

**State Plan for Pandemic EBT  
Children in School and Child Care, 2022-2023**

<b>Issuing Agency/Office:</b>	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
<b>Title of Document:</b>	State Plan for Pandemic EBT: Children in School and Child Care, 2022-2023
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<b>Summary:</b>	(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) 2022-2023. (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 State Guidance on Coronavirus P-EBT: [Click Here](#)*

*The submission of a P-EBT state plan, associated template, and related reporting obligations are addressed in OMB# 0584-0660, Pandemic Electronic Benefit Transfer (P-EBT), expiration 11/30/2023.*

**State Plan for Pandemic EBT**  
**Children in School and Child Care, 2022-2023**

1. State: Delaware

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*<sup>1</sup> 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
- b. Estimated monthly and total *amount* of P-EBT benefits the state will issue within this plan/amendment's date range.
  - Estimated amount issued to school children in SNAP households.
  - Estimated amount issued to school children in non-SNAP households
  - Estimated amount issued to non-school children in child care
- c. Estimated total *number* of children to which the state will issue P-EBT benefits.
  - Estimated number of school children in SNAP households
  - Estimated number of school children in non-SNAP households
  - Estimated number of non-school children in child care
- d. 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
- e. Names of state agencies involved in administering this plan.

**Response:**

- a. The *date range* covered by this state plan or amendment
  - for children in school: September 1, 2022 through May 11, 2023

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<sup>1</sup> 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 2022 through June 2023, for example).

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:

Monthly (9/2022-4/2023)	Partial Month (5/2023)	Total SNAP
\$102,683.54	\$51,341.77	\$872,810.09

- Estimated amount issued to school children in non-SNAP households:

Monthly (9/2022-4/2023)	Partial Month (5/2023)	Total Non-SNAP
\$119,861.54	\$59,930.77	\$1,018,823.09

Based on the projected number of children, Delaware is estimating the monthly P-EBT issuance amounts assuming that school-enrolled children will be eligible for 5 days of P-EBT and homeschooled/virtual children will be eligible for 18 days of P-EBT at the P-EBT daily benefit amount.

SNAP Children Monthly (9/2022-4/2023)

- School Enrolled:  $1,643 \text{ (children)} \times 5 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} = \$67,198.70$
- Homeschooled/Virtual:  $241 \text{ (children)} \times 18 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} = \$35,484.84$
- $\$67,198.70 + \$35,484.84 = \$102,683.54$

SNAP Children Partial Month (5/2023)

- School Enrolled:  $1,643 \text{ (children)} \times 5 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} \div 2 = \$33,599.35$
- Homeschooled/Virtual:  $241 \text{ (children)} \times 18 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} \div 2 = \$17,742.42$
- $\$33,599.35 + \$17,742.42 = \$51,341.77$

SNAP Children Total

- $\$102,683.54 \text{ (monthly)} \times 8 \text{ (months)} + \$51,341.77 \text{ (partial month)} = \$872,810.09$

Non-SNAP Children Monthly (9/2022-4/2023)

- School Enrolled:  $2,063 \text{ (children)} \times 5 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} = \$84,376.70$
- Homeschooled/Virtual:  $241 \text{ (children)} \times 18 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} = \$35,484.84$
- $\$84,376.70 + \$35,484.84 = \$119,861.54$

Non-SNAP Children Partial Month (5/2023)

- School Enrolled:  $2,063 \text{ (children)} \times 5 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} \div 2 = \$42,188.35$

- Homeschooled/Virtual:  $241 \text{ (children)} \times 18 \text{ (school days)} \times \$8.18 \text{ (P-EBT benefit)} \div 2 = \$17,742.42$
- $\$42,188.35 + \$17,742.42 = \$59,930.77$

Non-SNAP Children Total

- $\$119,861.54 \text{ (monthly)} \times 8 \text{ (months)} + \$59,930.77 \text{ (partial month)} = \$1,018,823.09$

c. Estimated total **number** of children to which the state will issue P-EBT benefits.

- Estimated number of school children in SNAP households:

School Enrolled	Homeschooled/Virtual	Total SNAP
13,966	241	14,207

- Estimated number of school children in non-SNAP households:

School Enrolled	Homeschooled/Virtual	Total Non-SNAP
17,536	241	17,777

Available confirmed P-EBT case counts from Delaware schools show a sizable decrease in potential P-EBT absences in SY 22-23. Additionally, Delaware schools returned to in-person learning for SY 22-23.

Delaware is estimating SY 22-23 P-EBT eligibility based on the average monthly number of students who were issued P-EBT during the months of February through June 2022. These months were used because they show steady student numbers for P-EBT issuances and are estimated to most closely align with P-EBT eligibility for SY 22-23.

