

**SOUTH DAKOTA  
STATE PLAN  
FOR THE  
TEMPORARY ASSISTANCE  
FOR  
NEEDY FAMILIES  
PROGRAM**

EFFECTIVE October 1, 2023  
Through  
September 30, 2026

EXECUTIVE OFFICE OF THE GOVERNOR  
STATE CAPITOL  
500 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-5070

## Contents

|  |    |
|--|----|
| TANF BACKGROUND.....   | 4  |
| GOALS, RESULTS, AND PUBLIC INVOLVEMENT .....                           | 4  |
| NEEDY FAMILIES .....   | 5  |
| CONFIDENTIALITY AND SAFEGUARDING INFORMATION .....                     | 6  |
| RIGHT TO FAIR HEARING .....  | 7  |
| WORK AND SELF-SUFFICIENCY .....  | 7  |
| TRANSITIONAL EMPLOYMENT ALLOWANCE.....                                 | 8  |
| ELIGIBILITY FACTORS FOR TEA PAYMENTS.....                              | 8  |
| RECEIPT OF TANF IS REQUIRED .....                                      | 9  |
| REASON FOR TANF INELIGIBILITY.....                                     | 9  |
| PERIOD OF TIME WITH NO TANF PAYMENT REQUIRED BETWEEN TEA PAYMENTS..... | 9  |
| DETERMINING AMOUNT OF TEA PAYMENT .....                                | 9  |
| NO PAYMENT LESS THAN \$10 .....  | 9  |
| TEA PAYMENTS ARE WORK SUPPLEMENT PAYMENTS .....                        | 9  |
| FOLLOW-ALONG SERVICES.....   | 10 |
| WORK/PARTICIPATION REQUIREMENTS.....                                   | 10 |
| ELECTRONIC PAYMENT CARD.....   | 13 |
| RESTRICTIONS.....  | 13 |
| FEE DESCRIPTION .....  | 13 |
| LOCATIONS.....   | 14 |
| BENEFITS.....  | 14 |
| Other Programs Funded by TANF.....                                     | 16 |
| PARENTAL RESPONSIBILITY .....  | 17 |
| TRIBES.....  | 18 |
| ADMINISTRATION.....  | 18 |
| FUNDING .....  | 18 |
| CERTIFICATIONS .....   | 19 |
| SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES .....                       | 21 |

## TANF BACKGROUND

The elimination of an open-ended entitlement program changed the focus of welfare from providing financial assistance to one of assisting families as they move into work and ultimately self-sufficiency. In May 1994, South Dakota began promoting self-sufficiency through the implementation of a welfare reform 1115 waiver. The objectives of that waiver were to strengthen families by increasing parental responsibilities, reducing long term dependency on the welfare system, and encouraging employment. With its implementation the eligibility process changed, whereby the primary emphasis in working with recipients/applicants moved from eligibility and benefit determination to having two equally important components: 1) determining eligibility and 2) promoting work first and self-sufficiency. The TANF philosophy and goals of the program were developed through discussion between top state and Department officials and local Department and partner-agency staff, and representatives from the private/public sector.

Reinforcement of the goals and ongoing training is provided to staff at the state, district and local levels as the program continues to evolve. Performance of staff is evaluated through established review processes as well as less formal forums such as one-on-one supervision, partnering with co-workers and intradepartmental staff is used to provide staff with relevant skills to meet the goals of the program.

## GOALS, RESULTS, AND PUBLIC INVOLVEMENT

The overarching goal for the Department is to use TANF funds so:

- Children are cared for in their own homes or in the homes of relatives.
- Parents are less dependent on governmental benefits by promoting job preparation, work, and marriage.
- Out-of-wedlock pregnancies are prevented or at least reduced.
- Strong two-parent families will be formed and maintained.

The TANF program achieves these goals through the following outcomes:

- Increase employment among adults who receive welfare.
- Increase family income, help them get jobs with health insurance benefits, and improve the wellbeing of children from welfare families.
- Encourage more participants to accomplish educational and training milestones.
  - GED or high school diploma.
  - Vocational training.
  - Short-term skills training projects.
- Assist participants with developing self-sufficiency plans.
- Help applicants avoid public assistance by offering a diversion program.
- Reduce recidivism by connecting participants with:
  - Transitional childcare or medical benefits.

- Transitional employment payments.
- Receiving the Earned Income Tax Credit, Work Opportunity Tax Credit, or other work-related benefits.
- Follow-along job retention and re-employment services.
- Achieve TANF participation requirements contained in section 407 with all families.

