

**State Plan for Pandemic EBT
Children in School and Child Care, 2021-2022**

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Summary:	(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) 2021-2022. (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:
<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>

The P-EBT Assistance for Children in Schools and Child Care is covered under OMB Control # 0584-0660, Pandemic EBT (Schools) which expires on August 31, 2021. The collection covers the burden associated with States submitting school year plans and the submission of the FNS-366a and SF-425 reporting forms. FNS has submitted a renewal request for OMB # 0584-0660, Pandemic EBT (Schools) which accounts for the information collection burden associated with the increased complexity of determining benefit levels under the Schools portion of P-EBT, administrative cost grants, and submitting plans for the Child Care and Summer portions of P-EBT which are not currently approved under OMB #0584-0660

State Plan for Pandemic EBT
Children in School and Child Care, 2021-2022

1. **State:** New York State

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*¹ 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

Response:

The date range for this state plan for both children in school and “children in child care” is from September 1, 2021 through June 30, 2022.

New York State’s best estimate based on prior issuances and the available data is that it will issue \$1 billion in P-EBT benefits to 1.25 million school children for the 2021-22 school year. We estimate that 358,750 of the 1.25 million school children will be in SNAP households and will receive \$287 million in P-EBT benefits. We estimate that 891,250 of

¹ 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 2021 through June 2022, for example).

the school children will be in non-SNAP households and will receive \$713 million in P-EBT benefits.

New York State's "children in child care" component (see Section 5 below) was submitted and approved separately.

For eligible children in public and charter schools, we anticipate being able to begin issuing benefits for September 2021 through June 2022 no earlier than February 2023. Eligible children living in SNAP recipient households with 5 consecutive absences/fully remote days will be the first to receive benefits, which will include the Summer 2022 benefit so long as the child was enrolled in June.

For children in private schools (non-public, non-charter) benefits will also be issued for the entire school year, for the period from September 2021 through June 2022, on a rolling basis entirely established by the availability of non-public attendance data. This is because there is no existing, readily available enrollment and attendance data sources for children in private schools, and, as during the issuance of P-EBT benefits for the previous two school years, the data will have to be compiled by the schools, reported to the New York State Education Department (SED) and processed for benefit issuance by the New York State Offices of Temporary and Disability Assistance (OTDA) and Information Technology Services (OITS).

The planned issuance schedule for the 2021-2022 school year is as follows:

- March 2023: Children in Child Care payments to children in receipt of SNAP for the months between September 2021-June 2022.
- April 2023:
 - Public and charter school children with 5 consecutive days of reduced attendance/absences. Summer 2022 payment will be included for eligible children enrolled in June 2022.
 - Summer 2022 payments to all public and charter school children enrolled in June 2022 but who did not have 5 consecutive days of reduced attendance/absences.
- May 2023: parent reconsideration request portal opens allowing parents to request payment for Covid related absences.
- Children in private schools (non-public, non-charter) benefits will also be issued on a rolling basis entirely established by the availability of non-public attendance data beginning April 2023. However, SED has communicated that the data will likely not be made available and transmitted to OITS and OTDA until late Spring/early Summer 2023.

4. P-EBT for School Children (see Q&As #6-24)

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. Also describe what measures the State will take to prevent the issuance of benefits to school year 2020-2021 graduates and other non-students. *(Please review P-EBT Q&As #16-19 on P-EBT eligible and P-EBT ineligible virtual learning models.)*

- How will the State determine and/or confirm each child’s eligibility for free or reduced-price meals²? 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 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: [please use as much space as needed]

- **Describe how the State will identify eligible school children and confirm their eligibility for P-EBT:** At the time of this plan submission, every school in New York State already has met the standard of having reduced attendance for five or more consecutive days due to COVID. Every school has had children who have been absent from school for five or more consecutive days either because children have been infected with COVID or quarantined due to direct exposure to someone who was infected with COVID. As we did for our P-EBT plan for the 2020-21 school year, we will be assuming that every school has had attendance reduced for five or more consecutive days. Given FNS previous and current guidance, particularly question numbers 16 through 19 of the August 26, 2021 guidance, on what constitutes reduced attendance, and based on what has transpired since schools have opened for the 2021-22 school year, we assume that all schools in New York State already have met the five consecutive day reduced attendance threshold through either school or classroom closures, or student absences and quarantines due to COVID. However, New York State will confirm this using NYSED school closure reports, NYSDOH daily school modality reports and individual student attendance and modality data.

