

**State Plan for Pandemic EBT
Children in School and Child Care, 2020-2021**

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, 2020-2021
Document ID:	
Z-RIN:	
Date of Issuance:	January 29, 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 school children during school year (SY) 2020-2021 and for children in child care during federal fiscal year 2021. (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) and the Consolidated Appropriations Act, 2021 (P.L. 116-260).
Disclaimer:	The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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 should be covered under an Emergency Information Collection Request for the Pandemic EBT (Schools), to be adjusted as appropriate, which is currently under review at OMB. Once OMB has approved the request and assigned the OMB# Control Number, FNS will include the necessary information on the State Plan.

State Plan for Pandemic EBT
Children in School and Child Care, 2020-2021

1. State: VIRGINIA

2. Primary Citations: Families First Coronavirus Response Act (FFCRA); Continuing Appropriations Act, 2021 and Other Extensions Act; Consolidated Appropriations Act, 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).

Note that P-EBT benefits for school children are available from the start of school year 2020-2021. P-EBT benefits for children in child care are only available from the start of federal fiscal year 2021, or October 1, 2020.

- 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. Estimated total amount of administrative funds the State needs to complete the work described in this State plan/amendment.²
- e. 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

Response:

For details regarding school aged children, please see previously approved P-EBT Plan.

¹ The date range covered by P-EBT State plan or amendment. For example: a State's initial plan could cover August 31, through September 30, 2020; and a later amendment could cover October 1, 2020 through December 31, 2020. ² Note that States may only claim 100% reimbursement for P-EBT administrative expenses incurred from October 1, 2020 forward. The *date range* covered by this plan amendment for children in child care is October 1,

2020 – September 30, 2021.

The estimated *monthly* and amount of P-EBT benefits Virginia will issue within this plan amendment's date range for children in child care is \$

Estimated *total* amount to be issued to non-school children in child care: \$109,461,584

Estimated number of non-school children in child care: 114,497

Estimated total amount of administrative funds the State needs to complete the work described in this state plan amendment: \$5,000.000.

The tentative P-EBT issuance schedule to issue to children in child care is as follows:

First Issuance May 25, 2021 (Retroactive benefits October-May)

Ongoing Benefits Begin June 25 and every 25th day of the month thereafter

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 2020-2021, *or* b. certified through submission of a household application processed by the child's school district for SY 2020-2021, *or*
 - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, *or*
 - d. directly certified, determined other source categorically eligible, or certified by application in SY 2019-2020 *and* the school district has not made a new school meal eligibility determination for the child in SY 2020-2021.
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. Also describe what measures the State will take to prevent the issuance of benefits to school year 2019-2020 graduates and other non-students.
- How will the State determine and/or confirm each child's eligibility for free or

reduced-price meals? 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.

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

Response:

See previously approved plan.

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.
 - 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? • 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.)

- 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.
- 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: See previously approved plan.

5. P-EBT for Children in Child Care

Standard for P-EBT Eligibility

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

1. The child is a member of a household that received SNAP benefits at any time since October 1, 2020.
2. 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.)
3. 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?
- 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:
 - o the child’s child care facility is closed or is operating with reduced attendance or hours, or
 - o 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 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.

Response:

The Virginia Department of Social Services (VDSS) is responsible for issuing benefits for both the SNAP and PEBT programs. VDSS will leverage its enterprise case management system VACMS to identify all children under 6 who have been active on SNAP since October 1, 2020. The Commonwealth assumes that these children are eligible for PEBT because children under 6 are deemed to be enrolled in a covered child care facility.

Since October 1, 2020, the majority of Virginia school divisions have been operating at reduced attendance or hours. VDSS intends to use the local education agencies (LEA) modality as the basis for determining the child's eligibility for childcare P-EBT rather than the operational status of child care facilities. Virginia has a tremendous amount of data collected from VDOE over the course of previous PEBT issuances to be able to determine if the child is living in a county where the LEA is operating at either a fully remote or hybrid modality. This assumption is supported by the monthly school status data provided for the purposes of determining benefit level for school age children.

Contingent upon plan approval Virginia will issue retroactive benefits for the period of October 2020 – April 2021 on May 25, 2021. To be eligible for childcare PEBT the child must have been active in a SNAP household for each retroactive issuance month. Virginia will not issue childcare PEBT benefits to children that are not active SNAP household members.

Virginia will utilize the approved process we currently follow for school age children to update and re-establish each child's continued eligibility for childcare PEBT and to determine the child's benefit level. The school division and modality that corresponds with the SNAP child's residence will determine the benefit level. Children that do not live in a school division that is operating on a modified schedule of fully remote or hybrid will not be eligible to receive a PEBT benefit.