Many governmental and private sector organizations help shape and remain involved in the current TANF welfare reform plan. Examples include:

- Cooperative Extension Service agents.
- WIOA funded career learning centers.
- The Department of Labor and Regulation Local Offices.
- Tribal JOBS Welfare-to-Work programs.
- Bureau of Indian Affairs (BIA) and Indian Health Services (IHS).
- Community Action Programs.
- Head Start Programs.
- The Department of Education and local school districts.
- The Department of Health.
- The Department of Human Services; and
- The Social Security Administration.

The TANF program ensures accountability for measuring the outcomes and performance with these steps:

- Automated client information tracking system and associated reports.
- Internal management review process; and
- On-site local office reviews.

## NEEDY FAMILIES

The TANF program assists low-income South Dakota families with a dependent child or children under the age of 18, or under the age of 19 and a full-time student in a secondary school, who have been deprived of parental support and care due to the continued absence, incapacity, or death of at least one parent.

There must be a specific degree of relationship between a child and a parent or relative in order to be eligible for assistance. Acceptable degrees of relationship are as follows:

1. Father, mother, brother, sister, uncle, aunt, first cousin, nephew or niece, including those of half-blood; relatives of the preceding generation denoted by the prefixes of grand, great, or great-great; first cousin once removed; and great-great-great grandparent.
2. A person who achieves the degree of relationship specified in (1) by the process of legal adoption.
3. Spouses of any of the relatives specified in (1) or (2) even though the marriage is terminated by death or divorce; and,

4. Any individual specified in (1), (2) or (3) who have a step relationship with the child even though the marriage is terminated by death or divorce.

Needy families are defined as those families whose income and resources are within limits according to Administrative Rules of South Dakota (ARSD) CHAPTER 67:10:03 - INCOME REQUIREMENTS, including 10:03:03 "Income Exempt from Consideration"; 10:03:04 "Deductions from Income"; 10:03:05 "Standard Earned Income Deduction" (The standard earned income deduction is \$90 plus 20 percent of the individual's remaining gross earned income.) and CHAPTER 67:10:04-RESOURCE REQUIREMENTS.

The State uses commingled funds for all activities. The same financial eligibility criteria apply with respect to all benefits and services. These limits are set by the State legislature or the Secretary of the Department of Social Services via Administrative Rule making authority granted under South Dakota State law.

All families, in State operated TANF areas, have access to the same program and services. In addition, this same program is offered to families who have moved from another state (402(a)(1)(B)(i)). Eligible citizens and eligible qualified aliens are also treated the same. South Dakota does not provide assistance to individuals who are not citizens of the United States unless they meet the criteria set by federal law for qualified aliens. The State provides federally funded TANF assistance to qualified aliens to the maximum extent allowable under federal law. South Dakota Administrative Rules chapter 67:10:01 "General Provisions" addresses citizenship and alienage, and assistance for qualified aliens. Provisions of Public Law 104-193 section 402(b)(2) (110 Stat.2264) are followed as are the changes required by the Deficit Reduction Act of 2005 (DRA) P.L. 109-171. Likewise, the provisions in P.L. 106-386 Division A, 114 Stat. 1464 are followed regarding victims of trafficking. South Dakota does not provide any State funded assistance for individuals who are barred for their first five years.

Effective July 2, 2020, South Dakota has exercised its option that Section 115(d)(1)(A) of P.L. 104-193 shall not apply to persons with a felony conviction which has an element of the possession, use, or distribution of a controlled substance.

## CONFIDENTIALITY AND SAFEGUARDING INFORMATION

The privacy and confidentiality of families is protected by South Dakota Codified Law - SDCL 28-1-29, which states, "Any application and record concerning any applicant for, or recipient of, public assistance provided under the laws of this state through the Department of Social Services is confidential except:

- 1) For inspection by persons duly authorized by this state or the United States in connection with the person's official duties.
- 2) For the purpose of fair hearings as provided by law."

## RIGHT TO FAIR HEARING

The state uses a system of Fair Hearings, administered through South Dakota Administrative Rules (ARSD) 67:17:02, which gives applicants and beneficiaries the right to challenge a decision. A person who is adversely affected by a final decision is entitled to judicial review under the requirements of SDCL Chapter 1-26. Notice of appeal must be filed with the office of the clerk of courts of the county in which the venue of the appeal is set pursuant to SDCL 1-26-31 within thirty (30) days after the date of the notice.