Over 88% of children receiving FRPMs in New York State were students in Community Eligibility Provision (CEP) districts, meaning that all children in those districts receive FRPMs, regardless of family economic circumstances. Because all students in CEPs are eligible for FRPMs, it will not be necessary to match against 2020-21 P-EBT benefit files, or current direct certification and FRPM application records to determine eligibility for FRPMs and, hence, potential eligibility for P-EBT benefits for students in CEP schools. These matches will be done only to determine the best method of paying the P-EBT benefits to the student and to

prevent duplicate payments.

For non-CEP schools and districts, the matches against data for students who received P-EBT benefits for 2020-21 school year, who were direct certification eligible for FRPMs based on receipt of SNAP, Public Assistance or

² 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 Schools*, expiration date 7/31/23.

Medicaid, or who were certified via the FRPM application process will be used to identify and confirm eligibility for FRPMs at any point for the 2021-2022 school year and potential eligibility for P-EBT benefits. New York will assume students determined eligible for FRPMs by application during the 2021-2022 school year as eligible back to the start of the school year. New York is working entirely and only with data for the 2021-2022 school year. FRPM eligibility data is not co-mingled across school years.

All public-school districts and charter schools report enrollment, demographic and attendance data to the New York State Student Information and Repository System (SIRS). The SIRS data identifies days of remote learning and excused absences for each student but does not specifically identify excused absences and remote learning days as "COVID-related." The SIRS information is the New York State Education Department's P20 Level 2 (L2) Data Warehouse.

- Enrollment and attendance data flow from each individual school or districts student management system adhering to the New York State Education Department's (NYSED's) eScholar data model to the NYSED SIRS, L2 Data Warehouse.
- SIRS data will be combined with FRPM eligibility status data and used to match against the students who received P-EBT benefits for the 2020-2021 school year to ensure the benefits are not issued to students who graduated at the end of the 2020-21 school year, and other students no longer enrolled in NSLP-participating schools.
- As of the 2021-22 school year, all public schools and districts including charter schools report complete demographic, enrollment and attendance data for each student in SIRS.
- OTDA will receive a data file through an approved data sharing agreement containing the SIRS demographic, enrollment and attendance data, and FRPM eligibility status necessary to compile a roster of FRPM-eligible students from each school and district.
- For each eligible student, the SIRS data will be used to calculate the total number of eligible days of excused absences and remote learning for every eligible student for every month of the school year from September 2021 through June 2022.
- Students newly identified as eligible for P-EBT benefits will be matched against OTDA databases of current SNAP and Public Assistance recipients and of students who received P-EBT benefits for the 2020-21 school year, using the data elements available – e.g., name, date-of-birth, address, etc. This match will determine the best method of payment – e.g., benefits can be issued to a previously-issued card, or a new card issuance is required.
- If the student is known to OTDA databases, students in households that currently are in receipt of SNAP or Public Assistance will have their P-EBT benefits issued into their household's currently existing SNAP EBT account. Students who are not currently in receipt of SNAP or Public Assistance, but who have an existing P-EBT account for 2020-21 benefits, will have benefits issued into the student's existing P-EBT account and will not automatically receive a new card unless they have not successfully redeemed benefits issued within the last year. Student's households will be notified of the availability of the P-EBT benefits either by either individual notice, text message, and/or public and social media.

- Newly eligible students not known to OTDA databases and students without a currently active SNAP EBT or P-EBT account will have a new EBT account created for them. P-EBT benefits will be issued into the new account and a card and notice will be sent to the household notifying them of the availability of the benefit and providing them with instructions on how to “PIN” the card and use the benefits. This will be virtually identical to the process New York State used to issue P-EBT benefits to non-SNAP/Public Assistance for the 2020-21 school year.

For non-public, non-charter schools that do not report in the NYSED enrollment database, the process will be similar to the process described immediately above, but schools will be required to specifically identify children certified to receive FRPMs:

- NSLP-participating private schools will provide rosters for all FRPM-eligible students enrolled at the school along with daily counts of excused absences and remote learning days due to COVID. Such rosters will not be available until late June 2023 at the earliest.
- The rosters of FRPM-eligible students from each school will be compared to school closure reporting data and daily reporting data from the New York State Department of Health (NYSDOH) about the predominant learning modality – i.e., fully remote, hybrid, or in-person -- employed by each school only to identify potential discrepancies and errors in the schools’ attendance reporting and to identify schools that have been closed or had reduced in-person attendance for five or more consecutive days at any point since schools re-opened. Eligible students will receive benefits based on the number of days the student had an excused absence or was in fully remote learning due to COVID according to the same table used to determine benefits for public and charter school students. (See Section 6, Benefit Levels, below.)
- Students newly identified as eligible for P-EBT benefits will be matched against OTDA databases of current SNAP and Public Assistance recipients, and of students who received P-EBT benefits for the 2020-21 school year, using the data elements available – e.g., name, date-of-birth, address, etc. This match will determine the best method of payment – e.g., benefits can be issued to a previously-issued card, or a new card issuance is required.
- If the student is known to OTDA databases, students in households that currently are in receipt of SNAP or Public Assistance will have their P-EBT benefits issued into their household’s currently existing SNAP EBT account. Students who are not currently in receipt of SNAP or Public Assistance, but who have an existing P-EBT account for 2020-21 benefits and have successfully redeemed P-EBT benefits previously, will have benefits issued into the student’s existing P-EBT account and will not automatically receive a new card. Student’s households will be notified of the availability of the P-EBT benefits either by either individual notice, text message, and/or public and social media.

- Newly eligible students not known to OTDA databases and students without a currently active SNAP EBT or P-EBT account will have a new EBT account created for them. P-EBT benefits will be issued into the new account and a new card and notice will be sent to the household notifying them of the availability of the benefit and providing them with instructions on how to “PIN” the card and use the benefits. This will be similar to the process New York State used to issue P-EBT benefits to non-SNAP/Public Assistance students for both the 2019-20 and 2020-21 school years.
- Data for the 2021-22 school year enrollments and attendance will be compared to the P-EBT benefit issuance files for 2020-21 to identify students on the 2020-21 P-EBT payment files who have graduated or are no longer attending a school participating in the NSLP. Students who are not on the NYSED ATS database for the current school year will not receive any P-EBT benefits during this next phase of P-EBT.
- **How will the State determine and/or confirm each child’s eligibility for free or reduced-price meals?** Along with the student enrollment, demographic and attendance data, as they did for the 2020-21 school year, the SIRS Data Warehouse also will provide a FRPM eligibility status indicator code for each child – ‘Y’ for eligible. A “null” (empty) field represents not eligible. For CEP schools, eligibility for FRPMs will be determined by inclusion on a school’s enrollment roster in SIRS. For non-CEP schools, eligibility (indicated by a ‘Y’ in the FRPM indicator field of the student’s record) will be determined by the student having been certified by the school or school district as eligible for FRPMs for the 2021 -22 school year or inclusion in a direct certification file based on receipt of SNAP, Public Assistance or Medicaid. New York will assume students determined eligible for FRPMs by application during the school year as eligible back to the start of the school year.

Pre-K children attending Pre-K within the New York City School District who are included in the NYC CEP designation, or whose enrollment data was otherwise submitted as part of a public CEP school district will be presumed to be eligible for the NSLP. All other children attending Pre-K must apply through the OTDA application portal in order to be determined eligible for FRPL. Children will be confirmed eligible for free meals if they appear in a direct certification file based on receipt of SNAP, Public Assistance or Medicaid. All other children must establish their eligibility by application through the parent reconsideration application portal. The portal will include the NSLP application question set.

- **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.** Receipt or non-receipt of SNAP is not material to the identification of children who have missed meals due to reduce in-person attendance due to COVID. As noted in past plan submissions, receipt of SNAP confers eligibility for direct certification for FRPMs, nothing more.
- **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?** NYSED SIRS enrollment, demographic and

attendance data are refreshed on a daily and weekly schedule throughout the current school year until the close of the current school year data collection. Enrollment rosters will be updated as agreed upon in the formal, final approved data sharing agreement between OTDA and the Department and the final, end-of-year data is certified annually by school superintendents or charter CEOs in early September. Certified final, end of year data will not be available to ODTA until all reporting requirements are confirmed and data are considered as “final” to be used for federal and State reporting purposes.