Virginia receives an update file from the VDOE each month and that file will be used to make updates and changes to modality/benefit levels as deemed appropriate. VDSS will have the primary responsibility for confirming eligibility for childcare PEBT participants based on the data available in VACMS (child under age 6 who are active on SNAP). VDOE is responsible for ensuring VDSS receives accurate reporting of information relating to the operating status of schools by LEA. VDSS will ensure there is no duplication of issuance between existing PEBT children and childcare PEBT children by cross-referencing issuance records prior to each benefit run.

Consistent with Virginia's approved PEBT plan for school age children, we will utilize two benefit levels to determine eligibility for childcare PEBT.

- Fully remote (17.8 days of eligibility per month)

- Hybrid (8.9 days of eligibility per month)

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 2020-2021. The benefit is multiplied by the number of days that the eligible child's status makes them eligible for P-EBT benefits.

	SY 2020-2021			2021			Free Reimbursements			
	July 1, 2020 - June 30,			USDA School Meal			Programs	Snack	Daily	Total
				Lunch	Breakfast		(NEW)			
Contiguous U.S.	\$3.60	\$2.26	\$0.96	\$6.82	Alaska	5.79	3.64	1.56	10.99	Hawaii,
Guam, Virgin Islands, Puerto Rico	4.20	2.64	1.13	7.97						

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-2020-07-22/pdf/2020-15764.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.

Response: See previously approved plan.

7. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2020-2021 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 2019-2020, 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:
 - o State Education agency provides student data to SNAP State agency (Day #5)
 - o P-EBT hotline becomes active (Day #9)
 - o Public notice campaign begins (Day #10), etc.

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? • 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 2019-2020. This will greatly facilitate the States' ability to report and USDA to maintain accountability for P-EBT.
- 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. • During SY 2019-2020, 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?
- Will you issue *new* P-EBT cards to existing P-EBT households?
 - o If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?
 - o If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

Response: See previously approved plan for school aged children.

Timeline for P-EBT for child care:

Day 0 – Plan Approval from USDA-FNS

Day 1 – Communicate plan approval to relevant stakeholders

Day 10 – Dry Run/Data ready for issuance approval; Press Release; websites and social media updated; begin targeted communication campaign for SNAP under 6 children

Day 12 - File transfer to P-EBT processor

Day 15 - Benefits available on cards for October 2020 and April 2021

Day 20 - Benefits available on cards for May 2021

Distribution of Benefits:

Benefits may be distributed on the household's existing SNAP EBT card.

EBT Benefit Type:

The PEBT benefit type will be used for PEBT child care cases. This is the same benefit type used for school age SNAP recipients receiving P-EBT.

Benefit Spend Priority:

P-EBT benefits will have the first spend priority.

Expungements:

Expungements will occur according to the normal SNAP expungement rules.

Returned Mail:

Not applicable as these households will not need to be mailed new cards due to being existing SNAP households.

Replacement Cards:

P-EBT child care recipients will replace the EBT card according to normal SNAP card replacement procedures.

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

- 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).
- 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.
- 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:
 - o 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 Spring and Summer of 2020, 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)
 - o 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?

Response: See previously approved P-EBT plan for these details relating to school age children. The following details relate to P-EBT eligible children under age 6 (in child care settings):

Issuance errors:

Individuals can reach out directly to the PEBT call center to address their concerns with their benefit amount or eligibility for P-EBT benefits. These disputes are tracked in the states Constituent Response Management tracking system. To the extent possible the call center resolves the concern. Escalated concerns such as failure to receive a benefit are resolved at the LEA/VDSS level.

Access Issues:

Since the childcare PEBT universe consists of the existing SNAP population we do not anticipate a significant amount of access issues. Homeless individuals may need to reach out and identify an address for receiving their card if they do not already have one. We do not use

social security numbers for any purpose related to P-EBT. Call centers are required to accommodate individuals with limited English proficiency. Individuals with disabilities will be served in the same manner in which we currently serve SNAP participants that require additional assistance.

Public Information Campaign

The State will conduct a public information campaign to alert those receiving benefits of the purpose of childcare PEBT and how it is to be used. This will include posting on the VDSS web site, social media, press releases and notification to community partners.

Information to P-EBT child care participants

Eligible participants will receive a mailing with the following information

- A description of childcare PEBT
- Explanation of where benefits can be used
- Explanation of how benefits can and cannot be used (i.e., only to purchase food items) •
- Explanation of violations and penalties, such as trafficking
- An indication that benefits are non-transferable
- Information regarding a hotline and the VDSS website with frequently asked questions
- Phone number for the EBT processor for replacement card requests

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.

Response: See previously approved plan for school aged children.

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, 2020 through September 30, 2021. 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

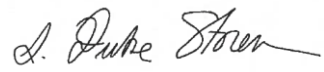
Per Section 1101(e) of the Families First Coronavirus Response Act: Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (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, to include providing equal access to individuals with disabilities and individuals who are limited English proficient.

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:

S. Duke Storen, Commissioner
Virginia Department of Social Services

Date of Request: 05/14/2021