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

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(1) This document is a template to assist States in the develop of State plans to operate Pandemic EBT for school children of school year (SY) 2020-2021 and for children in child care du federal fiscal year 2021. (2) This document relates to Section of the Families First Coronavirus Response Act (P.L. 116-12' amended by the Continuing Appropriations Act, 2021 and Ot Extensions Act (P.L. 116-159) and the Consolidated Aooropriations 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://litt.ps:ll-www.fns.usda.gov/sla-plstate-guitlance-coro-ll-avirus-pal-ldell-lic-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 0MB. Once 0MB 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

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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 offedera/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/amendmen t.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

Response:

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.

Unless Nebraska specifically discusses a particular issue, our child care plan mirrors our approved school plan.

Nebraska will provide P-EBT benefits for eligible children in child care starting October 1, 2020, through May 31, 2021, with benefits issued through the 2020-2021 school year. The school year in Nebraska ends in May.

The State of Nebraska estimates that there are approximately 27,454 non-school children in child care per month. Benefits will be issued for eight months (October 2020 - May 2021) for an estimated total of 219,632 non-school children. Nebraska will use the same P-EBT benefit amounts used for the school children. See the school children plan for additional details. Nebraska will use a 100% remote benefit amount of \$116 per month and a hybrid benefit amount of \$62 per month. Nebraska believes that the majority of students will use the hybrid benefit amount based on the status of school districts in the state. Estimated amounts are calculated using the hybrid amount. P-EBT benefits for non-school children are estimated at \$13,617,184 (219,632x\$62).

Nebraska's administrative cost estimate was provided with the school children plan. If additional costs are determined, Nebraska will notify FNS of any needed additional funds.

4. P-EBT for School Children

A. Eligible Children

Stanclore!for P-EBT Eligibility

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

- I. 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 2020-202 1, or
 - b. certified through submission of a household application processed by the child 's school district for \$Y 2020-202 1.0r
 - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3,
 - d. directly certified, determined other source categorically eligible, or certified by 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 cunent 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 confinn 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 confinn 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 inperson 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 confinning 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.

Information for this section was previously submitted.

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 confinn 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 infonnation will be obtained and how often the State will collect updated infonnation 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 infonnation 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:

Information for this section was previously submitted

5. P-EBT for Children in Child Care

Stemdarelfor P-EBT Eligibi!irv

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, 202 0
- 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 confinn 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 detennine 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:
 - o the child's child care facility is closed or is operating with reduced attendance or hours, or
 - o 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.

The State of Nebraska will use its SNAP eligibility system, NFOCUS, to acquire a list of all children under the age of six that received SNAP benefits after October 1, 2020. This list will include the addresses of children which can be used to determine their county of residence. NDE will use the information provided for school-age benefits to determine the Nebraska counties with school closures or reduced attendance or hours. Nebraska assumes that childcare facilities were not providing services in counties where one or more schools were operating with reduced attendance/hours or closures. Children residing in those identified counties will be determined eligible for P-EBT benefits.

A child's receipt of SNAP benefits will be verified per NFOCUS. Only those children under the age of six that received SNAP will be included. NDE will provide DHHS a list of counties that included schools with reduced attendance/hours or closures based on data submitted to the Launch Nebraska website. The list will include counties for each month of issuance. It may be provided with multiple months included as they become available. This list will be compared to the list of children under the age of six. The list of eligible child care children will be cross-referenced with eligible five and six-year-old school-age children to ensure a child does not receive duplicate benefits. Benefits will be issued to children for the months they were eligible for SNAP, not the month benefits are actually issued. For example, benefits for October and November will be issued in June. Eligible children will have been participating in SNAP during October or November to receive benefits for those months. If the child was only participating in SNAP during October, benefits will be issued for only the month of October.

Benefits will be paid from October 1, 2020, through May 31, 2021. Newly eligible children will be monitored monthly until the end of May 2021. Benefit amounts for child care children will be determined using the data from NDE for the school-age children. If the child resides in a county with the school district operating 100% remote, the child will receive the 100% remote amount, the same as the school children. If the child resides in a county with the school district operating a hybrid-learning environment, the child will receive the hybrid amount, the same as the school children.

Children, whose residence is not in the county where one or more schools are closed or operating with reduced attendance/hours, are not considered eligible to receive P-EBT benefits. Nebraska does not have a comprehensive list or reporting requirements for child care facilities affected by COVID-19. Some licensed child care facility closures or reduced hours may be known, but only for those operations that elected to report their situation. Nebraska intends to work with families on a case-by-case basis if they feel their children would be eligible for benefits. The list of known licensed child care facilities with closures or reduced hours will be used to help determine eligibility. Nebraska will work with all available data to determine eligibility for those families that report concerns regarding their benefits. NDE also can review meal claims for child care facilities. If a family or child care facility reaches out to DHHS with eligibility questions, all efforts will be made to verify the situation and issue benefits to eligible children. Based on available data, the majority of child care facility closures or reduced hours occurred in the highly populated areas of Nebraska along with the school closures. For child care

facilities not located in a county with school closures, the hybrid benefit amount will be used for facilities operating with reduced hours or attendance. If a child care facility was closed for more than half of the month with no children in attendance, the children would receive the 100% remote benefit amount.