- **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).**
 - As noted above, schools and school districts participating in the National School Lunch Program (NSLP) will be responsible for compiling, maintaining and submitting attendance data/rosters to the New York State Education Department (SED). Schools and school districts also will be responsible for tracking, providing and updating data on the learning modalities they are employing and how it affects their students’ in-person attendance. Non-CEP schools and school districts also will be responsible for certifying students as eligible for participation in the NSLP, and, for resolving disputes of eligibility for P-EBT benefits that are contingent on either the determination of NSLP eligibility or the number of days for which a student’s in-person attendance at school was reduced.
 - SED is the State agency responsible for overseeing the administration of school and summer Child Nutrition Programs in New York State. NYSED collects and provides direct certification data, based on receipt of SNAP, Public Assistance and/or Medicaid to schools and school districts participating in the NSLP. NYSED will use reported data/rosters from all public New York State schools and school districts participating in the NSLP and transmit the files to OTDA and the New York State Office of Information Technology Services (OITS) for further processing. NYSED will work with schools or school districts to obtain complete and correct data/rosters.
 - OTDA is the SNAP State agency and is responsible for overseeing the local administration of the SNAP and Public Assistance programs in the state. OTDA also is the agency that “owns” the Welfare Management System which is the system of record for SNAP, Public Assistance and certain Medicaid case data. OTDA also is the contracting state agency for Electronic Benefits Transfer (EBT) services and for the provision of Common Benefit Identification Cards (CBICs), the card that serves as the EBT card for households receiving SNAP and/or Public Assistance benefits and also as the state’s Medicaid card. During the initial phase of P-EBT for the 2019-20 and 2020-21 school years, OTDA served as the lead and coordinating agency for the design, implementation and overall management of P-EBT. OTDA will perform a similar role in this next phase of P-EBT but has engaged the resources of other state agencies to provide services provided by OTDA during the initial phase of P-EBT.

Most notably, for the 2020-21 school year phase of P-EBT, the operation of the P-EBT helpline that was set up to respond to customer questions and to investigate and resolve customer complaints was transferred to New York State's Human Services Call Center (HSCC) hosted by the New York State Office of Children and Family Services (OCFS). For the 2021-22 school year phase, OTDA is planning on setting up a P-EBT Bureau to handle the P-EBT mailbox, referrals from the P-EBT helpline and direct inquiries to OTDA on P-EBT matters. Also, OTDA will be working with OITS on further automation of P-EBT database maintenance functions.

- Since schools opened in September, the NYSDOH has been compiling a daily report of school closings due to COVID-19. The report captures each school's predominant learning modality – fully remote, hybrid, in-person – for each day. NYSDOH will be providing these daily reports to OTDA.
- As noted immediately above, during the school year 2020-21 phase of P-EBT, the New York State's Human Services Call Center (HSCC) hosted by the New York State Office of Children and Family Services (OCFS) assumed the responsibility of operating the P-EBT helpline and responding to P-EBT customers' questions and working collaboratively with OTDA and NYSED to investigate and resolve customer complaints. That role will continue during the school year 2021-22 phase of P-EBT.
- As noted above, OITS will assist OTDA with further automation of and maintenance and support of the P-EBT helpline database. As during the initial phase of P-EBT, OITS will work collaboratively with OTDA and NYSED to receive, prepare and process files of eligible student data, constructing and prepping files for payment via the EBT system.
- Conduent is New York State's EBT services contractor.
- Gemalto (a subsidiary of Thales) is New York State's CBIC/P-EBT card contractor. Gemalto subcontracts with FIS for certain EBT card production services.

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.
- Please review P-EBT Q&As #16-19 on P-EBT eligible and P-EBT ineligible virtual learning models.

Response: [please use as much space as needed]

- **How will the State identify, confirm and monitor the status of individual schools? How will the state identify the period of duration of the closure, reduced hours, or reduced attendance of the State's schools? How will the State identify, confirm and monitor the status of individual schools? How will the state identify the period of duration of the closure, reduced hours, or reduced attendance of the State's schools?**
New York State will use New York State Department of Health (NYSDOH) daily school learning modality data to determine whether a school building was closed or in fully-remote learning for all students during each month of the school year. For New York City public and charter schools, DOE data may be used. Because we have access to individual student attendance and modality data, and because school closures, etc., is reflected in that data, the DOH data will only be used to identify possible discrepancies or errors in reporting.