Delaware estimates that 10% of the total SY 22-23 homeschool population of 4,829 students will qualify for P-EBT in SY 22-23, splitting eligible students between SNAP and Non-SNAP households. The number of children who attend non-NSLP virtual schools is unknown.

SNAP Children

School Enrolled:  $1,643 \text{ (average monthly student count)} \times 8.5 \text{ (months)} = 13,966$   
 Homeschooled/Virtual:  $4,829 \text{ (total students)} \times 0.1 \div 2 = 241$

Non-SNAP Children

School Enrolled:  $2,063 \text{ (average monthly student count)} \times 8.5 \text{ (months)} = 17,536$   
 Homeschooled/Virtual:  $4,829 \text{ (total students)} \times 0.1 \div 2 = 241$

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

P-EBT benefits will be issued to SNAP and non-SNAP households following the same issuance schedule. P-EBT benefits for school children will be grouped into a single issuance for fall benefits and a single issuance for spring benefits. Children will only receive a fall or spring benefit if they have eligible P-EBT days within the benefit periods.

- **Fall benefit (9/2022 through 12/2022): Main issuance date in mid-August 2023**
- **Spring benefit (1/2023 through 5/2023): Main issuance date in late September 2023**
- **Contingency and correction issuances for SY 2022-2023 will be ongoing starting after the August 2023 issuance date through December 2023.**

Delaware confirms that all P-EBT benefits will be issued by December 31, 2023. Delaware will notify USDA for approval of any benefit issuances needing to occur after December 31, 2023.

- e. Names of state agencies involved in administering this plan.
  - Delaware Department of Health and Social Services (DHSS)
  - Delaware Department of Education (DOE)

Delaware commits to informing USDA of any significant increase or decrease in these data points during the plan period of September 2022 through May 2023 and any subsequent amendments.

#### **4. P-EBT for School Children**

##### **A. Eligible Children**

*Standard for P-EBT Eligibility*

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

1. The child would be eligible for free or reduced-price meals if the National School Lunch Program and School Breakfast Program were operating normally. This includes children who are:
  - a. directly certified or determined “other source categorically eligible” for SY 2021-2022, **or**
  - b. certified through submission of a household application processed by the child’s school district for SY 2021-2022, **or**
  - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, **or**
  - d. 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.
2. The child does not receive free or reduced-price meals at the school because the school is closed or has been operating with reduced attendance or hours for at least 5 consecutive days in the current school year. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours due to COVID-19.

- Describe how the state will identify eligible school children for P-EBT. Please describe separately for the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT (see Q&As #16 and #25). Also describe what measures the state will take to prevent the issuance of benefits to school year 2021-2022 graduates and other non-students.

**Response:** Delaware will use the most current and best available data when determining P-EBT eligibility status for SY 22-23.

Delaware will provide schools and school districts with the student rosters used to issue P-EBT benefits in SY 21-22/Summer 2022 that include students who were eligible for free or reduced-price meals. School districts will validate the rosters against current enrollment and NSLP eligibility for SY 22-23 to add new students and inactivate students, including those students who are no longer NSLP eligible, are no longer enrolled, or have graduated prior to SY 22-23. Delaware has developed a spreadsheet to collect monthly changes to ensure that P-EBT student information remains current. Delaware confirms that all schools will use new eligibility determinations for SY 22-23 to issue P-EBT benefits and that none will use free and reduced-price eligibility lists from prior school years.

Schools will use the SY 22-23 P-EBT eligibility guidance to submit eligible student information for P-EBT processing. Only those schools that have met the minimum 5 consecutive day threshold of being closed or operating with reduced attendance or hours will be authorized to submit student eligibility data. Schools will be responsible for verifying student eligibility for free or reduced-price meals for the current school year and count of absences and virtual learning days for each student for days a student did not attend school in person and did not have access to meals at school due to COVID-19. School districts will use SY 22-23 free and reduced-price meal eligibility to identify children who may be eligible for P-EBT benefits. Schools and school districts collected NSLP applications from new students, transfer students, and returning students who became newly income eligible for free or reduced-price school meals. Students who became newly eligible for free or reduced-price meals during the school year may become eligible for P-EBT based on the school-reported eligibility date for NSLP meals.

For schools that cannot track COVID-19 absences, Delaware proposes a simplified assumption to allow students with an approved absence of 5 or more consecutive days to be determined eligible for P-EBT. Delaware will also make a form available to households who need to report P-EBT eligible days because their children's school does not track COVID-19 absences. The form will be reviewed against School P-EBT data to prevent duplicate P-EBT issuances. The school or school district will then validate the child's NSLP eligibility status and count of absences to determine P-EBT eligibility for SY 22-23.