**DSS Nondiscrimination Policy:** It is the policy of the Department of Social Services (DSS) to make sure that applications for program benefits and services are made available to everyone and that program benefits are granted to all who meet eligibility standards. DSS staff, programs and policies must not discriminate against clients or applicants for services because of race, color, sex, age, disability, religion and national origin. DSS must also provide fair and equal access to all its programs and services for people with disabilities (this includes both physical access to buildings and access to programs and services); and limited English proficient (LEP) individuals. To file a complaint of discrimination, write: DSS Division of Legal Services, 700 Governors Drive, Pierre, SD 57501-2291 or call: (605) 773-3305. If you have a question regarding program services, please contact your nearest DSS office. Individuals may also contact the Office of Civil Rights (OCR) at any time. OCR's contact information is:

U.S. Department of Health and Human Services Office of Civil Rights, Region VIII  
1961 Stout Street, Room 08-148 417  
Denver, Colorado 80294  
Phone: (800) 368-1019  
TDD: (800) 537-7697  
Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)  
[www.hhs.gov.ocr](http://www.hhs.gov.ocr)

## WORK AND SELF-SUFFICIENCY

The goal for work and self-sufficiency is to move applicants/recipients into whatever private sector job they are capable of handling, as quickly as possible, while trying to empower them to support their own families.

An applicant who applies for TANF assistance must sign a Personal Responsibility Agreement and complete/sign their Personal Responsibility Plan as a condition of eligibility. A Personal Responsibility Plan and an assessment will be done to determine parents who are ready to "engage in work" as defined by this Act. The Department will meet the minimum requirements contained in section 408 relating to Personal Responsibility Plans. The state completes plans with custodial parents regardless of age, and with youth 16 years of age or older, who have not completed high school or a GED and who are not currently enrolled in high school or an alternative secondary educational institution.

The Department determines when to offer these services based on the assessment and potential each person demonstrates for becoming self-supporting:

- Diversion payments for new applicants.
- Employment counseling or testing.
- Pre-employment job readiness workshops.
- Job referrals/job development.
- Job clubs and other self-directed job search efforts.
- Short term skill training.
- Supportive service payments.
- Case management for student in vocational training.
- Monitoring of students in secondary educational programs.
- Community service.
- On-the-job training.
- Follow-along job retention and re-employment services.
- Worker Supplement Program - Transition Employment Allowance (TEA)
- Childcare benefits; or
- Other approved services.

Welfare diversion is an important service offered to TANF applicants. Where or when feasible, the Department requires new applicants to make their first contact with staff assigned to the TANF program who will:

- Determine appropriate candidates for diversion assistance.
- Screen applicants to see who are notionally eligible for assistance based on the Department's eligibility criteria.
- Offer applicants the choice between accepting diversion payments or proceeding with an application for TANF cash assistance; and
- Provide job placement, training, and support services as needed.

## TRANSITIONAL EMPLOYMENT ALLOWANCE

Worker Supplement Program is an effort to aid working families leaving TANF. If a TANF case closes due to the earnings of the caretaker and it appears the employment will be permanent, the family will automatically be transitioned to the State's Worker Supplement program called Transitional Employment Allowance (TEA). They will receive a work supplement payment for one month in the form of a TEA payment. This payment will be considered assistance and the month will count towards the 60-month lifetime limit on TANF.

### ELIGIBILITY FACTORS FOR TEA PAYMENTS

TEA payments may be made if the following conditions are met, as outlined in ARSD 67:10:08:02:

- The assistance unit becomes prospectively ineligible for

- The assistance unit received TANF in South Dakota in the month before becoming ineligible.
- The parent is a member of the assistance unit and had increased income from employment.
- The parent's employment averages at least 80 hours per month. A parent meets the requirements of this subdivision if the parent has multiple part-time jobs which are permanent and which together average at least 80 hours per month; and
- The parent's employment is anticipated to last at least 120 days.

A TEA payment may not be made when the parent with increased earnings is not a member of the assistance unit.

#### RECEIPT OF TANF IS REQUIRED

A new applicant whose application is withdrawn or denied due to earnings is not eligible for a TEA payment.

#### REASON FOR TANF INELIGIBILITY

To be eligible for a TEA payment, the TANF case must have failed the prospective income eligibility test due to an increase in earnings of the parent. Increased earnings may be from new employment, an increase in hourly wages, or additional hours worked. An increase in earnings in combination with FBUD or other unearned income also qualifies for a TEA payment.