- **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?** Given FNS previous and current guidance, particularly question numbers 16 through 19 of the August 26, 2021 guidance, on what constitutes reduced attendance, and based on what has transpired since schools have opened for the 2021-22 school year, we assume that all schools in New York State already have met the five consecutive day reduced attendance threshold through either school or classroom closures, or student absences and quarantines due to COVID. However, New York State will confirm this using NYSED school closure reports, NYSDOH daily school modality reports and individual student attendance and modality data.
- **Describe how this information will be obtained and how often the State will collect updated information from schools.** The information on school closings and modality is reported daily to NYSDOH. As noted above, the reported SIRS individual student enrollment, demographic and attendance data from each school is refreshed at least weekly.
- **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.** This question is immaterial to New York State’s plan for the 2021-22 phase of P-EBT that will rely on counts of individual student absences and remote learning days due to COVID. As noted above, school closure and instructional modality information is provided daily. Individual student attendance and modality data is collected daily and data are refreshed weekly. Data for the 2021-22 school already is available and final, certified data will be available after certification by school superintendents or CEOs and final confirmation that complete data sets have been submitted in September 2022.
- **Describe any simplifying assumptions the State proposes to use and the justification for using those simplifying assumptions.** New York State will have daily data on school closures that are due to COVID-related issues, however, New York State does not and will not have access to individual student level data that will permit us to definitively attribute an excused student absence or remote/virtual learning day to a COVID-related issue. The attendance tracking data that is and will be available provides individual student records for each day of the school year. For every day, the record shows whether a student is absent, present, or tardy and whether an absence is excused or unexcused, and a student’s learning modality – e.g., in-person (face to face instruction); remote (receiving instruction by another means while not in-person; or both. (“Both” is defined as “[t]he student’s instruction was both remote and in-person for instruction on the same day.”) “Both” days are treated as in-person days for P-EBT eligibility purposes. Consequently, New York State will consider five (5) consecutive days, including

days that immediately precede and follow weekend days, where a student is reported as either absent/excused or present/remote, as Covid-related countable days in the monthly calculations.

5. P-EBT for Children in Child Care (see Q&As #25-33)

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 is enrolled in SNAP in the benefit month.
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? (See Q&A #29)
- 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:
 - the child's child care facility is closed or is operating with reduced attendance or hours, or
 - 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 how the State will set benefit levels for children once they have been determined eligible for some level of benefit? (See Q&A #29.)
- 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: [please use as much space as needed]

New York State submitted its plan for Children in Child Care separately and received USDA approval on August 10, 2022.

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 2021-2022. The benefit is multiplied by the number of days that the eligible child’s status makes them eligible for P-EBT benefits.

SY 2021-2022 July 1, 2021 - June 30, 2022	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$3.75	\$2.35	\$1.00	\$7.10
Alaska	6.03	3.78	1.63	11.44
Hawaii, Guam, Virgin Islands, Puerto Rico	4.37	2.74	1.17	8.28

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-2021-07-16/pdf/2021-15107.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: [please use as much space as needed]

As noted above, New York State does not have data that permits individual student absences or days in fully remote learning to be identified specifically as due to COVID. Therefore, New York State is assuming that each child who was absent and/or attending school remotely for at least five (5) consecutive days, was not present in school or absent due to Covid. Each weekday that falls within an occurrence of at least 5 consecutive excused absences and/or present/remote learning days in a month will be included in the monthly total number of “payable” days for the month in which it falls. Additionally, weekend days will be considered when determining whether a period of absence/remote learning is for five consecutive days if the school days immediately preceding and following the weekend are “countable” days. The weekend days, however, will not be

included in the monthly number of payable absences. For each month from September 2021 through June 2022, students will receive a benefit based on their total number of days of excused absences and remote learning days, and using the \$7.10 daily per student benefit, as indicated below:

Number of Excused Absences and Remote Learning Days Range	Total Amount of P-EBT Paid	Actual Number of Days Paid
1-5 days	\$21.00	3
6-15 days	\$78.00	10
16+	\$128.00	18

All children ages 5 and under attending Pre-K will be paid in the following manner:

