

**State Plan for Pandemic EBT
Children in School and Child Care, 2021-2022**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	State Plan for Pandemic EBT: Children in School and Child Care, 2021-2022
Document ID:	
Z-RIN:	
Date of Issuance:	August 26, 2021
Replaces:	N/A
Summary:	(1) This document is a template to assist States in the development of State plans to operate Pandemic EBT for children in schools or child care during school year (SY) 2021-2022. (2) This document relates to Section 4601 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 of 2021 (P.L. 117-2).

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

The P-EBT Assistance for Children in Schools and Child Care is covered under OMB Control # 0584-0660, Pandemic EBT (Schools) which expires on August 31, 2021. The collection covers the burden associated with States submitting school year plans and the submission of the FNS-366a and SF-425 reporting forms. FNS has submitted a renewal request for OMB # 0584-0660, Pandemic EBT (Schools) which accounts for the information collection burden associated with the increased complexity of determining benefit levels under the Schools portion of P-EBT, administrative cost grants, and submitting plans for the Child Care and Summer portions of P-EBT which are not currently approved under OMB #0584-0660

State Plan for Pandemic EBT
Children in School and Child Care, 2021-2022

1. State: Colorado

- 2. Primary Citations:** Families First Coronavirus Response Act (FFCRA);
Continuing Appropriations Act, 2021 and Other Extensions Act;
Consolidated Appropriations Act, 2021;
American Rescue Plan Act of 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).

- a. The *date range* covered by this State plan or amendment
- for children in school
 - for children in child care

Proposed date range covered by this plan is August 16, 2021 – May 31, 2022.

- 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

Colorado estimates issuing approximately \$19.3 million in P-EBT benefits during the 2021-2022 school year.

This estimate is based on the assumption that approximately 17,200 school children in qualifying remote learning programs will be eligible for 6 months of P-EBT benefits throughout the school year, on average. This translates into approximately \$14.7 million in P-EBT benefits for these students. In addition, Colorado estimates that 65,360 in-person learners who are impacted by a COVID-19 outbreak at school will receive an estimated average of 10 days of P-EBT benefits throughout the school year. This translates into approximately \$4.6 million in P-EBT benefits for these students. As data is collected throughout the school year, and outbreak benefit amounts are finalized, these estimates are likely to change. Colorado commits to inform FNS of any significant changes in expected P-EBT benefits issuance.

¹ The date range covered by P-EBT State plan or amendment. A State's plan will typically cover the instructional months in the State's school year (September 2021 through June 2022, for example).

- 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

Colorado estimates that approximately 82,560 school children will be eligible for P-EBT benefits during the 2021-2022 school year. Approximately 37,150 children (45%) are expected to reside in SNAP households with the other 45,410 children (55%) expected to reside in non-SNAP households, based on direct certification information. This estimate does not include non-school age children in child care.

This estimate is based on the assumption that 5% of all 344,000 students eligible for Free or Reduced-Price school meals (F/RP) in Colorado (as of the 2020-2021 school year) opted for 100% remote learning through a school that participates in the National School Lunch Program (NSLP) and can be identified. This translates into 17,200 school children qualifying for P-EBT as 100% remote learners. In addition, this estimate assumes that of the remaining 95% of F/RP children who are attending school in person during the 2021-2022 school year (326,800), 20% of them will be impacted by a COVID-19 related outbreak at some point during the school year and can be identified. This translates into 65,360 school children qualifying for P-EBT for quarantine benefits. As data is collected throughout the school year, and quarantine benefit amounts are established, these estimates are likely to change. Colorado commits to inform FNS of any significant changes in expected P-EBT benefits issuance.

