

**Amendment to Approved State Plan for Pandemic EBT
Children in School and/or Child Care, Summer 2021**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	Amendment to Approved State Plan for Pandemic EBT: Children in School and Child Care, Summer 2021
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Summary:	(1) This document is a template to assist States in the development of an amendment to extend their approved State plan to operate Pandemic EBT for school children and for children in child care during summer 2021. (2) This document relates to Section 1106 of the Families First Coronavirus Response Act (P.L. 116-127) as amended by the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159), the Consolidated Appropriations Act, 2021 (P.L. 116-260), and the American Rescue Plan Act, 2021 (P.L. 117-2)
Disclaimer:	The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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

The submission of a P-EBT state plan, associated template and related reporting obligations are addressed in OMB# 0584-0660. This emergency information collection (IC) will be replaced by a full IC package to be submitted to OMB for approval prior to its expiration date of 8/31/21. All components of this summer 2021 P-EBT package will be addressed in the full IC package.

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1. **State:** New York
2. **Primary Citation:** Families First Coronavirus Response Act (FFCRA) as amended by the American Rescue Plan Act of 2021
3. **Here's what FNS needs from you:**
 - a. If a State chooses to elect the U.S. standard benefit¹, simply check the box below. Next, go to letter 'c' (*Estimated total amount of P-EBT benefits*) of the template.

By checking this box, we are indicating that our State will use the U.S. standard benefit for the covered summer period.

- b. If a State chooses not to elect the U.S. standard benefit, FNS needs the following information:
 - The number of days for which benefits will be issued as part of the State's covered summer period; and
 - An explanation for how the State arrived at the number of days in the State's covered summer period. USDA will not approve a plan that does not tie the length of its covered summer period to the actual summer 2021 calendars of an enrollment-weighted average, or the median, of a representative sample of its school districts.

Response: [please use as much space as needed]

New York State Response: Not applicable. We will be using the standard benefit. Also, unless specifically otherwise noted, all other aspects of the plan – e.g., benefit delivery based on recipient characteristics, customer service, dispute resolution, etc. – will be handled in the same manner as under the already-approved plan for students eligible for P-EBT benefits due to receipt of free or reduced-price meals at schools participating in the National School Lunch Program and approved plan amendment for “children in child care.”

¹ The U.S. standard benefit – as defined in Question #5 of FNS' Q&A document titled, “Summer P-EBT Q&A” – is equal to the median number of weekdays in the sampled school districts multiplied by the daily P-EBT rate. For States in the continental U.S., that works out to a fixed summer benefit of \$375 per eligible child (55 days at \$6.82 per day). The U.S. standard benefit is higher for Alaska, Hawaii, and the territories; see Q/A #14 for a complete set of standard benefit amounts.

- c. Estimated total amount of P-EBT benefits the State will issue within this amendment’s date range. (Consult the appropriate table in Section 4, “Benefit Levels.”)
 - Estimated amount issued to school children -- **\$937,500,000**
 - Estimated amount issued to non-school children in child care -- **\$88,500,000**
- d. Estimated total number of children to which the State will issue P-EBT benefits.
 - Estimated number of school children – **2.5 million**
 - Estimated number of non-school children in child care – **236,000**
- e. Tentative P-EBT issuance schedule (the dates on which Summer P-EBT benefits will be issued). Note that USDA encourages States to distribute summer benefits in two or even three issuances across the summer, to the extent practical.
 - School children – **September 2021**
 - Children in child care – **September 2021**
- f. Describe how the State will identify eligible school children and children in child care for summer P-EBT. You must address each of the following bulleted items, below, when responding.

For school-aged children:

- Describe how the State will identify school children who received P-EBT benefits during the last month of SY 20-21.

New York State Response: Summer P-EBT benefits for school-aged children will not be issued before P-EBT payment files for the April through June 2021 period have been created. These payment files will be based on complete enrollment data for the year and will serve as the basis for identifying all school-aged children eligible for the summer P-EBT benefits based on eligibility for Free/Reduced Price Meals (FRPMs) during the 202-21 school year. This complete data will not be available until August. It is likely that P-EBT benefits for the summer will be delivered at the same time as P-EBT benefits for the April-June 2021 period are delivered. New York State confirms that it understands that only children eligible for FRPMs and enrolled in school during June, the last month of the 2020-21 school year are eligible for the summer P-EBT benefit.

- Describe how the State will identify school children who were eligible for free or reduced price school meals under the NSLP and SBP in SY 20-21 but did not receive P-EBT benefits in the last month of the school year because they attended school in-person and benefitted from a free or reduced price meal service at school. This includes children who were eligible for F/RP meals during the school year and did not receive P-EBT benefits because the children attended school in-person during the school year.

New York State Response: As noted above, summer P-EBT benefits for school-aged children will not be issued before P-EBT payment files for the April through June 2021 period have been created. We will have P-EBT payment files for school-aged children for the entire 2020-21 school year available when we pay summer EBT benefits. These files will serve as the primary basis for identifying school-aged children eligible for the summer P-EBT benefits. Final and complete enrollment data for the 2020-21 school year will be certified in August. The data enrollment records have codes that identify every student eligible for Free/Reduced-Price Meals whether they received a P-EBT benefit (because their school attendance was fully in-person) or not.