- Children receiving SNAP will first be paid consistent with New York’s approved P-EBT Plan for Children in Child Care.
 - Of these children paid the \$31 Children in Child Care benefit who were enrolled in a Pre-K program that participates in the NSLP and who are eligible for Free and Reduced-Price Lunch, for any month a parent attests the child was absent for 6 or more days due to Covid (which would result in a benefit higher than the monthly benefit of \$31 for Children in Child Care Children) will be required to complete the Reconsideration Request Application process as described below. If determined eligible, the child will receive the difference between the \$31 Children in Child Care benefit and the number of excused absences payment amount. For example, a child who received \$31 would receive an additional \$47 if OTDA determines that the child was absent for 7 days in a month due to Covid.
- Children ages 5 and under attending Pre-K who did not receive SNAP and were not paid through the P-EBT Plan for Children in Child Care, are enrolled in a school that participates in the NSLP and who are eligible for Free and Reduced-Price Lunch, will be paid in the same manner as children in grades K through 12. That is, children excused to be absent and/or attending school remotely for at least five (5) consecutive days based on attendance data, will be considered to have been not present in school or absent due to Covid. The Reconsideration Request Application Forms will not differ for households of children attending Pre-K schools for attendance related information. However, children attending Pre-K programs for whom FRPL eligibility was not reported, and whose Pre-K program is not covered as part of a CEP area, will be required to complete the NSLP application to confirm FRPL eligibility. Children attending Pre-K for whom student level attendance is not included in the SED attendance data, but for whom New York can confirm FRPL eligibility, will be required to report and attest to their child’s Covid related absences. Any parent attesting to COVID-related absences in a given month that would result in a benefit greater than the benefit for children in care, will have to document a conversation with the school confirming that their child did not attend due to concerns about COVID. If the parent does not or cannot provide that documentation, then the child will be issued the amount that the parent attests to up to but not in excess of the children in child care benefit for that month rather than deny a benefit altogether. The parent reconsideration application portal will include functionality allowing parents to upload confirmation from their child’s school.

Based on the flexibilities New York State is being afforded for the 2021-2022 school year, we believe this approach is the most equitable and operationally feasible way to

distribute benefits to eligible children. Additionally, the tiered benefit structure simplifies program messaging, limits the need for reconsideration requests and places as little burden on families as possible.

7. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2021-2022 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 2020-2021, 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.

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 2020-2021. 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 2020-2021, 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?
 - 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: [please use as much space as needed]

- **Please provide an implementation timeline for SY 2021-2022 with estimated dates for major milestones in your plan.**

New York State intends to issue P-EBT benefits retroactively for every month of the 2021-2022 school year from September 2021 through June 2022 in one deposit (with discrete monthly payments).

The planned issuance schedule for the 2021-2022 school year is as follows:

- March 2023: Children in Child Care payments to children in receipt of SNAP for the months between September 2021-June 2022.
- April 2023:
 - Public and charter school children with 5 consecutive days of reduced

attendance/absences. Summer 2022 payment will be included for eligible children enrolled in June 2022.

- Summer 2022 payments to all public and charter school children enrolled in June 2022 but who did not have 5 consecutive days of reduced attendance/absences.
- May 2023: parent reconsideration request portal opens allowing parents to request payment for Covid related absences.
- Children in private schools (non-public, non-charter) benefits will also be issued on a rolling basis entirely established by the availability of non-public attendance data beginning April 2023. However, SED has communicated that the data will likely not be made available and transmitted to OITS and OTDA until late Spring/early Summer 2023.

New York will continue to provide timely updates on P-EBT issuances phases on its website and will also maintain strong lines of communication with Retailers and Retailer Associations and other community partners. We don't expect retailers to become overwhelmed because the volume and dollar value of payments issued to students who will be eligible for P-EBT payments based on the allowable simplifying assumption of 5 consecutive absences will be less than the volume and values of P-EBT payments issued for the 2019-20 and 2020-21 school years. New York will continue to review scheduled issuances based on the volume of reconsideration request from families to determine whether issuances need to be staggered and will update FNS of any changes to our final approved issuance schedule.

- **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?**

No, the State will not issue the cards on a unique P-EBT card design. The design will be the same as New York State's Common Benefit Identification Card (CBIC). As we did during the 2019-20 and 2020-21 school years, all P-EBT-specific cards will have a Client Identification Number beginning with the letter 'I'. The Client Identification Number is a unique identifier assigned to each cardholder. It is an eight-character alpha-numeric in the format of AB12345C. P-EBT cards also will have the same date of birth, 01/01/1900, for every cardholder. As was done during the first and second phases of P-EBT, the P-EBT specific cards will not be sent to SNAP households. P-EBT benefits for SNAP households will be deposited in the household's SNAP EBT account.

- **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 2020-21. This will greatly facilitate the States' ability to report and USDA to maintain accountability for P-EBT.**

As with the previous phases of P-EBT, all P-EBT benefits will be delivered on discrete payment files with unique benefit numbers for easy identification and auditing. We encountered absolutely no reporting or tracking issues during the

previous phases of P-EBT and we do not expect any during the SY 2021-22 phase.