- d. 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
- P-EBT benefits for Fall 2021 (August - December) are scheduled for Early June 2022
- P-EBT benefits for Spring 2022 (January-May) are scheduled for Mid-August 2022
- P-EBT benefits for Summer 2022 (if later approved by FNS) will be scheduled for October 2022
- Contingency / Corrections issuance for SY 2021-2022 is slated for Late November 2022

4. P-EBT for School Children (see Q&As #6-24)

A. Eligible Children

Standard for P-EBT Eligibility

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

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:

directly certified or determined “other source categorically eligible” for SY 2021-2022, **or** certified through submission of a household application processed by the child’s school district for SY 2021-2022, **or** enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, **or** on the school’s most current prior year list of directly certified children, children determined other source categorically eligible, or children certified by application **and** the school district has not made a new school meal eligibility determination for the child in SY 2021-2022.

- 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 2020-2021 graduates and other non-students. *(Please review P-EBT Q&As #16-19 on P-EBT eligible and P-EBT ineligible virtual learning models.)*

1. Eligible Virtual Students: Colorado is able to identify students who chose to stay enrolled in their brick-and-mortar public school but have opted for 100% remote learning for a fixed period of time (e.g. month, school quarter, semester, or year) due to health and safety concerns related to COVID-19. The 100% remote learning option for these students may be an “existing CDE-approved virtual learning program” operated by school, district or contract staff. These students (coded as “05” in CDE’s October Count data collection) are distinct from students in school districts that did not offer a 100% remote option and whose only remote learning option was to disenroll in their brick-and-mortar school and enroll in a CDE-approved online school or program. The key distinction in Colorado is whether the student stayed enrolled in their local brick-and-mortar school. Colorado confirms that only children attending NSLP-participating schools will be eligible for P-EBT benefits in SY 21-22.

Colorado proposes to issue P-EBT benefits to any F/RP-eligible student opting for 100% remote learning for at least 5 consecutive days in districts where the student maintains enrollment in their local, NSLP-participating school. (Again, 100% remote learning students enrolled in district-sponsored virtual schools who are not enrolled in an NSLP-participating school during the 2021-2022 school year will not be eligible for P-EBT.) Schools/districts will be asked to provide entry and exit dates (or best available equivalent) for students who opted into or out of 100% remote learning to ensure an accurate count of P-EBT eligible days.

2. In-Person Students Impacted by COVID-19 Outbreaks: In addition to issuing P-EBT benefits to eligible remote learning students, Colorado proposes to use COVID-19 outbreak data from the Colorado Department of Public Health and Environment (CDPHE) to identify individual school buildings and, where possible, specific grade levels with confirmed COVID-19 cases. CDPHE’s COVID-19 outbreak data includes all confirmed outbreaks of COVID-19 reported in Colorado. CDPHE defines an “outbreak” as 5 or more confirmed cases in a group (i.e. classroom, activity) that are not in the same household. An outbreak is considered closed when the school goes 28 days with no new cases.

Students eligible for a benefit under this provision must also have a confirmed excused absence, reported by their school or district to CDE, in one of the months of a CDPHE-confirmed outbreak at the student’s school of enrollment.

CDE and CDHS have already set up a data exchange with CDPHE to collect grade-specific outbreak information, where possible. For the Fall semester, initial analysis shows 424 of 489 (86.7%) of schools with a confirmed outbreak also have impacted grade information available through CDPHE data for benefit assignment at the grade level. For the remainder of schools with a confirmed outbreak, but no grade information reported to CDPHE, Colorado proposes to issue outbreak benefits to all FRPL eligible students who are reported as enrolled at the impacted school and have a confirmed excused absence during the outbreak period.

3. Additional days of P-EBT benefits, based on the actual length of extended school closures or alternative (e.g. hybrid) schedules based on COVID-19 concerns, as long as the initial 5 day threshold has been met.
 - a. Eligibility will be assessed based on reports to CDE of unplanned school-or district-wide remote or hybrid learning. CDE will survey districts for dates of unplanned remote learning modality.
 - How will the State determine and/or confirm each child’s eligibility for free or reduced-price meals²? 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.

As was done for Colorado’s 2020-2021 school year (SY) P-EBT plan, CDE will provide CDHS with a list of all students who were determined eligible for F/RP during the 2021-2022 school year (or the 2020-2021 or 2019-2020 school year if no determination was made during the 2021-2022 school year) who are enrolled in a NSLP-participating school during the current school year. This includes children in SNAP and non-SNAP households, as well as students in public and private schools.

