Describe, including a chart or table detailing the types and quantities of foods which can be purchased with Summer EBT benefit, as well as the average cost of each within the ITO service area: _____
 - Combination of CVB and food package. Describe: _____
 - Alternative benefit delivery model. Describe: _____
- 7.4 A list of supplemental foods for which participants can transact upon enrollment, excluding infant formula and infant foods [[7 CFR 292.8\(f\)\(5\)](#); [7 CFR 292.19\(a\)\(3\)](#)].
- 7.5 Requirements for vendors to transact and redeem Summer EBT Program benefits [[7 CFR 292.8\(f\)\(6\)](#); [7 CFR 292.19\(a\)](#)]. Check each of the following to verify compliance:
 - Only vendors authorized by the ITO to accept WIC benefits will be eligible to enroll in the ITO's Summer EBT Program.
 - Only vendors that can accept the ITO-defined benefit, as identified in the POM and subject to FNS approval, will be eligible to enroll in the ITO's Summer EBT Program.
 - Enrolled vendors will only provide foods from the ITO-submitted, approved foods list.
 - Enrolled vendors will charge prices for eligible food items which are reasonable for the area(s) served and are at the current price or less than the current price charged to other customers.
- 7.6 A plan for providing technical assistance and training to vendors enrolled to transact and redeem Summer EBT program benefits [[7 CFR 292.8\(f\)\(7\)](#)].
- 7.7 Provide a plan for enrolling vendors, including how the ITO Summer EBT agency will seek out such vendors for participation in the Program [[7 CFR 292.19\(c\)](#)].

7.8 Provide a plan for vendor integrity and monitoring. Describe how vendors that will be held accountable to meet all other applicable vendor-specific program requirements in [7 CFR 292.19](#), as well as any additional requirements set by the ITO Summer EBT agency which are consistent with regulation [\[7 CFR 292.19\(c\)\]](#).

Summer EBT Agency Signatures

COORDINATING AGENCY	PARTNERING AGENCY
By (Signature) 	By (Signature) 
Title	Title
Cabinet Secretary	State Superintendent of Schools
Date March 29, 2024	Date March 29, 2024