#### PERIOD OF TIME WITH NO TANF PAYMENT REQUIRED BETWEEN TEA PAYMENTS

A parent who has received a TEA payment is ineligible for future TEA payments until the parent has been a non-recipient of TANF for 12 consecutive months and again meets the TEA payment eligibility requirements. (ARSD 67:10:08:04)

#### DETERMINING AMOUNT OF TEA PAYMENT

A TEA payment is equal to the TANF payment received in the month prior to the month of ineligibility.

#### NO PAYMENT LESS THAN \$10

If the calculated TEA amount is less than \$10.00, a payment will not be made nor count as a TEA payment.

#### TEA PAYMENTS ARE WORK SUPPLEMENT PAYMENTS

It is important that former TANF recipients understand TEA payments are not another TANF payment; but rather a work supplement payment to help them in their transition from TANF to self-sufficiency. Families will be informed the payment is considered assistance and the month counts towards their 60-month lifetime limit on TANF. It is also important to ensure, that families closed due to employment, are aware of the services available to them, such as childcare services.



## FOLLOW-ALONG SERVICES

Follow-along job retention and re-employment service is another critical service, which is available statewide to former TANF recipients. This program will reduce the number of participants who reapply for benefits because fewer persons are likely to leave their jobs when they have a stronger support system. The department implemented a uniform approach to monitor employed persons who have received TANF benefits. This program produces accurate data about what happens to recipients after they leave cash assistance with a job.

South Dakota implemented an Employment Incentive Program. This initiative allows for placement and retention incentives to be earned for TANF recipients whose case closed due to increased income. Employment incentive payments may be earned by former TANF recipients who maintain employment, remain off TANF assistance, and maintain contact with staff at scheduled contact milestones. The goal of this project is to reduce dependency on TANF assistance while strengthening the workforce. This initiative is reasonably expected to achieve outcomes under TANF purpose two.

This follow-along support includes these steps:

- The first contact will be done within 7 days after getting a job. Additional contacts will be made at a minimum of 30, 60, 90, 180, 270 days, and one year.
- Staff will determine if the person is still employed, what their earnings are, if they have health insurance, and identify problems that threaten their chances to remain employed.
- Staff will help these former recipients to find childcare, housing, transportation, or secure new jobs. Staff may also refer them to appropriate community resources.
- Supportive service payments may be used to help these individuals to remain employed rather than reapply for cash assistance. Supportive service payments can be used in conjunction with any follow-up contact;
- Employment incentive payments may be used to help these individuals maintain employment;
- Assist in the development of opportunities for an upgrade of the client's job skill level through additional assessment and training.

## WORK/PARTICIPATION REQUIREMENTS

The Deficit Reduction Act introduced a new term "work eligible individual" to describe anyone whose participation in work activities is required in the calculation of the work participation rate. Work-eligible individual means an adult (or minor child head-of- household) receiving assistance under TANF or a separate State program or a non-recipient parent living with a child receiving such assistance (usually a child-only case) unless the parent is:

- A minor parent and not the head-of-household.
  - A non-citizen who is ineligible to receive assistance due to his or her immigration status;
- or

- At State option, on a case-by-case basis, a recipient of Supplemental Security Income (SSI) benefits or Aid to the Aged, Blind or Disabled in the Territories,

The term also excludes:

- A parent who provides care for a disabled family member living in the home, if there is medical documentation to support the need for a parent to remain in the home to care for the disabled family member; and
- At State option on a case-by-case basis, a parent who is a recipient of Social Security Disability Insurance (SSDI) benefits.
- An individual in a family who receives MOE-Funded assistance under an approved Tribal TANF program unless the State includes the Tribal family in calculating work participation rates.

The Department offers these program components to work eligible individuals in order to achieve the participation standards as outlined in section 407:

- Unsubsidized employment.
- Subsidized private sector employment.
- Subsidized public sector employment.
- Work experience, if sufficient private-sector employment is not available.
- On-the-job training (OJT).
- Job search and job readiness assistance [4 consecutive weeks and a maximum of 6 weeks] plus an additional 6 weeks by meeting the "needy state" criteria.
- Community service programs.
- Vocational education training: (limited to 12 months and no more than 30% of caseload may be counted toward participation rate).
- Job skills training directly related to employment
- Teen parents who are in high school or an alternative secondary education program.
- Education directly related to employment.
- High school or GED training for adults who didn't complete high school.
- Providing child-care services to an individual who is participating in a community service program.