² The burden associated with National School Lunch Program applications is covered under OMB Control # 0584-0026, 7 CFR Part 245 - *Determining Eligibility for Free & Reduced Price Meals and Free Milk in Schools*, expiration date 7/31/23.

Children who become eligible and apply for F/RP during the 2021-2022 school year will be considered eligible for P-EBT benefits retroactive to the beginning of the school year. Because most NSLP-schools in Colorado are operating under USDA waivers that allow all children to receive free school meals without submitting an application, there is little incentive for new students who are potentially eligible for F/RP (e.g. kindergarteners and transfer students) to submit a F/RP application. And since Colorado's P-EBT program for the 2021-2022 school year is not expected to be approved by FNS until early 2022, potentially eligible families are unlikely to have submitted a F/RP application before the second semester and these newly-F/RP-eligible children will therefore be considered retroactively-eligible for P-EBT benefits for-the first semester.

- How will the State confirm each child's lack of access to meals at school? Please describe separately for children in public and non-public schools.

As noted above, CDE will identify students who missed out on F/RP meals during the school day because they:

1. Opted into their school's 100% remote learning program for at least 5 consecutive days, as reported by the school/district to CDE, OR
 2. Attended a school with a confirmed COVID-19 outbreak (defined as 5 or more COVID-19 cases) and had a confirmed excused absence in one of the months of a confirmed outbreak, according to data provided by CDPHE and CDE, OR
 - *Note that outbreak benefits will be assessed for students enrolled in a participating school (and grade level, where possible) that has an identified outbreak and the student has a confirmed excused absence in one of the months of the outbreak. Outbreak benefits will be issued once per outbreak and semester, regardless of outbreak length. Additional outbreak benefits may be assessed through a reconsideration process.*
 3. Were impacted by a temporary school closure or reduced schedule (including hybrid schedules) of 5 days or more due to COVID-19 concerns, as reported by the school/district to CDE (e.g. previously unanticipated 2 week closure after the holidays).
- Describe the process that the State will use to update and re-establish each child's in-person and virtual schedules. How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.).

CDE is planning two P-EBT data collections from schools/districts during the 2021-2022 school year. The first data collection will be in Spring 2022 to cover the first semester (e.g. August-December) and the second collection near the end of the school year will cover the second semester (e.g. January-May). These data collections will allow CDE to establish each child's in-person vs. virtual schedules retroactively for each semester, as well as retroactive COVID outbreak data for the referenced periods. For example, if a student opted to participate in the school's 100% virtual learning program at the

beginning of the year (August-November), then returned to in-person learning in December, CDE will receive this information from the student's district during the first P-EBT data collection in early 2022 and issue P-EBT benefits only for the months of September, October, and November. As was done in 20-21, August and September months will be treated as a single benefit month. In this example, additional benefits for December may be assessed if the student qualified for December under the "Outbreak" provision of Colorado's plan (enrolled in a school with a confirmed outbreak and an excused absence in the month of December).

- 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).

There are two agencies in Colorado directly involved in the administration of P-EBT and a third agency that will play a support role in the administration of P-EBT benefits.

- The Colorado Department of Education (CDE) is responsible for gathering and confirming school closure data, student data, confirming eligibility for Free and Reduced-Price (F/RP) meals and NSLP enrollment for public and non-public schools. CDE will communicate directly with school districts and advise school districts on how to communicate with families about P-EBT. CDE will be supported by an education data vendor (Crocus) in collecting data from public school districts and private schools for the purpose of P-EBT. CDE will also participate in data and case research for dispute resolution purposes.
 - The Colorado Department of Human Services (CDHS) is responsible for managing the data repository, issuing P-EBT benefits, tracking P-EBT benefits issuance and spending, reporting to FNS, and overseeing the P-EBT Customer Service Hotline. CDHS will be supported by their eligibility system vendor (Deloitte) to implement P-EBT.
 - The Colorado Department of Public Health and Environment will play a support role by producing anonymized data on COVID-19 outbreaks in school settings, providing impacted grade information where possible.
- 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.