## Children Enrolled in Non-NSLP-Participating Fully Virtual Institutions or Homeschooling

Delaware will establish a parent/guardian-initiated application process for requesting P-EBT and confirming eligibility for homeschooled children and children attending a non-NSLP-participating virtual school. This application will be available to download from Delaware's ASSIST online application portal and P-EBT website. Households may also request a paper copy in-person at a SNAP eligibility office, or a copy may be mailed to the household by contacting the P-EBT call center. Applications will also be made available to schools to distribute as needed.

For children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT, Delaware will offer an application for households to report and attest to their child's participation in virtual learning or homeschooling because of COVID-19 in SY 22-23. Households will also report:

- Child's name
- Child's date of birth
- Child's gender
- Child's residency
- Child's grade
- **Child's status as a foster, migrant, runaway, or homeless**
- Parent/guardian's name
- Household & mailing address
- Phone number & email address
- Number of household members
- Homeschool or virtual school information
- Name of the school district and school where the child was last enrolled
- Most recent enrollment year in NSLP school
- Name of the current school district the household resides within
- Household's SNAP or TANF eligibility
- Household income

The form will be reviewed against School and Child Care enrollment and P-EBT data to prevent duplicate participation in P-EBT.

A homeschooled child or a child attending a non-NSLP-participating virtual school is eligible for P-EBT benefits if the child meets all three of these requirements:

1. The child previously attended an NSLP-participating school at some point after the start of the COVID health emergency, or the child enrolled in kindergarten as a virtual or homeschooled student in school year 2020-2021 or later.
  - a. Delaware will confirm previous enrollment at an NSLP-participating school by requesting households provide the name of their child's previous NSLP-participating school, and the school district validates

the child's previous enrollment using prior year school enrollment records.

- b. Delaware will confirm enrollment of children who started school as a kindergartener as a virtual or homeschooled student in school year 2020-2021 or later by using homeschool student rosters provided by DOE and verifying the child's identity through Delaware vital statistic records, Delaware's SNAP and TANF eligibility system, or identity documentation. Identity documentation may include, but is not limited to, birth certificates, passports, and collateral contacts.**
- c. Delaware will confirm enrollment of children who may have started virtual school or homeschooling in Delaware in school year 2020-2021 or later, and therefore would not be found on enrollment lists of NSLP-participating schools in Delaware in SY 2019-2020, by using homeschool student rosters provided by DOE and verifying the child's identity through Delaware vital statistic records, Delaware's SNAP and TANF eligibility system, or identity documentation. Identity documentation may include, but is not limited to, birth certificates, passports, and collateral contacts.**

- 2. The child is not attending an NSLP-participating school due to concerns about COVID.
  - a. The parent/guardian will be required to attest that their child is homeschooled or enrolled in virtual school due to concerns about COVID.
  - b. The application for homeschooled/virtual students will include two checkboxes to confirm if enrollment was or was not due to concerns about COVID.
  - c. The application for homeschooled/virtual students will include a certification statement that the parent/guardian must sign.
- 3. The child would have received free or reduced-price meals at their NSLP school if not for their virtual or homeschooled status.
  - a. Delaware will confirm if the child would have attended a CEP or other special provision school in SY 22-23, or
  - b. Delaware will confirm that the child is a SNAP or TANF recipient and would have been directly certified for free or reduced-price meals in SY 22-23, or
  - c. Delaware will collect and confirm income eligibility for free or reduced-price meals in SY 22-23.

Delaware will require all applicants to submit income documentation for gross household income at the time of application for homeschooled/virtual P-EBT. Income documentation may include, but is not limited to, pay stubs, benefit letters, or other documentation proving income received. The application will be adapted from



the NSLP household application to collect income information based on household size. Delaware will use SY 22-23 NSLP income eligibility guidelines to determine if the applicant meets P-EBT income eligibility standards. **When processing an application, Delaware will first determine if the child would have been directly certified; attended a CEP, Provision 2, or Provision 3 school; or is a foster, migrant, runaway, or homeless in SY 22-23. If a child meets one of these categories, then Delaware will use that information instead of income documentation for P-EBT eligibility.**

Delaware will follow the income verification requirements established by FNS:

1. Delaware will use the documentation provided by households with their applications to verify the eligibility of the first 100 applicants.
2. If the error rate for this first 100 is at or below 5%, Delaware will review and verify the documentation for 10% of remaining applications.
3. If at any time, the error rate rises above 5%, Delaware will resume verifying the documentation for all applicants.