- Describe how the State will identify children who are determined newly eligible for free or reduced price school meals during the covered summer period. States must provide an opportunity for families to apply for free or reduced price meals using the normal application process. States and SFAs should consider maintaining a minimum presence to process Free and Reduced Price Meal applications, perhaps on a part-time or weekly basis. Another alternative is for SFAs to accept new Free and Reduced Price Meal applications during the summer but only process them after the start of the new school year. Children determined eligible on applications *submitted prior to the end of the summer* could then be issued P-EBT benefits retroactively after the start of the new school year. (Note that it is preferable to process applications and issue benefits during the summer period that the benefits are intended to cover).

New York State Response: The New York State Office of Temporary and Disability Assistance (OTDA) will receive data transfers from the New York State Department of Education (NYSED) derived from its Medicaid Direct Certification database in August, September and October. This data will be records of Medicaid direct certification students, eligible for FRPMs, from June 2021, the last month of the 2020-21 school year through August 31, 2021. This data will be matched to the P-EBT database of students enrolled in schools eligible for P-EBT benefits. The P-EBT database is able to generate lists of students eligible for free or reduced-price school meals, inclusive of all students in schools participating in the Community Eligibility Provision, without including learning model data as an eligibility criterion. A data transfer in late July from the Regional Information Centers (RICs) will contain students certified for free or reduced-price school meals through the end of the 2020-21 school year.

Additionally, NYSED is instructing school districts that they must continue to accept National School Lunch Program (NSLP) or alternative applications through the end of the covered Summer period. The covered Summer period ends on Friday, September 3, 2021 and applications must be submitted to the schools before close of business on that day. A final transfer of data from the RICs will occur in early September 2021 and will contain the students determined eligible for free or reduced-price school meals through income eligibility applications submitted prior to the end of the summer.

Children who are newly entering kindergarten or and NSLP-participating pre-school program during the 2021-22 school year are **not** eligible to receive summer P-EBT benefits as school children. They may, of course, be eligible for summer childcare benefits if they are eligible under the state’s P-EBT plan for “children in child care” and remain enrolled in SNAP during the summer.

For children in child care:

- Describe how the State will identify SNAP-enrolled children who received P-EBT child care benefits in the last month of the school year.

New York State Response: Please refer to New York State’s plan for “children in child care.” All children age 5 and under who received SNAP are presumed to have been affected by the decimation of childcare availability. All children age 5 and under who received SNAP for the month of June 2021 will be presumed eligible for the summer P-EBT benefit.

- Describe how the State will identify SNAP-enrolled children who would have received P-EBT child care benefits in the last month of the school year, but did not receive benefits because their child care facility was not closed or operating at reduced attendance or hours in that month, and neither their child care facility nor the child’s residence was in the area of a school that was closed or operating at reduced attendance or hours in that month.

New York State Response: Not applicable. Please refer to New York State’s plan amendment for “children in child care.” As noted in that plan, in New York City and in all counties of New York State outside of New York City except Hamilton County, there were schools that were closed or operating with reduced in-person attendance for every month of the 2020-21 school year. All schools in Hamilton County were operating fully in-person during the months of May and June 2021. However, some children who reside in Hamilton County attend school in neighboring counties, such as Herkimer and Essex. As such, all children age 5 and under who received SNAP for June and either July or August 2021 (or all three months) and children age 5 and under who began receiving SNAP during the July and August summer period will be presumed eligible for the summer P-EBT benefit.

- Describe how the State will identify children who are part of a SNAP household who are newly eligible for P-EBT child care benefits during the covered summer period

New York State Response: Please refer to New York State’s plan for “children in child care.” As noted above, all children age 5 and under who received SNAP for the month of June 2021 and also for either July or August 2021, or for both months will be presumed eligible for the summer EBT benefit. All children age 5 and under who began receiving SNAP during the months of either July or August 2021, but not for June 2021 also will be presumed eligible for the summer EBT benefit.

4. Benefit Levels

A. U.S. standard Benefit

2021 Covered Summer Period	U.S. Standard P-EBT Benefit		
	Median Length of Covered Summer Period (weekdays)	Daily P-EBT Rate	Standard Benefit
Contiguous U.S.	55	\$6.82	\$375
Alaska	55	10.99	604
Hawaii, Guam, Virgin Islands, Puerto Rico	55	7.97	438

B. State-Determined Benefit, Based on Daily Rate

Note: The daily benefit amount – \$6.82 – is only needed if a State elects to set its own covered summer period length; that is to say, if a State declines to use the U.S. standard benefit.

2021 Covered Summer Period	Free Reimbursements			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$3.60	\$2.26	\$0.96	\$6.82
Alaska	5.79	3.64	1.56	10.99
Hawaii, Guam, Virgin Islands, Puerto Rico	4.20	2.64	1.13	7.97

Notes:

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

New York State Response: As noted above, New York State will be using the U.S. Standard Benefit amount of \$375 per eligible child for the summer period.

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.

Administration of State P-EBT Plan

The State will administer P-EBT according to the terms of its approved State plan. In general, conditions related to benefit issuance reporting, administrative funding, and release of information remain in effect for the covered summer period. 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.

Reminder

If the State needs to make any significant changes to its Summer 2021 plan after approval, the State needs to submit an amendment to FNS that describes the change and its impact on operating summer P-EBT. USDA will review the amendment and approve allowable amendments.

Signatures and Titles of Requesting SNAP and Child Nutrition State Agency Officials:

Signature
Print Name and Title

Signature
Print Name and Title

Date of Request: _____