Colorado proposes to use a simplifying assumption to determine student eligibility for P-EBT benefits among those who elected in-person learning and attended a school with a CDPHE-confirmed COVID-19 outbreak. When CDPHE can identify the specific schools impacted by a confirmed outbreak, Colorado will deem all F/RP-eligible students in the identified impacted grades, where possible, with a confirmed excused absence in one of the months of the outbreak to be eligible for P-EBT benefits.

This simplifying assumption is necessary because student-level information on confirmed COVID-19 cases is not available for privacy reasons, and information on confirmed close

contacts required to quarantine is not tracked, even at the school-building level. Attendance data around excused absences is the best feasible data available at the child-level. CDE and CDHS have had extensive conversations with school and district personnel and sister state agencies to understand how and when COVID-19 case information is reported to local public health authorities, and how that information is then reported to CDPHE. CDE and CDHS have determined that the only practical and equitable way to issue P-EBT benefits to students missing F/RP school meals due to an exposure to COVID-19 is to do so based on outbreak status and a confirmation of an excused absence in one of the months of the outbreak.

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:

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.

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.).

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.

Colorado will consider any NSLP-participating school that is offering a 100% remote learning option to its students as "operating at reduced attendance." CDE will know which NSLP-participating schools are offering a 100% remote learning option that qualifies for P-EBT benefits based on P-EBT data collections planned in 2022.

Colorado will also consider any NSLP-participating school building with a confirmed COVID-19 outbreak to be "operating at reduced attendance" due to the necessity of quarantining some students. As mentioned elsewhere in this plan, CDE will know which school buildings, and in most cases the impacted grades, had a confirmed COVID-19 outbreak based on data provided by CDPHE.

Finally, Colorado will identify any NSLP-participating schools with an extended closure or reduced hours (e.g. hybrid schedules) in response to COVID-19 concerns through a CDE survey.

- How will the State confirm that the child’s school has been closed or is operating with reduced attendance or hours for a minimum of 5 consecutive days?

In all cases, CDE will confirm that an NSLP-school closure or period of reduced attendance or hours meet the minimum standard of 5 consecutive days through its P-EBT data collections in 2022 and/or data provided by CDPHE.

- Describe how this information will be obtained and how often the State will collect updated information from schools. (Note that this information must be updated no less frequently than every other month.)

CDE will receive information directly from schools/districts about 100% remote students and temporary closures from two P-EBT specific data collections. CDE will receive information from CDPHE about confirmed COVID-19 outbreaks several times throughout the school year, beginning in November 2021.

All information will be retroactive and reflect actual circumstances rather than projections for future months.

- 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 information to revise issuance amounts.

Because all P-EBT issuances will be retroactive based on actual circumstances, additional updates on school operating status will not be necessary.

- 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.

Colorado is not proposing any simplifying assumptions related to school-level eligibility for P-EBT since all necessary information will be available at the school-building level.

- Please review P-EBT Q&As #16-19 on P-EBT eligible and P-EBT ineligible virtual learning models.

As described elsewhere in this plan, Colorado has closely reviewed FNS’ guidance detailing the eligibility of students enrolled in online schools and virtual programs where students do not maintain enrollment in a local NSLP-participating school. Colorado has designed its P-EBT program for SY 21-22 to meet this guidance and is excluding all

F/RP eligible students who are not enrolled in an NSLP-participating school during SY 21-22.

5. P-EBT for Children in Child Care (see Q&As #25-33)

Standard for P-EBT Eligibility

A child enrolled in a covered child care facility is eligible for P-EBT if:

The child is a member of a household that is enrolled in SNAP in the benefit month.
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.)
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 confirm 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 determine 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? (See Q&A #29)
- 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:
 - the child's child care facility is closed or is operating with reduced attendance or hours, or
 - 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 how the State will set benefit levels for children once they have been determined eligible for some level of benefit? (See Q&A #29.)
- 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.