Delaware will notify households if additional information is needed to process their P-EBT application, and if they are approved or denied for P-EBT.

- How will the state determine and/or confirm each child's eligibility for free or reduced-price meals?<sup>2</sup> 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), children who become eligible during the school year, and the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT.

**Response:** Delaware public and non-public schools are responsible for determining, verifying, and reporting student eligibility for free or reduced-price meals using the most current school meal information for SY 22-23 for SNAP-recipient and non-SNAP-recipient children.

Delaware schools will include the following groups of students on their P-EBT rosters:

- Students who are directly certified or determined "other source categorically eligible" for free or reduced-price meals for SY 22-23;
- Students certified through submission of a household application for free or reduced-price meals processed by the child's school district for SY 22-23; and
- Students enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3 for SY 22-23.

Schools and school districts collected NSLP applications from new students, transfer students, and returning students who became newly income eligible for free or reduced-price school meals. Students who became newly eligible for free or reduced-

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<sup>2</sup> 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.

price meals may become eligible for P-EBT based on the school-reported eligibility date for NSLP meals.

Delaware has developed a spreadsheet to collect monthly changes to ensure that P-EBT student information remains current and benefits are being accurately issued to NSLP-eligible students. This spreadsheet captures when students become newly eligible for free or reduced-price meals through direct certification, application, or enrollment and when students are no longer eligible.

### Children Enrolled in Non-NSLP-Participating Fully Virtual Institutions or Homeschooling

Delaware will establish a parent/guardian-initiated application process for requesting P-EBT and confirming eligibility for homeschooled children and children attending a non-NSLP-participating virtual school. This application will be available to download from Delaware's ASSIST online application portal and P-EBT website. Households may also request a paper copy in-person at a SNAP eligibility office, or a copy may be mailed to the household by contacting the P-EBT call center. Applications will also be made available to schools to distribute as needed.

For children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT, Delaware will offer an application for households to report and attest to their child's participation in virtual learning or homeschooling because of COVID-19 in SY 22-23. Households will also report:

- Child's name
- Child's date of birth
- Child's gender
- Child's residency
- Child's grade
- **Child's status as a foster, migrant, runaway, or homeless**
- Parent/guardian's name
- Household & mailing address
- Phone number & email address
- Number of household members
- Homeschool or virtual school start date
- Name of the school district and school where the child was last enrolled
- Most recent enrollment year in NSLP school
- Name of the current school district the household resides within
- Household's SNAP or TANF eligibility
- Household income

The form will be reviewed against School and Child Care enrollment and P-EBT data to prevent duplicate participation in P-EBT.

A homeschooled child or a child attending a non-NSLP-participating virtual school is eligible for P-EBT benefits if the child meets all three of these requirements:

1. The child previously attended an NSLP-participating school at some point after the start of the COVID health emergency, or the child enrolled in kindergarten as a virtual or homeschooled student in school year 2020-2021 or later.
  - a. Delaware will confirm previous enrollment at an NSLP-participating school by requesting households provide the name of their child's previous NSLP-participating school, and the school district validates the child's previous enrollment using prior year school enrollment records.
  - b. Delaware will confirm enrollment of children who started school as a kindergartener as a virtual or homeschooled student in school year 2020-2021 or later by using homeschool student rosters provided by DOE and verifying the child's identity through Delaware vital statistic records, Delaware's SNAP and TANF eligibility system, or identity documentation. Identity documentation may include, but is not limited to, birth certificates, passports, and collateral contacts.**
  - c. Delaware will confirm enrollment of children who may have started virtual school or homeschooling in Delaware in school year 2020-2021 or later, and therefore would not be found on enrollment lists of NSLP-participating schools in Delaware in SY 2019-2020, by using homeschool student rosters provided by DOE and verifying the child's identity through Delaware vital statistic records, Delaware's SNAP and TANF eligibility system, or identity documentation. Identity documentation may include, but is not limited to, birth certificates, passports, and collateral contacts.**
2. The child is not attending an NSLP-participating school due to concerns about COVID.
  - a. The parent/guardian will be required to attest that their child is homeschooled or enrolled in virtual school due to concerns about COVID.
  - b. The application for homeschooled/virtual students will include two checkboxes to confirm if enrollment was or was not due to concerns about COVID.
  - c. The application for homeschooled/virtual students will include a certification statement that the parent/guardian must sign.
3. The child would have received free or reduced-price meals at their NSLP school if not for their virtual or homeschooled status.
  - a. Delaware will confirm if the child would have attended a CEP or other special provision school in SY 22-23, or

- b. Delaware will confirm that the child is a SNAP or TANF recipient and would have been directly certified for free or reduced-price meals in SY 22-23, or
- c. Delaware will collect and confirm income eligibility for free or reduced-price meals in SY 22-23.