- **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.**

As with the previous phases of P-EBT, for households who also get SNAP benefits or, should the need arise, D-SNAP benefits, the draw priority will be first in first out. We will not be adjusting that 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.**

The State will follow the same account-level inactivity expungement rules that it currently follows for SNAP.

- **During SY 2020-2021, 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?**

New York State did not have a large percentage of P-EBT cards returned to our processor during previous phases of P-EBT. We will employ the same address validation processes that we employed during the first and second phase of P-EBT, enhanced by all the updated address data that we collected during the first and second phases. As during the first and second phase, our card issuer will receive and destroy returned cards and provide a file of which cards have been returned. We will use this file for two purposes: to contact schools and school districts to provide updated addresses and to flag children in the P-EBT database for whom we have incorrect addresses. Should a parent or guardian contact our P-EBT helpline or mailbox, the agent handling the contact will know of the incorrect address and will know to collect the correct address to which a replacement card can be sent.

- **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?**

New York State will not be issuing new P-EBT cards to existing P-EBT households, except for those whose cards were returned and never successfully delivered during the first and second phases of P-EBT. For existing household requesting replacement cards our P-EBT helpline Integrated Voice Response (IVR) system will have special prompts to direct clients how to request replacement cards. During the first and second phases of P-EBT, card replacement requests were processed manually by helpline agents. Manually issuing a replacement card is a simple and quick process, however, we are exploring ways of capturing cardholder information and automating the replacement

process in expectation of a greater volume of replacement requests.

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 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 and caregivers 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:
 - 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:
 - 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)
 - 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: [please use as much space as needed]

- **How will the State resolve disputes or issuance errors (incorrect benefit**

amount, denied benefits, etc.)?

As during previous phases of P-EBT, New York State will have a dedicated P-EBT helpline to field inquiries, assist P-EBT customers with card PIN-ing issues, card replacement requests, etc. Agents will not be able to resolve eligibility and benefit amount issues that are not supported by the data provided by schools.

New York State will also maintain its current P-EBT Information Form which feeds the dedicated P-EBT mailbox as an avenue for parents/guardians to submit inquiries and submit card (and card replacement) requests.

New York State is also developing a P-EBT Reconsideration Request portal and process allowing parents/guardians to request a review of a student's monthly attendance record if the parent/guardian believes a Covid-related absence(s) was not considered when calculating the monthly P-EBT benefit amount. The Reconsideration Request portal will include a Reconsideration Application Form which will collect student and parent/guardian demographic information, including school information. The Application Form will allow the parent/guardian to enter the number of days the child was absent or attending remotely due to Covid for each month of the 2021-22 school year (September through June) and will inform the parent/guardian that by submitting the Application Form, they are attesting to the accuracy of the information in the form, most specifically, that the child was absent or attending remotely for the days in question due to Covid. OTDA will then compare the information in the Application Form to the school attendance data. If the number of excused absences or remote learning days reported in the Application Form is equal to or less than the number of excused absences/remote learning days in the attendance data for that month, those days will be counted as P-EBT eligible days and included in the determination of the monthly benefit amount.

OTDA is on the process of filling 15 temporary positions, of which 14 will process reconsideration requests and authorize any additional P-EBT food benefits for which a child is eligible.

For children for whom Reconsideration Requests are submitted but who are not found in the attendance data, OTDA will compile and send lists of these children altogether missing from the attendance data to the NYS SED to confirm whether a child was omitted in error, similar to the process to confirm eligibility for students not included in the attendance data for the 2019-20 and 2020-21 school years. For those school years, OTDA collected information from students who submitted inquiries through the P-EBT Helpline or Information Form who were not included in the attendance data transmitted to OTDA and sent the information to SED and NYC DOE to confirm eligibility. OTDA will employ a similar process for the 2021-22 school year but will correspond more frequently with SED so that "clean up" confirmation of eligible children will be conducted throughout the issuance cycles and not held until after issuances have been completed for all children included in the attendance data. P-EBT for the 2021-22 school year will be, by its

nature, a more manual process as very few children will have been absent or attending remotely for 5 consecutive days and therefore eligible and be paid automatically. The vast majority of children will be issued payments only after the parent/guardian has submitted a Reconsideration Request Application Form and attested to Covid related absences fewer than 5 consecutive days.

- **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.**

New York will make best efforts to locate current addresses for children experiencing homeless and for children in foster care. Consistent with efforts made during the previous phases of P-EBT, when a delivery address cannot be obtained efforts will be made for the schools to help deliver benefit cards.

