



Food and Nutrition
Service

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January 24, 2022

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

TO: Dr. Patty Bennett
Regional Administrator
Mid-Atlantic Regional Office

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

Summary of State's Plan

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

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

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

In addition, Delaware has or will:

- tentatively issue benefits for the months of August and September in a single distribution in February,
- tentatively issue benefits for October and November in March,
- tentatively issue benefits for December and January in April,
- tentatively issue benefits for February and March in May,
- tentatively issue benefits for April in June,

- issue benefits for the remaining months of the school year after receipt of data from the schools,
- use schools' most current free and reduced price eligibility lists to identify students who may qualify for P-EBT benefits:
 - newly income-eligible students will be eligible for benefits from the date their free and reduced price meal application was received and forward,
- receive a spreadsheet from LEAs and private schools on a monthly basis that contains information on:
 - the names of students with approved fully virtual schedules for the previous month who attend NSLP eligible schools and sites,
 - the names of all other students with COVID-related absences or virtual learning days in the previous month:
 - for schools that are tracking COVID-related absences or virtual learning days, the school will provide the actual count of those days for the month,
 - for schools that cannot track COVID-related absences, any excused absence of 5 consecutive days or more will be a presumed COVID-related absence, the school will provide the actual count of excused absence days for the month:
 - for families attending schools using the 5 consecutive day threshold as a proxy for a COVID-related absence, the family may make a claim with the state for any COVID-related absence that is less than 5 consecutive days,
 - the family will attest on a standard application created by the state that the absence days are COVID-related, and
 - the state will verify with the school that the absence was excused prior to issuing benefits for those days,
- calculate benefits for each income-eligible student based on the student's actual number of eligible virtual learning days and COVID-related absences each month:
 - for those in a fully virtual schedule, this will equal 18 days' worth of benefits per month,
- provide guidance to schools detailing the requirements for:
 - determining school eligibility based on school closures or reductions in attendance and hours,
 - determining what is a COVID-related absence and,
 - determining the number of benefit days for individual students,
- encourage schools that do not have specific absence codes for COVID to implement a COVID related absence code into their tracking system for the rest of the school year.

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

Estimated Caseload and Value of P-EBT Benefits

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

- Delaware estimates that it will issue \$4.6 million to approximately 51,600 children for school closures and reductions in attendance and hours extending from September 2021 through June 2022.

Release of Information

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

Plan Timetable and Revisions

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

Civil Rights

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

Administrative Funds

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

Reporting

The Delaware Division of Social Services will complete the FNS-292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS appreciates Delaware's exceptional efforts to maintain children's access to nutritious meals, and understands that even as the nation recovers from this difficult

time, State agencies and local program operators will still face any number of challenges. FNS stands ready to provide additional support as needed. If you have questions, please contact the FNS Mid-Atlantic Regional Office.

Sincerely,

Cindy Long
Administrator