Delaware will require all applicants to submit income documentation for gross household income at the time of application for homeschooled/virtual P-EBT. Income documentation may include, but is not limited to, pay stubs, benefit letters, or other documentation proving income received. The application will be adapted from the NSLP household application to collect income information based on household size. Delaware will use SY 22-23 NSLP income eligibility guidelines to determine if the applicant meets P-EBT income eligibility standards. **When processing an application, Delaware will first determine if the child would have been directly certified; attended a CEP, Provision 2, or Provision 3 school; or is a foster, migrant, runaway, or homeless in SY 22-23. If a child meets one of these categories, then Delaware will use that information instead of income documentation for P-EBT eligibility.**

Delaware will follow the income verification requirements established by FNS:

1. Delaware will use the documentation provided by households with their applications to verify the eligibility of the first 100 applicants.
2. If the error rate for this first 100 is at or below 5%, Delaware will review and verify the documentation for 10% of remaining applications.
3. If at any time, the error rate rises above 5%, Delaware will resume verifying the documentation for all applicants.

Delaware will notify households if additional information is needed to process their P-EBT application, and if they are approved or denied for P-EBT.

- 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.

**Response:** Delaware will use schools' attestations that students who are eligible for free and reduced-price meals did not have access to meals at school. This will apply to public and non-public schools and for children in SNAP households and children in Non-SNAP households.

Delaware has developed a spreadsheet to collect monthly changes to ensure that P-EBT student information remains current and benefits are being accurately issued to eligible students. Delaware schools will track and report attendance information monthly for students who have an absent day or virtual learning day caused by COVID-19 and who did not have access to meals at school. Schools must report eligible P-EBT days for students based on their operating calendars and actual student attendance.

The State will follow up with any school that submits attendance information to issue P-EBT benefits at a rate that is clearly out of line with known community COVID incidence rates, the P-EBT benefits requested by nearby schools, or data collected through the state's school testing and contact tracing process.

- If the state's schools will continue to impose temporary virtual or hybrid schedules, describe the process that the state will use to update each child's in-person and virtual schedules (see Q&A #12). How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.).

**Response:** Delaware has developed a spreadsheet to collect monthly changes to ensure that P-EBT student information remains current and benefits are being accurately issued to eligible students. Delaware schools will track and report attendance information monthly for students who have an absent day or virtual learning day caused by COVID-19 and who did not have access to meals at school. Schools must report eligible P-EBT days for students based on their operating calendars and actual student attendance.

- Describe the process that the state will use to identify individual students' COVID-related absences or virtual learning days, including the process to identify, confirm and monitor the enrollment status of children in non-NSLP-participating fully virtual institutions or homeschooling.

**Response:** Delaware has developed a spreadsheet to collect monthly changes to ensure that P-EBT student information remains current and benefits are being accurately issued to eligible students. Delaware schools will track and report attendance information monthly for students who have an absent day or virtual learning day caused by COVID-19 and who did not have access to meals at school. Schools must report eligible P-EBT days for students based on their operating calendars and actual student attendance.

**For children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT, Delaware will offer an application for households to report and attest to their child's participation in virtual learning or homeschooling because of COVID-19 in SY 22-23. Delaware will confirm a virtual or homeschooled student's income eligibility and identity as outlined in this plan. Delaware will identify, confirm, and monitor the enrollment status of students in non-NSLP-participating fully virtual institutions or homeschooling by using homeschool student rosters provided by DOE. Delaware will also compare virtual and homeschooled student information to NSLP-participating student information to ensure continued enrollment in a virtual institution or homeschooling and to prevent duplicate participation in SY 22-23 P-EBT.**

- 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).

**Response:** DHSS is responsible for the overall coordination, processing, and issuance of P-EBT benefits and handles P-EBT messaging and customer service, including the State’s P-EBT call center.

DOE assists DHSS with collecting student enrollment information and disseminating P-EBT information to schools and the public.

Delaware schools are responsible for determining eligibility for free and reduced-price meals. Delaware schools also confirm and track P-EBT eligibility for their students, which includes identifying COVID-19 related absent or virtual learning days for each child eligible for free or reduced-price meals.

Households may contact DOE or their child’s school for inquiries related to free and reduced-price meal eligibility and P-EBT attendance information.