All adults and minor custodial parents, who are not needed in the home to care for a severely incapacitated household member or who are not caring for a child under twelve (12) weeks of age are required to be "engaged in work" as defined by TANF regulations. A single custodial parent of a child under age 6 who has demonstrated an inability to obtain suitable childcare is not required to be "engaged in work".

South Dakota TANF Program requires parents who have received assistance under TANF for more than two months to engage in work, as defined in section 402. The Department implements all relevant provisions.

Per TANF-ACF-PI-2022-02, South Dakota has established and is enforcing standards and procedures to ensure that applicants and potential applicants for TANF are notified of assistance made available by the state to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking. The assessment, upon which the Personal Responsibility Plan is developed, will be the initial occasion to identify persons who are victims of domestic violence or others who are likely to have difficulty to successfully make the transition from welfare to work. Staff will be trained in the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking; state standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking.

Per TANF-ACF-PI-2011-06, South Dakota will assist individuals to train for, seek, and maintain employment in the area of elder care. This will be done through the assessment process. The TANF program helps and assists individuals to receive training such as Certified Nurse Assistant (CNA), if the assessment, along with the customer's interest, indicate a desire to be trained and employed in the eldercare workforce. Upon successful completion of the training and eventual employment in the eldercare workforce, TANF may assist these individuals with supportive services or follow along services as appropriate.

When the Department implements a subsidized private or public sector employment component, employers are not allowed to receive TANF money if they:

- Have employees who are laid-off from the same or equivalent jobs; or
- Terminated a regular employee in order to fill the resulting vacancy with a subsidized worker.

The Department receives help from various community organizations in order to provide work or training for applicants/recipients. This assistance includes:

- Educational institutions providing short term skill training projects and GED instruction.
- Public and private sector employers offering on-the-job training, subsidized employment, or community service sites (i.e., Head Start programs).
- Tribal, Bureau of Indian Affairs and Indian Health Services programs.
- Childcare resource and referral networks will help parents identify childcare providers; and
- South Dakota childcare providers associations will help to improve the quality and quantity of available childcare.

The Department delivers TANF services in all political subdivisions of South Dakota except for areas covered by an approved tribal TANF program. Parents who are covered by the State's program have access to job preparation, work, and support services to enable them to leave the program and become self-sufficient. The program is delivered primarily by state agencies

but charitable, religious, or private organizations will be used when feasible to address the self-sufficiency needs of families.

## ELECTRONIC PAYMENT CARD

The Department maintains “policies and practices as necessary to prevent assistance provided under the State program funded under this part from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.” (Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) Section 4004).

South Dakota benefits are issued via direct deposit to checking or savings accounts or an electronic payment card (EPC) called the Way2Go Card® through CoMerica Bank. The Way2Go Card® is a prepaid consumer asset account. The South Dakota TANF Way2Go Card® is a separate card not associated with any other benefit or program with its own Bank Identification Number (BIN) that is used exclusively for the distribution of TANF funds.

### RESTRICTIONS

South Dakota’s Way2Go MasterCard blocks certain MasterCard Merchant Category Classification (MCC) codes, which prohibit the usage of the card in businesses meeting the definition within the Act. All recipients that choose the Way2Go MasterCard® receive an informational flyer, Frequently Asked Questions, and a complete fee schedule. Should a customer have questions regarding any of the below they may call the 24-7 customer service call center for clarification and direction.

### FEE DESCRIPTION

|   |  |
|---|--|
| <b>Purchases - Free</b>   | <b>Customer Service</b>                                |
| <b>Cash back with purchases - Free</b>  | Automated phone system - Free                          |
| (Select debit on the authorization machine)   | Online - Free  |
| <b>ATM Withdrawal</b>   | Live representative - Free                             |
| CoMerica Bank ATM- Free   | <b>Monthly Statement</b>                               |
| TansFund ATM- Free  | Online - Free  |
| MoneyPass® ATM- Free  | Paper statement by mail - Free                         |
| Other ATM- \$1.25   | <b>Inactivity</b>                                      |
| The owner of a non-CoMerica, non-TransFund, or non- MoneyPass ATM may also charge a fee.                    | Inactivity for 365 consecutive days - \$2.00 per month |
| Nearest ATM locations – <a href="http://www.locations.comerica.com/">http://www.locations.comerica.com/</a> | <b>Card Replacement</b>                                |
| <b>MasterCard Bank Teller Withdrawal - Free</b>   | Standard card replacement (7-10 days) - Free           |
|   | Emergency card replacement (2 days) - \$10.00          |

### Customer Service

Please direct all of your Way2Go Card questions to the toll-free 24/7 Card member Service line - 844-893-3123 or online at [www.goprogram.com](http://www.goprogram.com) .