OTDA will also work closely with local departments of social services staff and foster parents to local children in foster care and deliver benefit cards

We did not have social security numbers for non-SNAP and non-Medicaid children during previous phases of P-EBT. We cannot get and do not need the SSN of either the parent/guardian or of the child to whom the P-EBT card is issued for the household to be able to PIN the card. For card PIN-ning purposes, we used the mm/dd of the child's date of birth in lieu of the last four-digits of the SSN.

As with the first and second phases of P-EBT, our P-EBT helpline will assist customers in languages other than English either by routing the client to an agent who speaks the customer's native language or by engaging a Language Line translator. P-EBT instructional and informational videos are available in English and Spanish, and all printed materials are posted to our agency website and are available in multiple languages by using the translation function available at the bottom of every webpage.

- **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).**

As with the first and second phases of P-EBT, the State will post information to the OTDA website, and use press releases, social media and community partners to provide general information about P-EBT. We also will work closely with schools and school districts to disseminate general information about P-EBT.

- **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 P-EBT participants who also are SNAP recipients, as with the first and second phases of P-EBT, we will be using public notice, social media, community partners, schools and text and email blasts to inform them of the availability of the P-EBT benefits.

For P-EBT participants who are not SNAP recipients, individual notices, text messages, and, if anew participant, a P-EBT cardholder will be sent to the parent/guardian with information about P-EBT and card PIN-ning instructions.

During the first and second phases of P-EBT, the state used text messaging blasts successfully to contact recipients who had failed to redeem benefits to make sure that they were aware of the benefits and to provide them with a link to information, including videos, to help them PIN their P-EBT cards and request new cards, if needed. We plan on using text or email blasts, to the extent possible, for messaging about various aspects of this next phase of P-EBT.

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: [please use as much space as needed]

As was done for the issuance of P-EBT benefits for the 2019-20 and 2020-21 school years, New York State again will be leveraging the data about children "known" to our systems, either because of current receipt of SNAP, Public Assistance or Medicaid, or because of

receipt of P-EBT benefits for the 2019-20 or 2020-21 school years, to minimize the occurrence of duplicate payments and the likelihood that any ineligible students will receive P-EBT benefits for the 2021-22 school year. As we did for the previous school years, where duplicate or improper payments occur, if discovered, OTDA has a process for recovering the unredeemed portion of any such benefits issued. New York will contact USDA with information on the nature of the error and the proposed remedy to ensure due process and equal treatment is provided. New York will also contact USDA whenever it identifies an issuance was made to the wrong child or household, provide a description of the error, the number of children involved, and the value of the over issuance before issuing a corrected benefit to a different household and before considers reclaiming benefits from the household to which benefits were incorrectly issued.

Complete enrollment data from the 2021-22 school year will be matched against P-EBT payees from the 2020-21 school year. Depending on age, students who received P-EBT benefits for the 2020-21 school year, but not listed on any 2021-22 school enrollment roster will be assumed to have graduated, transferred or left school.

For CEP schools and school districts, current enrollment data will be used to match currently-enrolled students with 2020-21 school year payees to identify newly-eligible children and previous payees. New P-EBT-only accounts will be established only for newly-eligible children who are not currently receiving SNAP or Public Assistance.

For non-CEP schools and school districts, enrollment data will be matched against current SNAP, Public Assistance and Medicaid direct certification data, and against 2020-21 school year P-EBT payees to identify children eligible for FRPMs. Additionally, schools and school districts will identify students who have been newly certified for FRPMs through the application process. New P-EBT-only accounts will be established only for newly-eligible children who are not currently receiving SNAP or Public Assistance.

Each child is also assigned a unique identifier number to further reduce the chance of duplicate payments being issued to a child.

Additionally, to reduce the likelihood of overpayment, the State plans on only issuing benefits retroactively and expects to be able to access complete individual student level in-person attendance data beginning in September 2022.

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, 2021 through September 30, 2022. 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.”

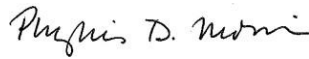
13. Civil Rights Statement

The State will continue to comply with civil rights requirements by not discriminating on the ground of race, color, or national origin, by providing meaningful access to its programs and activities for individuals who are limited English proficient, and by providing 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:



Phyllis D. Morris
Chief Financial Officer
New York State Education Department



Barbara C. Guinn
Executive Deputy Commissioner
New York State Office of Temporary and Disability Assistance

Date of Request 6/24/22