Colorado will submit a separate child care plan following the release of updated federal guidance.

6. Benefit Levels

Standard for Benefit Levels

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 2021-2022. The benefit is multiplied by the number of days that the eligible child's status makes them eligible for P-EBT benefits.

SY 2021-2022 July 1, 2021 - June 30, 2022	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$3.75	\$2.35	\$1.00	\$7.10
Alaska	6.03	3.78	1.63	11.44
Hawaii, Guam, Virgin Islands, Puerto Rico	4.37	2.74	1.17	8.28

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-2021-07-16/pdf/2021-15107.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.

1. For eligible students enrolled in 100% remote learning through their local NSLP-participating school, Colorado will determine days of eligibility based on student-level “entry” and “exit” dates (or equivalent) submitted by schools/districts to CDE. The only simplifying assumption proposed for this group of students is for CDE to estimate the number of P-EBT eligible days when a precise date range is not provided by the school/district. For example, if a school reports a student as enrolled in remote learning during the month of October, CDE will convert this to a standard number P-EBT eligible days (e.g. 20 days) for the month, rather than researching the school-specific calendar, as this would be labor-intensive for CDE without a meaningful improvement in the accuracy of benefits.

For these situations, Colorado proposes a standard monthly benefit of 20 days per month x \$7.10/day = \$142/month. This monthly average was calculated by taking Colorado’s average school days for the entire year (180 days) divided by 9 months. As in the 2020-2021 school year, Colorado will consider August/September as one month.

2. For in-person learning students impacted by a COVID-19 outbreak at their school, Colorado proposes a simplifying assumption to provide a standard P-EBT benefit to all F/RP students with a confirmed excused absence in one of the months of a confirmed outbreak at their school of enrollment and associated grade level.
 - a. CDE will conduct a representative survey of schools with a confirmed outbreak reported by CDPHE to establish an average day count/benefit, based on student excused absences over the Fall 2021 semester. This average benefit will be smoothed to maintain consistency across all months of the Fall semester. Since benefits are scheduled to be issued by Fall and Spring semesters, another survey will be conducted in 2022 to reassess this standard benefit amount for Spring semester outbreaks.
 - b. Issue the state-wide average P-EBT benefit to all F/RP eligible students with a confirmed excused absence in one of the months of a CDPHE confirmed outbreak at the student’s school of enrollment and grade. The goal of this addition is to target benefit assignment to students with excused absences at a school/grade with a confirmed outbreak.

This simplifying assumption is necessary because student-level information on confirmed COVID-19 cases is not available for privacy reasons, and information on confirmed close contacts required to quarantine is not tracked, even at the school-building level. Attendance data around excused absences is the best feasible data available at the child-level. CDE and CDHS have had extensive conversations with school and district personnel and sister state agencies to understand how and when COVID-19 case information is reported to local public health authorities, and how that information is then reported to CDPHE. CDE and CDHS have determined that the only practical and equitable way to issue P-EBT benefits to students missing F/RP school meals due to an exposure to COVID-19 is to do so based on outbreak status and a confirmation of an excused absence in one of the months of the outbreak.

3. Additional days of P-EBT benefits, based on the actual length of extended school closures or alternative (e.g. hybrid) schedules implemented as an unplanned response to COVID-19.
 - a. CDE will survey districts for dates of unplanned remote learning modality. All F/RP-eligible students associated with identified schools of enrollment will be considered for benefits for days their school utilized unplanned 100% remote modality or was otherwise closed for a COVID-19-related reason.
 - b. CDE will conduct a survey of schools who report unplanned hybrid schedule changes (for a COVID-19-related reason) to collect details on the school days impacted and the average hybrid schedule. A hybrid benefit level will be established by semester, using data from impacted schools to establish a state-wide average hybrid monthly benefit.

7. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2021-2022 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 timeline must include the State's tentative issuance dates. In SY 2020-2021, 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:
 - State Education agency provides student data to SNAP State agency (Day #5)
 - P-EBT hotline becomes active (Day #9)
 - Public notice campaign begins (Day #10), etc.
- Early January: Submit data collection file layout for Education Data Advisory Committee (EDAC) approval
- Early to Mid-January: Engage with School Information System (SIS) vendors to create extracts and reports for data pipeline submission to CDE
- Late February: Recruit District volunteers to test extract/report submission to data pipeline
- Mid-March: CDE data pipeline team puts first P-EBT data collection into production for Fall 21-22
- Late April: First deadline for schools/districts to submit data for SY 21-22

- Early May: CDE data pipeline team puts second P-EBT data collection into production for Spring 21-22
- Early May: CDE / Crocus delivers Fall 21-22 file to CDHS / Deloitte
- Early June: P-EBT benefits issued for Fall 21-22 (e.g. August - December)
- Mid-July: Second deadline for schools/districts to submit data for Spring 21-22
 - This timeline allows for confirming NSLP enrollment in May 2022 for potential summer benefits within the Spring 2022 data collection (as opposed to obtaining special permission to use End of Year data in September 2022) to streamline the process and reduce the number of data collections for schools and districts.
- Late July: CDE / Crocus delivers second file for Spring 21-22 SY benefits to CDHS / Deloitte
- Mid-August: P-EBT benefits issued for Spring 21-22 (e.g. January-May)
- Contingency Plan: School districts who fail to submit Student Information for P-EBT by the end of the 2021-2022 school year (i.e. July 2022), along with School Districts that need to correct data errors, will have an opportunity to do so from mid-August through mid-September 2022.
- Contingency Issuance for SY 21-22: Late November 2022

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?

The State will continue to use the unique P-EBT cards designed and issued during the School Year 2020-2021 P-EBT program in order to reduce card needs for the 2021-2022 P-EBT program, saving program costs, reducing administrative work, and enabling benefits to reach families faster with issuing to existing cards.

All school-age children in SNAP and non-SNAP households who were eligible for Summer 2021 P-EBT have received a P-EBT card. This card will be used for future P-EBT issuances. Students receiving P-EBT for the first time for eligibility in the 21-22 SY will receive a new P-EBT card in the mail. This card design is different from the SNAP card design.

- 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 2020-2021. This will greatly facilitate the States' ability to report and USDA to maintain accountability for P-EBT.

As was done in earlier rounds of P-EBT, CDHS will use a separate Benefit Code for P-EBT to track spending separately from SNAP and other benefit types.

- 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.

CDHS will make P-EBT the first draw/spend priority for current EBT card users and P-EBT benefits will remain available for use for 274 days, in alignment with SNAP expungement rules. CDHS will create a process for benefit reissuance to address situations where state administrative errors prevent data corrections prior to benefit expungement as far back as Round 1 benefits for March - May 2020.

- During SY 2020-2021, large numbers of P-EBT cards were returned to EBT processors via mail, due to incorrect 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?

CDHS and CDE designed P-EBT 2.0 and 3.0 to collect updated addresses from schools as close as possible to the time new P-EBT cards will be mailed to eligible families. Still, the team understands that some cards are still likely to be returned as undeliverable to Colorado's EBT processor (FIS). CDHS will continue to request and receive Returned Card reports from FIS, which include a P-EBT indicator.

CDHS has a dedicated P-EBT Call Center that will have access to information from FIS about which cards have been returned. The Call Center has the ability to process P-EBT address update requests and reissue these returned P-EBT cards for families that contact the Call Center.

- Will you issue *new* P-EBT cards to existing P-EBT households?
 - If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?
 - If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

All school-age P-EBT eligible children in SNAP and non-SNAP households received a P-EBT card for Summer 2021 benefits. This card will be used for future P-EBT issuances. Children receiving P-EBT for the first time for eligibility in the 21-22 SY will receive a new P-EBT card in the mail.

The P-EBT Support Center will be equipped to issue replacement cards, as needed.