- 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. *(Please review Q&A #25 on simplifying assumptions regarding fully virtual schools and homeschooling.)*

**Response:**

1. Delaware proposes allowing schools that cannot track COVID-19 absences to use a simplified assumption regarding absent days.
  - If a student is absent for 5 consecutive school days and the student’s absence cannot be confirmed as related to COVID-19 because the absence reason is not available to the school, then the school may assume that the student was absent due to COVID-19 and may receive P-EBT benefits for those absent days.
  - For schools that qualify for the 5 consecutive days simplified assumption, parents can request/claim COVID-related absent days for fewer than 5 days. This request will be sent to the child’s school, and the school will verify that the absences were excused absences.
  - Delaware will follow the guidance for parent attestation related to parent-initiated applications.

Schools able to track COVID-related absences will not use this assumption and will submit only actual student attendance information for confirmed P-EBT eligible days.

2. For children enrolled in non-NSLP-participating fully virtual institutions or homeschooling, Delaware will make a simplifying assumption of 18 days per month of P-EBT eligibility for the SY 22-23 P-EBT period starting September 1,

2022 and ending on May 11, 2023. May 2023 will be issued as a partial month of benefits with 9 P-EBT days.

## B. School Status

### *Standard for P-EBT Eligible School Status*

Children are eligible for P-EBT benefits if they are eligible for free or reduced price meals, but are unable to receive those meals at school due to the operating status of their schools as outlined below:

1. The school is closed (including any delayed start or early closure to the school year), or the school is operating with reduced attendance or hours.
2. School closures do not include weekends, or days when the school is closed due to a holiday or regularly scheduled break (Thanksgiving, New Year's Day, Spring Break, etc.).
3. The period of closure or reduced attendance or hours must meet the current school year minimum 5 consecutive day threshold before any child is eligible for P-EBT benefits. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours and/or attendance due to COVID-19.

- Describe how the state will identify, confirm and monitor the status of individual schools. Also describe how the state will identify the period of duration of the closure, reduced hours, or reduced attendance of the state's schools.

**Response:** Schools will notify DHSS if the school met the P-EBT eligible school status for being closed or operating with reduced attendance or hours for 5 consecutive days due to COVID-19 in SY 22-23, thus initiating P-EBT eligibility for that school. After the school's P-EBT eligibility has been met and confirmed, the school will identify students who were absent or participating virtually due to COVID-19 and are eligible for free and reduced-price meals for SY 22-23. P-EBT benefits will be issued back to the first day of the initial 5 consecutive day period the school was closed or operated with reduced attendance or hours using actual student attendance information. Students may be eligible for P-EBT benefits starting from the first day of the initial 5-day period of closure or reduced attendance or hours.

Schools must confirm that they have met the school eligibility criteria before they will be authorized to begin submitting student attendance information.

- 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?

**Response:** Delaware will require all schools to report school eligibility information and attest to meeting the P-EBT eligibility requirements on the monthly P-EBT reporting spreadsheet. Schools must confirm that they have met the school eligibility criteria and provide the start date of school eligibility before they will be authorized to begin submitting student attendance information.

- 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.)

**Response:** Delaware will require all schools to report school eligibility information and attest to meeting the P-EBT eligibility requirements on the monthly P-EBT reporting spreadsheet. Schools must confirm that they have met the school eligibility criteria before they will be authorized to begin submitting student attendance information.

- Describe any simplifying assumptions the state proposes to use and the justification for using those simplifying assumptions. Please address both in detail. In addition, please describe any proposed measures that ensure program integrity when using the proposed simplifying assumptions.

**Response:** Delaware is not proposing any simplifying assumptions for school eligibility.

**5. P-EBT for Children in Child Care** (section omitted from this school plan submission)

**6. Benefit Levels**

*Standard for Benefit Levels*

1. The full daily benefit level for each eligible child is equal to the free reimbursement for a breakfast, a lunch, and a snack for school year 2022-2023. The benefit is multiplied by the number of days that the eligible child’s status makes them eligible for P-EBT benefits.

SY 2022-2023 July 1, 2022 - June 30, 2023	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
<b>Contiguous U.S.</b>	\$4.43	\$2.67	\$1.08	<b>\$8.18</b>
<b>Alaska</b>	6.87	4.21	1.75	<b>12.83</b>
<b>Hawaii, Guam, Virgin Islands, Puerto Rico</b>	5.10	3.09	1.26	<b>9.45</b>

**Notes:**

1. Lunch rates include the 8 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
4. The figures include the temporary additional funding for school lunch and school breakfast authorized under Section 2 of the Keep Kids Fed Act of 2022.

