



Food and Nutrition
Service

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January 26, 2022

SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)
Approval of Colorado's State Plan for School Children,
School Year 2021-2022

TO: Cheryl Kennedy
Regional Administrator
Mountain Plains Regional Office

The Families First Coronavirus Response Act (P.L. 116-127; the Act), as amended, authorized a temporary assistance program for households with children without access to meals in school and to certain SNAP-enrolled children in child care during the public health emergency declared on January 27, 2020. Pursuant to the authority granted under Section 1101 of the Act, FNS approves Colorado's enclosed plan to operate P-EBT for school children.

Summary of State's Plan

The Colorado Department of Human Services and the Colorado Department of Education will issue P-EBT benefits through the State's Supplemental Nutrition Assistance Program (SNAP) EBT card system to households with eligible children. The State's plan for school children covers the months of August 2021 through May 2022.

School children are eligible for benefits if they would have received free or reduced price meals at their schools through the National School Lunch Program (NSLP) if not for the closure or reduced attendance or hours of their schools for a period of at least 5 consecutive days. The State will use the best feasibly available data and USDA-approved simplifying assumptions to issue benefits in amounts that are tied as closely as possible to the number of days that eligible children do not receive a meal service at school.

The State and its school districts will identify children eligible for free or reduced price NSLP meals using the most current available data. All school districts that rely on eligibility data from the most recent prior year will have a means to address that they do not issue benefits to school year 2020-2021 graduates and other non-students, and will offer households with new students the ability to establish their eligibility through the traditional school food authority-run school meal application and direct certification processes.

In addition, Colorado will:

- tentatively issue benefits for the months of August through December 2021 in a single distribution in June 2022,
- tentatively issue benefits for the months of January through May 2022 in a single distribution in mid-August 2022,

- use schools' most current free and reduced-price eligibility lists to identify students who may qualify for P-EBT benefits,
- set a constant monthly benefit for children with fully virtual schedules by averaging the number of instructional days by the number of months in the school year,
- issue benefits to children for a subset of excused absence days in schools that experience a COVID "outbreak" as confirmed by the State's Department of Public Health and Environment based on confirmed COVID-19 cases reported by individual schools:
 - an outbreak is defined as 5 or more confirmed COVID-19 cases in a single month; the outbreak continues until the school reports no confirmed cases for 28 days,
 - the State will identify COVID-related outbreaks at the grade level when possible,
 - for students enrolled in a grade that experiences a COVID-related outbreak, any free or reduced-price eligible student in that grade with a confirmed, excused absence during any of the months of the COVID outbreak will receive an automatic one-time average P-EBT benefit over the course of the outbreak,
 - in cases of COVID-related outbreaks that are not isolated to a single grade, any free or reduced-price eligible student in the school with a confirmed, excused absence during any of the months of the COVID outbreak will receive an automatic one-time average P-EBT benefit over the course of the outbreak,
- the Colorado Department of Education will conduct a survey of a representative group of schools to determine the monthly average number of excused absences in schools with a COVID outbreak to determine an average benefit:
 - this survey will occur at the end of each semester to capture all excused absence data at affected schools,
- in the case of a school wide closure, all free and reduced-price eligible children at that school will receive a benefit consistent with the number of days of virtual learning and/or school closure at that school for the month,
- in the case of schools returning to a hybrid learning mode, all free and reduced-price eligible children with hybrid schedules at that school will receive a statewide monthly hybrid benefit that will remain consistent across fall semester months using data from all impacted schools during that time period, this benefit level will be reassessed in 2022 for spring semester months,
- offer a reconsideration process for children with COVID-related absences in multiple months of a 5+ student outbreak, and for children with COVID-related absences in schools that do not report an outbreak:

- parents will initiate a claim for benefits and attest that their children's absences are COVID-related,
- the state and school will confirm that the children are eligible for free or reduced-price meals and that the absences were at least excused.

Finally, the State will identify risks for improper payments and ensure a high level of integrity.

Estimated Caseload and Value of P-EBT Benefits

The State will calculate monthly benefits for each eligible child in the household equal to the daily reimbursement for a free breakfast, lunch, and snack multiplied by the number of benefit days calculated as described in the State's plan.

Colorado estimates that it will issue \$19.3 million to approximately 82,600 children for school closures and reductions in attendance and hours extending from August 2021 to May 2022.

Release of Information

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in Colorado. Section 1101(e) of the Act states, "Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section."

Plan Timetable and Revisions

Colorado will distribute benefits to households consistent with the timeframes identified in the State plan. Should the State encounter challenges or delays that significantly impair its ability to implement the approved P-EBT plan or require substantive changes, the State must notify the FNS Regional Office as soon as possible. The FNS Regional Office will work with the State to identify reasonable solutions and review revised plans for approval or further revision.

Civil Rights

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

Administrative Funds

The Colorado Department of Human Services will participate in a P-EBT Administrative Budget Planning process using the FNS-366(a) Program and Budget Summary. When the FNS-366(a) is finalized, that will determine the State's Administrative Grant level. However, the FNS-366(a), Program and Budget Summary, may be updated and revised as the State's operational plan evolves.

Reporting

The Colorado Department of Human Services will complete the FNS-292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS appreciates Colorado's exceptional efforts to maintain children's access to nutritious meals, and understands that even as the nation recovers from this difficult time, State agencies and local program operators will still face any number of challenges. FNS stands ready to provide additional support as needed. If you have questions, please contact the FNS Mountain Plains Regional Office.

Sincerely,

Cindy Long
Administrator