



Food and Nutrition  
Service

1320 Braddock Place  
Alexandria, VA  
22314

May 7, 2021

**SUBJECT:** Pandemic Electronic Benefits Transfer Program (P-EBT)  
Approval of Oregon's State Plan for Children in Schools and Child Care

**TO:** Jesus Mendoza, Jr.  
Regional Administrator  
Western Regional Office

The Families First Coronavirus Response Act (P.L. 116-127; the Act) as amended by the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159) and the Consolidated Appropriations Act, 2021 (P.L. 116-260) 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 Oregon's enclosed plan to operate P-EBT for children in schools and child care.

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

The Oregon Department of Human Services and the Oregon 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 October 2020 through May 2021. The State's plan for SNAP-enrolled children in child care covers the months of October 2020 through May 2021.

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. Children in child care are eligible if they are enrolled in SNAP and their child care facility is closed or operating with reduced attendance or hours, or if they live in the area of a school that is closed or operating with reduced attendance or hours. 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 through their schools or child care providers.

### **Children in Schools**

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 SY 2019-2020 eligibility data will have a means to address that they do not issue benefits to last year's graduates and 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, Oregon has or will:

- issue benefits for the months of October through December in a staggered distribution in June,
- issue benefits for the months of January through March in a staggered distribution in July,
- issue benefits for the months of April through June in a staggered distribution in August,
- issue retroactive snack benefits for the month of September in a staggered distribution in August,
- issue benefits corrections, as needed, on a daily basis,
- developed a centralized database to collect student eligibility information and school status; Oregon will receive weekly school status information on a monthly basis to determine benefit levels for all students within a school:
  - if at least 75% of students are attending virtually each day and are not receiving NSLP meals on site as part of the instructional day, students will receive the fully virtual benefit,
  - if at least 25% of students are attending virtually each day and not receiving NSLP meals as part of the instructional day, students will receive the hybrid benefit, or
  - if at least 75% of students are attending school on-site each day and receiving NSLP meals as part of the instructional day, no students will receive a benefit
- use schedule data collected from schools to set or adjust average benefits for the next two-month period for children with hybrid schedules; if justified by the data, the state will set a statewide average benefit for these children, and
- set a constant monthly benefit for children receiving the fully virtual benefit by averaging the number of instructional days by the number of months in the school year.

### **Children in Child Care**

At a minimum, the State will identify all children under age 6 who are enrolled in SNAP at any time since October 1, 2020. The State will not issue child care benefits to any child for months after their SNAP enrollment ends. Finally, the State will ensure that children who receive a benefit through P-EBT's child care component do not also receive a benefit through P-EBT's school component for the same month.

In addition, Oregon will:

- identify the county of residence for each SNAP-enrolled child under age 6,
- for each month from October through the end of the school year, determine if at least one school is closed or offering only distance learning to its students:
  - if the State identifies at least one such school, all SNAP-enrolled children under age 6 will receive a full P-EBT benefit in the same amount as the children in the county's closed or fully distance learning schools;
  - if the State does not identify at least one such school, but identifies at least one school offering mixed in-person/distance learning, then

- all SNAP-enrolled children under age 6 will receive a partial P-EBT benefit in the same amount as the children in the county's mixed in-person/distance learning schools,
- if the State does not identify any schools in the county that are closed or operating at reduced attendance or hours, but:
    - the State identifies that the child's covered child care center is closed or operating reduced attendance or hours, the eligible children who attend that child care center will receive a benefit consistent with the center's operating status, or
    - while Executive Order 20-12 (which limits the operating capacity of child care centers in Oregon) remains in effect, all remaining SNAP-enrolled children under age 6 will receive the partial P-EBT benefit,
  - accept verification from parents of SNAP-enrolled children who are age 6 but not yet enrolled in school; the State will verify these children's enrollment in a covered child care facility operating with reduced attendance and issue the same benefit level as determined for children age 0-5 in childcare.

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.

- Oregon estimates that it will issue \$487.4 million to approximately 492,500 school children for school closures and reductions in attendance and hours extending from October 2020 through May 2021.
- Oregon estimates that it will issue \$87.0 million to approximately 80,000 SNAP-enrolled children in child care from October 2020 through May 2021.

#### **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 Oregon. 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**

Oregon 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**

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

**Reporting**

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

FNS appreciates Oregon's commitment to meet the nutritional needs of children during a challenging time. If you have questions, please contact the FNS Western Regional Office.

Sincerely,

Cindy Long  
Deputy Administrator  
Child Nutrition Programs