Source: <https://www.federalregister.gov/documents/2022/07/26/2022-15892/national-school-lunch-special-milk-and-school-breakfast-programs-national-average-paymentsmaximum>



- Describe the benefit levels proposed, including how days of eligibility will be determined. What simplifying assumptions does the state propose? Why must the state make those simplifying assumptions? Please address both of these questions in detail.

**Response:** Delaware will provide the standard P-EBT daily benefit amount of \$8.18 for each eligible school day that a student was eligible for free and reduced-price meals, but did not receive a meal at school due to an absence or virtual attendance caused by COVID-19. Delaware schools will report the eligibility days for each student monthly to include each student’s attendance information.

Delaware is proposing to use the following simplifying assumptions for calculating monthly P-EBT benefit amounts:

1. Delaware proposes allowing schools that cannot track COVID-19 absences to use a simplified assumption regarding absent days.
  - If a student is absent for 5 consecutive school days and the student’s absence cannot be confirmed as related to COVID-19 because the absence reason is not available to the school, then the school may assume that the student was absent due to COVID-19 and may receive P-EBT benefits for those absent days.
  - For schools that qualify for the 5 consecutive days simplified assumption, parents can request/claim COVID-related absent days for fewer than 5 days. This request will be sent to the child’s school, and the school will verify that the absences were excused absences.
  - Delaware will follow the guidance for parent attestation related to parent-initiated applications.

Schools able to track COVID-related absences will not use this assumption and will submit only actual student attendance information for confirmed P-EBT eligible days.

2. For children enrolled in non-NSLP-participating fully virtual institutions or homeschooling, Delaware will make a simplifying assumption of 18 days per month of P-EBT eligibility for the SY 22-23 P-EBT period starting September 1, 2022 and ending on May 11, 2023. May 2023 will be issued as a partial month of benefits with 9 P-EBT days.

## **7. Implementation Timeline, EBT Processing, and Benefit Issuance**

Please provide an implementation timeline for SY 2022-2023 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 past years, 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.

**Response:** Delaware's P-EBT Plan has been developed cooperatively between DHSS and DOE, in consultation with Delaware's EBT processor.

**Delaware plans to issue P-EBT benefits to households with eligible school children in a single issuance for fall benefits and a single issuance for spring benefits. Contingency and correction issuances for SY 2022-2023 will be ongoing through December 2023. Delaware confirms that all P-EBT benefits will be issued by December 31, 2023. Delaware will notify USDA for approval of any benefit issuances needing to occur after December 31, 2023.**

- **Day #1: P-EBT plan approval; Delaware's P-EBT customer service hotline remains active and ready to take calls.**
- **Day #1: Final P-EBT instructions and spreadsheet sent to Delaware schools. Schools may begin submitting student data to the State.**
- **Early August 2023:**
  - Update P-EBT client and public messaging and the DHSS P-EBT website.
  - Make available the P-EBT application for homeschool/virtual students.
- **Mid-August 2023:**
  - Send notification to households who will receive benefits.
  - Issue Fall benefit (9/2022 through 12/2022) – date subject to change.
- **Early September:**
  - Deadline for households of NSLP-participating students to submit forms for P-EBT-related absences of four or fewer consecutive days, in schools that do not report COVID-19 absences.
  - P-EBT application deadline for homeschool/virtual students.
  - Cutoff date for schools to submit student data to the State.
- **Late September: Issue Spring benefit (1/2023 through 5/2023) – date subject to change.**
- **October 1, 2023 – December 31, 2023: Contingency and correction P-EBT issuances completed as needed.**

Delaware commits to inform USDA of any significant changes to the above schedule.

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?

**Response:** SNAP households will receive P-EBT benefits on their SNAP EBT cards. Non-SNAP households will receive a unique P-EBT card.

- 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 P-EBT issuances for previous school years. This will greatly facilitate the states' ability to report and USDA to maintain accountability for P-EBT.

**Response:** Delaware will continue to use the P-EBT sub-benefit type as previously used, which is separate and apart from D-SNAP.

- 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.

**Response:** Delaware will make P-EBT first on the 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.

**Response:** Delaware will follow the same expungement rules as SNAP, with an expungement period of 274 days for inactive EBT accounts.

- 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?

**Response:** SNAP EBT and P-EBT cards will be returned to Delaware's EBT processor. Households will be informed of card replacement procedures and contact information for updating household information.

- 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?

**Response:** Delaware will not issue new P-EBT cards to existing P-EBT households. Existing P-EBT households will be instructed to retain their SNAP EBT and P-EBT cards from previous issuance rounds in case their children continue to remain eligible

for P-EBT. Households will be informed of card replacement procedures and may request replacement SNAP EBT and P-EBT cards from the EBT processor.