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.

USDA strongly encourages States to provide a means to resolve disputes and answer 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 errors (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.

Resolving Disputes and Issuance Errors

CDHS will continue to contract with a Call Center vendor to staff a P-EBT Call Center. The Call Center vendor responds to inbound calls and emails related to P-EBT. The Call Center vendor receives ongoing training from CDHS on frequently asked questions and has limited access to CDHS' systems in order to respond to child-specific P-EBT inquiries and make address and date of birth updates where appropriate for card mailing and activation purposes. The P-EBT Call Center will also remain the point of contact for collecting information for CDHS and CDE to review parent/guardian change requests, learning modality disputes, and outbreak benefit reconsideration (for a household-level quarantine, for example). The P-EBT Call Center is open Monday through Friday from 8:00am to 7:30pm and Saturday from 8:00am to 12:00pm Mountain Time.

If a parent/guardian disputes their child's eligibility for P-EBT or the amount of the child's P-EBT benefit, the P-EBT Call Center researches the child's case through a limited view portal into CBMS and consults with CDHS when needed. For a child who was not included on the school's list of eligible children where the parent/guardian believe the child should have been included (e.g. because the child is enrolled in SNAP or F/RP meals), the P-EBT Call Center has the ability to escalate issues to a CDHS-CDE dispute resolution team that can communicate with school districts when necessary to investigate the concern and take appropriate next steps.

Families have access to self-service for some eligibility and child specific information through a chatbot located within the State's P-EBT information webpage. The chatbot provides general program information as well as limited child-specific details. Child-specific

information is limited and validated through a thorough authentication process with CBMS program information.

This year, the Support Center has developed an SMS (text) strategy for inbound use, which will allow clients immediate access to service agents for general program information. This is the next step towards an Omni-Channel service strategy to support P-EBT.

- Please describe how the State will serve groups with potential access problems, for example: homeless children, foster children, children without social security numbers, children and caregivers with limited English proficiency, households without internet access, and people living with disabilities.

Children with Potential Access Barriers

CDE has included the McKinney-Vento State Coordinator in P-EBT planning to ensure P-EBT benefits reach eligible children who are homeless and unstably housed. Most of these children have a mailing address on file with the school, but some are P.O. boxes or change frequently enough that the address may not be considered reliable. For these situations, CDHS has developed a process for card issuance at local county human services offices.

In instances of out-of-home family or kinship care situations, the CDHS P-EBT team will also follow up with CDHS's Child Welfare team to request an updated parent/guardian contact and mailing address to increase the probability of reaching the intended recipient, the student.

To ensure equal access for families with Limited English Proficiency (LEP), CDHS' P-EBT Call Center Contractor shall provide a percentage of call center agents to be English-Spanish bilingual. It is estimated that 30 percent of calls and emails will require Spanish speaking and/or written resolution. Language Line will also be offered for language requests beyond English and Spanish. CDHS will mail P-EBT-related notices in both English and Spanish, including a cover page offering translation assistance on all client correspondence, and outreach materials are being created in a range of additional languages. Community partners will also support outreach and education efforts with LEP families.

Retailer Communication

The Colorado Retail Council and Rocky Mountain Food Industry Association will be utilized to prepare grocery retailers for the increased spending. CDHS will take the lead in messaging to these groups, with whom the Department has previously worked under P-EBT 1.0 and 2.0.

- Describe the State’s public information campaign. That is, the information you will provide to the general public (i.e., *not directly* to P-EBT participants), and how you will provide that information (i.e., print or broadcast advertising, social media, mailers to the general population).

Public Information Campaign

In collaboration with CDE and community Website udpartners, CDHS will provide information to the general public regarding P-EBT benefits and eligibility through a variety of communication channels.

Similar to previous issuances, CDE and CDHS will continue to host a dedicated website with up-to-date information on P-EBT, including eligibility criteria and other frequently asked questions. This website will be promoted on CDE and CDHS’s social media platforms, such as Facebook and Twitter. Digital ads and social media posts will continue to be utilized, as were during the 20-21 school year, to communicate program updates throughout the 21-22 school year. CDHS will also issue press releases regarding updated P-EBT information, followed by CDE promotion of the press release.