(Branch tellers do not have access to customer account information. If a customer has questions, please use one of the methods above.)

TANF recipients also have access to a 24-7 customer service call center. Applicants are made aware of their payment options from the start. When the Way2Go card is chosen the customer is advised of the material they will be receiving as a new customer and are advised to call the customer service 24-7 call center whenever they have a question.

Customers are also reminded to read the Q&A material they will receive with their new card as well as to visit the state's website for helpful information.

The State's website (<http://dss.sd.gov/tanf/> ) includes a link to the Conduent Way2Go Card® (<http://www.goprogram.com> ), Frequently Asked Questions (FAQ) and flyers that explain the benefits of having a prepaid consumer asset account, card access, usage and fee information.

## LOCATIONS

In Network ATMs Free ATM locations by address (city, state or ZIP code): CoMerica ATMs & Branches (unlimited): <http://www.locations.comerica.com/>

MoneyPass ATMs (unlimited): <http://www.moneypass.com/moneypasslocator/search.jsp>

Out of network ATMs (ATM fees will apply):

MasterCard ATMs: <https://www.mastercard.us/en-us/consumers/get-support/locate-an-atm.html>

The Way2Go is a MasterCard-branded debit card allowing cardholders to make unlimited signature-based POS purchases at over 37 million MasterCard debit merchant locations worldwide. The Way2Go card can be used to withdraw cash at over 1 million MasterCard branded ATMs worldwide, including a network of over 2,000 in SD.

The Way2Go Card can be used to withdraw cash at any financial institution in the US that processes MasterCard cash advance transactions or approximately. This service is not limited to Comerica branches, but all MasterCard associated bank branches.

## BENEFITS

Benefits provided to needy families include cash assistance, supportive services, follow- along services, child support enforcement, and other services as identified by the state. The State uses commingled funds for all activities. The same financial eligibility criteria (see pages 4-5 of this plan) apply with respect to all benefits and services including MOE services which are by Program Name and brief description:

- TANF (basic assistance) and Work Supplement Payments (transitional employment allowance - TEA): The South Dakota TANF Program provides a monthly grant based on the State's eligibility criteria. Worker Supplement Payment for Employed (Transitional Employment Allowance - TEA). A TEA payment helps transition families through the initial month after their TANF case closes due to employment.
- Childcare: Childcare expenses are paid for the time a TANF recipient is participating in an eligible work activity and meets other eligibility criteria. While employed, TANF clients will continue to be eligible for the remaining months of their current certificate if they continue to meet other childcare requirements.
- Work-related activities/expenses: Work-related activities/expenses include costs associated with the TANF contract which supports case management efforts. It also includes supportive service payments and Community Service payments.
- Transportation: Participation in work-related activities/training may be compromised unless someone has the necessary transportation available to get to work sites, workshops, referrals, appointments, or other program related obligation. Transportation expenses are addressed through supportive service payments and include but are not limited to gas, minor car repair, bus passes, mileage, etc.
- Administration and Systems: The investment in the support of a program through administration and system support services is essential to ensure the highest quality program is delivered.

TANF assistance is determined according to South Dakota Administrative Rules (ARSD) 67:10:05. These same families are referred to a variety of programs which may include but are not limited to: Child Protection Services, Office of Childcare Services, Rehabilitation Services, Division of Mental Health, Division of Alcohol and Drug Abuse, Department of Labor and Regulation Local Offices, Department of Health, Community Health Nursing, Department of Education, career learning centers, and other related state or local organizations. If the TANF case closes due to the earnings of the caretaker and it appears the employment will be permanent; the family may receive a work supplement payment for one month in the form of a Transitional Employment Assistance (TEA) payment. This payment is considered assistance and the month counts towards the 60-month lifetime limit on TANF.

Time limits are incorporated into the Department's program. TANF benefits for an assistance unit that includes an adult parent is limited to 60 monthly payments. The 60 months do not have to be consecutive months. The state disregards any month an adult lived in Indian country if the most reliable data available indicates that at least 50 percent of the adults living in that area are unemployed.