## 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.

1. USDA strongly encourages states to provide a means to resolve disputes and answer questions from actual or potential P-EBT households.
2. 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.

**Response:** Delaware has an established customer service hotline to resolve all P-EBT inquiries, disputes, and discrepancies that are reported. DHSS works closely with DOE when issues involve eligibility for free and reduced-price meals. Disputes over the amount of eligible P-EBT days can be addressed with schools, and the schools will have an opportunity to correct previous monthly issuances. Delaware has established an internal process to make corrections based on returned mail, changes reported by the schools, and information reported by households to DHSS and DOE.

- 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.

**Response:** Delaware is committed to serving all households who qualify for P-EBT.

- DHSS will work with schools and eligibility offices to ensure that there is a mailing address by which to provide benefits for households experiencing homelessness.
- For foster children, Delaware will inform the State's Department of Services for Children, Youth and Their Families of the P-EBT program and advise that foster parents update their addresses with their respective schools.
- A Social Security number is not collected for P-EBT purposes and is not needed to establish a P-EBT card PIN.

- Delaware provides all P-EBT information in English and Spanish and offers interpretation and translation of information into other languages as needed for households with limited English proficiency.
- Households without internet access may call the DHSS customer service hotline for assistance. Information about the P-EBT program will be mailed to households and posted in community locations.
- Delaware will assist any customers with disabilities or access issues as needed.
- 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).

**Response:** Delaware posts P-EBT information at DHSS eligibility offices and shares information with community agencies to ensure the public is aware of the program. Delaware will issue a press release regarding the continuation of P-EBT for SY 22-23. P-EBT information is available online at <https://www.dhss.delaware.gov/dss/pebt.html>. The P-EBT website contains detailed eligibility and benefit information and contact information for the P-EBT program. The website will be updated for SY 22-23 upon plan approval.

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

**Response:** Delaware instructs households that do not wish to receive benefits to destroy and properly dispose of the P-EBT card that is sent to them. These instructions are included on the P-EBT client notice, the P-EBT card mailer, and the P-EBT website.

- 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:
  - a. 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:
    - i. A description of P-EBT
    - ii. Instructions for PINing a P-EBT card
    - iii. Explanation of where benefits can be used
    - iv. Explanation of how benefits can and cannot be used (i.e., eligible foods and non-eligible items)
    - v. Explanation of violations and penalties, such as trafficking
    - vi. An indication that benefits are non-transferable
    - vii. Instructions for destroying the card, if they want to decline benefits

- viii. 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)
- b. How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?
  - i. 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.
  - ii. Will you provide information via e-mail, text messages, social media, website, robo-call, and/or other electronic means?

**Response:** All the information listed above is shared directly with all P-EBT households through a P-EBT client notice and the P-EBT card mailer. Both documents include the customer service hotline number and the P-EBT website link. Delaware's P-EBT website contains detailed P-EBT information. P-EBT information is also shared on DOE's website, school websites, and social media. Flyers will be available at DSS eligibility offices and community locations. Delaware will update the P-EBT public messaging to reflect the May 11, 2023 end date of the Federal public health emergency for COVID-19.

## 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.

**Response:** Delaware understands the expectations regarding P-EBT benefit over-issuances. Delaware will research and correct (when feasible) all identified improper P-EBT issuances, over-issuances, and under-issuances. Delaware will take prompt action on all reported changes to student and household information to ensure benefits are being issued accurately.

Delaware confirms it will not attempt to reclaim P-EBT benefits by reducing a household's SNAP benefit. Since P-EBT benefits are unsolicited, Delaware recognizes that efforts must be taken to communicate and attempt to rectify questions and concerns.

Delaware will research reported improper issuances resulting from incorrect or outdated guardian information. If the benefits were issued for the child based on the best available information and the benefits were spent, no further recourse is available. If the benefit has not been spent, Delaware will stop benefits to the incorrect guardian and reissue benefits to the correct guardian for the child.

Delaware will report any improper payment or over-issuance to USDA and receive approval from USDA to make a correction prior to doing so. Delaware commits to filling out the spreadsheet for over-issuances that USDA provided to states. Delaware will use the spreadsheet to provide a thorough explanation of the corrective action that the State will take or has taken to prevent recurrence of the error, in addition to the description of the error, the number of children involved, and the value of the over-issuance.

## **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, 2022 through September 30, 2023. 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 basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The State will also provide meaningful access to its programs and activities for individuals who are limited English proficient, and provide 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:**

  
\_\_\_\_\_  
Thomas Hall, Director  
Division of Social Services

**Date of Request:** June 8, 2023

**Date of Plan Revision:** August 3, 2023