In order to make the messaging campaign easy for partners, the state will work collaboratively to create and promote P-EBT outreach toolkits for the 2021-2022 school year with editable flyers and social media messages, available in English and Spanish. A subsequent goal of these toolkits will be to provide schools and school districts with marketing strategies and messages that can be sent home with families once the plan has been approved. These messages will be tailored to encourage the completion of the Free and Reduced-Price Lunch Application and its relationship to P-EBT this year. Messages from the toolkit may also be tailored to the families participating in The Child and Adult Care Food Program (CACFP) and The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to ensure families are aware of P-EBT and association with SNAP. CDHS and CDE will also post copies of template notices sent to families on their respective websites. These notices are detailed below.

CDHS and CDE will continue to hold webinars for the community to increase program awareness. Based on lessons learned from 20-21, CDHS will also coordinate outreach with AARP to better inform grandparent guardians.

- Describe what information you will provide for households that do not want the P-EBT benefit that is directly issued to them. How to dispose of the card, etc.

Families will receive a notice letter included with their card or mailed to them as part of auto-issuance which will include instructions for destroying the card and opting out, if they want to decline benefits.

- 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:
 - 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 over the past year, 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
 - Information 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)
 - How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?
 - Will you provide information 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 information via e-mail, text messages, social media, website, robo-call, and/or other electronic means?

Families will receive a notice letter included with their card or mailed to them as part of auto-issuance which will include a general explanation of P-EBT, eligibility for the program, benefit amounts, instructions for setting up their card, how to request a replacement card, how to check balances, where P-EBT can be used, eligible items for purchase, who to contact for questions, an explanation of violations and penalties, such as trafficking, an indication that benefits are non-transferable, and instructions for destroying the card and opting out, if they want to decline benefits.

The letters will also provide resources for the PEBT Call Center that can assist families with card issues, and to the CDHS website <https://cdhs.colorado.gov/p-ebt> where more information on P-EBT can be found. For newly eligible children, the notice will also include information on where to go for step-by-step instructions on setting up a PIN for their card and what to do if they do not want to use benefits. The notice letters will be available in Spanish and English.

Non-SNAP and SNAP Households

P-EBT participants from Non-SNAP and SNAP households will receive notice letters upon initial issuance. Letters will outline information mentioned previously, and provide participants with resources such as the call center and website where further information can be found. All households will be directed to the P-EBT call center where they can receive more information on P-EBT cards and funds.

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 own 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.

Please describe how your State will manage P-EBT payment errors.

As a general rule, CDHS will not pursue claims against minors, as the P-EBT cards are issued directly to eligible children. Colorado will mitigate over-issuances by retroactively issuing benefits for the 2021-2022 school year, and ensuring de-duplication so no child receives more than one P-EBT benefit in a month. Any P-EBT cases identified as incorrect, Colorado will confer with FNS to consider appropriate next steps. These next steps may include (1) "early expiring" benefits before they have been spent by the household, when possible and/or (2) not issuing ongoing P-EBT benefits. Colorado will work with FNS regarding procedures for overpayments related to suspected fraud should any be reported or identified through the P-EBT Call Center.

10. Benefit Issuance Reporting

The State agrees to complete the FNS-292 form as well as all other normally recurring 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, 2021 through September 30 2022. As the authorized 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 1101(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 information as may be necessary to carry out this section.”

13. Civil Rights Statement

The State will continue to comply with civil rights requirements by not discriminating on the ground of race, color, or national origin, by providing meaningful access to its programs and activities for individuals who are limited English proficient, and by providing equal access to individuals with disabilities.

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:



Karla Maraccini, Division Director, Food & Energy Assistance
Colorado Department of Human Services



Brehan Riley, Director of School Nutrition
Colorado Department of Education

Date of Request January 18, 2021