Eligibility for benefits may be extended beyond 60 months if an assistance unit that includes an adult parent meets the States' hardship criteria.

South Dakota incorporates sanctions into the program to ensure that parents are engaged in work activities in accordance with section 407 by implementing a series of penalties.

Applicants/recipients who fail to comply with the activities contained in the PRA or the PRP face the following penalties:

- Failure to engage in a Personal Responsibility Agreement or Personal Responsibility Plan will result in ineligibility for the assistance unit, and,
- Failure to comply with the work activities will result in a progressive series of penalties, including a written warning for the first occurrence, a 50% reduction in assistance for one month for the second occurrence and a one-month disqualification for any subsequent occurrences.

Recipients may be granted good cause for not participating if they are able to substantiate one of the following reasons:

- Scheduled appointments with a prospective employer or Department staff.
- Illness or crisis situations such as the death of an immediate family member.
- Adverse weather conditions which prevent participation.
- Lack of suitable childcare for children under age six or for special needs situations like a disabled child.
- Breakdown in transportation arrangements.
- Being battered or subject to extreme cruelty [physical violence, sexual abuse, abuse to their child, or related threats].
- Similar reasons which are acceptable to the Department.

The Department purchases or provides payments for supportive services (other than childcare) for work-related expenses designed to assist applicants/recipients up to established limits set by the Department. These supportive services include but are not limited to:

1. Minor auto repair/car insurance.
2. Employment related clothing.
3. Tools and Equipment.
4. Relocation.
5. Temporary travel and re-employment interview expense.
6. Employment related medical.
7. Job related training; and
8. Diversion payments for on-going expenses so applicants can avoid further assistance.

Childcare costs associated with approved education and training, community service, or other non-paid work activities will be paid through the Department of Social Services.

## Other Programs Funded by TANF

The Jobs for America's Graduates – South Dakota (JAG-SD) program helps students at risk of failing in school, provides an avenue for achieving academically and assists students in ultimately earning recognized credentials that will make it possible for them to exit school and enter post-secondary education and/or the workforce. Services provided meet TANF purpose 3 (to prevent and reduce the incidence of out-of-wedlock pregnancies) by providing intervention and improved life prospects for

students who show evidence of failing, dropping out or engaging in negative behaviors that can lead to dependency, out-of-wedlock births, imprisonment, and/or other undesirable outcomes that may result in the detriment and impoverishment of youth. Eligible participants must face at least five designated barriers to success which include academic, personal, environmental or economic barriers.

## PARENTAL RESPONSIBILITY

Important parts of the Personal Responsibility Agreement and Personal Responsibility Plan identify and address these critical parental obligations:

- Keep school age children in school.
- Immunize children.
- Undergo appropriate substance abuse treatment/counseling.
- Accept personal therapy if appropriate.
- Supply medical information to substantiate limits on being able to "engage in work".
- Attend parenting/money management and other resourceful living type classes when needed; or
- Take steps needed to become and remain employed in the private sector.

Child support enforcement interacts with the TANF program in several ways. First, applicants/recipients must cooperate with the Department to establish paternity or in obtaining, modifying, or enforcing a support order with respect to their dependent children. Second, the custodial parent must further assign to the State any rights they may have (on behalf of their children) to receive support from an absent parent.

The Department is taking the following actions to reduce the incidence of out-of-wedlock pregnancies:

- An informational brochure is provided to all TANF applicants.
- The Division of Child Support provides presentations to school student bodies on the consequences of teen pregnancy and child support on request. A letter and a supply of Teen Pregnancy brochures is mailed to all junior and senior high school counselors advising that they may make a request for a DCS staff to provide a presentation. Information and presentations are developed for both male and female audience. Through these efforts it is hoped that there will be a decrease in the number of out-of-wedlock births.

The Department promotes an on-going cooperative effort in order to provide education and training about the problems related to domestic violence and statutory rape. Stakeholders involve, but are not limited to the following organizations:

- Law enforcement officials
- Department of Health
- Department of Education
- Department of Corrections
- Department of Human Services



- Department of Social Services, Division of Child Support
- Department of Social Services, Division of Child Protection Services
- Department of Social Services, Division of Behavioral Health
- Representatives of local school districts
- South Dakota Network Against Family Violence and Sexual Assault

## TRIBES

Persons served by tribes [who receive a Tribal Family Assistance Grant], are not counted in either the State's denominator or numerator when calculating participation rates for "all families". If Tribal Native Employment Works (NEW) participants are not in a countable work activity as defined under the Deficit Reduction Act (DRA) final rule section 261.2 and section 407 of Public Law 104-193, the State reserves the right to require them to perform such approved work activities in order for the State to meet its work participation rate requirements.