P-EBT eligibility for each child will be re-established each month using the information from NDE for the school children's issuance. NFOCUS will pull a list of children under the age of six that were receiving SNAP benefits in the counties with school closures or reduced attendance/hours are reported. Issuance for children under the age of six will be added to the household's existing EBT card.

Nebraska's state and local public health ordinances have been reviewed. As of October 1, 2020, no direct health measures were limiting the capacity of child care facilities in response to COVID-19. Specific health measures will continue to be monitored for any changes.

Nebraska will update and re-establish continued eligibility by using the data from NDE and the school children. Data on newly eligible SNAP children will be pulled from NFOCUS monthly.

Nebraska's simplifying assumption is if one or more school is operating either a closed or hybrid schedule within a county, the child care P-EBT children would be eligible for benefits. Benefits would be the 100% remote amount or 50% hybrid amount, depending on the school district's reported classroom-learning mode. Identified school districts and learning environments will be tied to a child by the county of residence available in NFOCUS. This assumption is used because Nebraska does not have child care facility closure data on an individual child level. Due to the lack of available data, Nebraska would not be able to accurately and expediently determine child care benefits without using the school district data.

NDE will be responsible for providing counties affected by school closures or reduced attendance/hours. The affected counties will be determined based on the learning environments provided by the school districts for the school-age children. DHHS will determine eligible children using the SNAP eligibility system, NFOCUS. DHHS will communicate with families and will work with the EBT card vendor to ensure benefits are issued.

6. Benefit Levels

Standard.for Benefit LeFe!.1.

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.

	Free Reimbursements			
SY 2020-2021	USDA School Meal Programs			ns
July 1, 2020 - June 30, 2021			Snack	Daily
	Lunch	Breakfast	(NEW)	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:

Information for this section was previously submitted

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 tirneline 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:
 - o State Education agency provides student data to SNAP State agency (Day #5)
 - o P-EBT hotline becomes active (Day #9)
 - o 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 incon-ect 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?
 - o If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?
 - o If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

Information for this section was previously submitted.

Nebraska intends to issue child care P-EBT benefits separate from the school children P-EBT benefits. Child care P-EBT benefits will be issued five to ten days after the school children P-EBT benefits are issued. The eligible counties will be identified based on information received from NDE with the school children data, using LaunchNE.com. Children under the age of six with addresses in the eligible counties will be identified in NFOCUS.

Eligible children will be living in an eligible county and will have received SNAP in the month P-EBT is being issued. Below is an anticipated issuance schedule for child care P-EBT benefits. The issuance schedule will be adjusted, dependent on the approval of this plan.

June 15 -20	DHHS prepares eligible student files
	(October, November)
June 21-25	Child Care P-EBT benefits issued to EBT
	cards
July 15 - 20	DHHS prepares eligible student files
	(December, January)
July 21 - 25	Child Care P-EBT benefits issued to EBT
	cards
August 15 - 20	DHHS prepares eligible student files
	(February, March)

August 21 - 25	Child Care P-EBT benefits issued to EBT cards
September 15 - 20	DHHS prepares eligible student files (April, May)
September 21 - 25	Child Care P-EBT benefits issued to EBT cards

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.

- I. USDA strongly encourages States to provide a means to resolve disputes and answer questions from actual or potential P-EBT households.
- USDA strongly encourages States to provide relevant program information to actual and potential P-EBT households.
- How will the State resolve disputes or issuance en-ors (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 infonnation you will provide to the general public (i.e., *not directly* to P-EBT participants), and how you will provide that infonnation (i.e., print or broadcast advertising, social media, mailers to the general population).
- Describe what infonnation 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:
 - o 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
- Infonnation 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)
- o How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?
 - Will you provide infonnation 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 infonnation via e-mail, text messages, social media, website, robo-ca ll, and/or other electronic means?

Information for this section was previously submitted

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 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:

Information for this section was previously submitted

10. Benefit Issuance Reporting

The State agrees to complete the FNS-292 fonn as well as all other normally recuning 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 authmized 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 11Ol(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 infonnation as may be necessary to can-y 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:

Signature

Sharon L. Davis, Administrator

Nutri tion Services

Signature

Stephanie Beasley, Director

Division of Children and Family Services