



Food and Nutrition  
Service

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March 23, 2022

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

**TO:** Willie Taylor  
Regional Administrator  
Southeast 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 Kentucky's enclosed plan to operate P-EBT for school children.

### **Summary of State's Plan**

The Kentucky Department of Community Based Services and the Kentucky 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 May 2022.

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

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

In addition, Kentucky will:

- tentatively issue benefits for the months of September 2021 through February 2022 in a single distribution on or around May 25,
- tentatively issue benefits for the month of March through May in a single distribution on or around June 25:

- the June issuance will also include benefits for prior months of eligibility not reported by schools to the state in time for the May distribution, and it will include benefits processed through the household reconsideration process,
- tentatively issue benefits on July 25 and August 25 to cover prior months of eligibility not reported by schools to the state, and benefits processed through the household reconsideration process,
- use new free and reduced price eligibility determinations from school year 2021-2022:
  - assume eligibility back to the beginning of the school year for any households that apply prior to schools getting out for the summer,
- collect student-level P-EBT-eligible days from schools through a state-developed Absence Tracking Template:
  - almost all schools are tracking COVID-related absences and virtual learning days; these schools will provide actual counts of these P-EBT-eligible days for each student,
  - relatively few schools are not tracking COVID-related absences and virtual learning days; these schools will provide the length of any excused absence of 5 or more consecutive days for each student:
    - households of students in these schools may make a claim for any COVID-related absence or virtual learning period that is less than 5 consecutive days:
      - households will make the request through the state's call center,
      - call center staff will read an attestation statement to the household applicant who will confirm that the absences or virtual days are COVID-related,
      - the state will then contact the student's school and the school will review and verify that the days were excused absences,
      - the schools and the state will ensure that payments are not claimed by more than one parent or guardian through this process,
- issue individual benefits based on each student's number of P-EBT eligible days,
- provide a reconsideration process through the state's call center for households who disagree with the number of P-EBT eligible days reported by their schools to the state:
  - the process for parents to challenge their benefits, and for the schools to review and verify the claims, will be the same as the process for households whose schools do not track COVID-related absences, described above.

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.

Kentucky estimates that it will issue \$17.4 million to approximately 272,600 children for school closures and reductions in attendance and hours extending from September 2021 through May 2022.

### **Release of Information**

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in Kentucky. 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**

Kentucky 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**

Kentucky 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 Kentucky Department of Community Based 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 Kentucky Department of Community Based Services will complete the FNS-292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS appreciates Kentucky'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 Southeast Regional Office.

Sincerely,

Cindy Long  
Administrator