The State provides equitable services to Indians on or off the reservations through our established network of local offices and staff, the Tribal Native Employment Works (NEW) program, and Welfare-to-Work programs. Pertinent information regarding experiences will be shared with all Tribes upon request for their planning purposes related to applications for a TANF grant.

## ADMINISTRATION

The Department of Social Services is the state agency administering the TANF program. DSS contracts with the Department of Labor and Regulation and may utilize nonprofit organizations to deliver employment services.

## FUNDING

Section 403(a)(1)(A) provides that each eligible State shall be entitled to receive for each fiscal year, a grant in an amount equal to the State family assistance grant as defined in section 403(a)(1)(B).

- I. Payments to Agency Administering the TANF Program
  - Payments for the TANF program should be made to the Department of Social Services which managed the AFDC/JOBS programs as of August 22, 1996.
- II. State Payments for TANF Program
  - The State's estimate for each quarter of the fiscal year by percentage is:

| 1st Qtr. | 2nd Qtr. | 3rd Qtr. | 4th Qtr. |
|----------|----------|----------|----------|
| 25%      | 25%      | 25%      | 25%      |

## CERTIFICATIONS

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

This program is known as Temporary Assistance to Needy Families (TANF). Executive Officer of the State is Governor Kristi Noem.

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

1. Specify which State agency or agencies administers and supervises the program under part A in all political subdivisions of the State:

The South Dakota Department of Social Services is the State agency responsible for administering the program.

The South Dakota Department of Social Services is the State agency responsible for supervising the program.

2. Assure that local governments and private sector organizations:
  - a. Have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and
  - b. South Dakota complied with the public comment requirement.

The state's TANF plan is governed by rules and regulations promulgated through the Administrative Procedures Act (South Dakota Codified Law 1-26). The public is notified of all rule changes and invited to attend Public Hearings and provide comment.

A 45-day public comment period has been issued for this renewal plan.

3. Operate a Child Support Enforcement program under the State plan approved under Part D;
4. Operate a Foster Care and Adoption Assistance program in accordance with Part E, and certify that the State will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance;
5. Provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a Tribal Family Assistance plan approved under Section 412, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.



## SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES

The purpose of the SD Department of Social Services is to provide a variety of assistance and services to citizens of the state. The secretary of the Department is appointed by the Governor with the advice and consent of the Senate. The secretary is responsible for the overall function of the Department.

The SD Board of Social Services is a quasi-legislative body which establishes general policy and guidelines for the Department. The members are appointed by the Governor serving staggered, four-year terms.

The Department of Social Services consists of a number of program areas. Field offices are organized geographically by Regions; each Region is subdivided into Multi-County Service Areas (MSAs).

**Division of Behavioral Health Services:** Ensures children and adults with mental health disorders and chemical dependency in South Dakota communities have the opportunity to choose and receive effective services needed to promote resilience and recovery.

### **Division of Children and Family Services**

**Division of Child Protection Services:** Investigates child abuse and neglect, works to preserve or restore family stability, and administers foster care and adoptions.

**Division of Child Support:** Helps parents establish a financial partnership to support their children when they do not live together. They also help locate non-custodial parents, establish paternity and enforce child support orders and collect and process support payments.

**Division of Economic Assistance:** Provides medical, nutritional, financial, and case management services to promote the well-being of lower income families, children, people with disabilities, and the elderly.

- **Medicaid and the Children’s Health Insurance Program (CHIP):** Provides health insurance at little or no cost for South Dakota children who meet certain eligibility requirements.
- **Energy Assistance & Weatherization:** Helps low-income families pay their heating bills and weatherize their homes.
- **Supplemental Nutrition Assistance Program (SNAP):** Helps low-income people buy the food they need to remain healthy.
- **Temporary Assistance for Needy Families (TANF):** Help families with basic needs and employment assistance.
- **Child Care Assistance:** Help low-income families pay for the childcare as they work, attend school, or both.

**Division of Medical Services:** This division works with all enrolled South Dakota Medicaid providers.