

**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 :** Virginia

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:

Virginia's 2021-22 state plan will be in effect from August 1, 2021 through September 30, 2022 and cover both children in school and in child care for the school year August 2021- June 2022. The chart below estimates the number of children and dollars for the P-EBT in the upcoming year.

	Estimated Children	Estimated Amount
SNAP Households	78,509	5,574,139
Non-SNAP Households	327,120	23,225,520

When approved, benefits will be issued on the 25th of each month, beginning no later than a month post approval. Benefits prior to the approval month of the plan will be included in the first issuance. Virginia is committed to informing USDA of any significant increase or decrease in these data points during the October 2021 through September 2022 covered by this initial plan or subsequent amendment.

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).

Assumptions - these are only cases and not quarantined students

**Based on P-EBT for SY 2020-2021 data 24% of the total P-EBT participants are SNAP households-
therefore**

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:

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:

directly certified or determined “other source categorically eligible” for SY 2021-2022, *or* certified through submission of a household application processed by the child’s school district for SY 2021-2022, *or* enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3,

or

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.

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:

The Virginia Department of Social Services (VDSS) and the Virginia Department of Education (VDOE) will collaborate in SY 2021-2022 to issue P-EBT benefits. VDSS is responsible for P-EBT file

processing, benefit issuance, card issuance and replacement, and direct customer service and support. VDOE is responsible for coordinating directly with the Local Education Agencies (LEAs) and private schools to certify the eligibility determination process for direct certification of the SNAP students automatically eligible for free meals, ensuring LEAs and private schools receive P-EBT guidance, and ensuring LEAs and private schools comply with student data submission requirements to VDSS.

VDOE and VDSS will work collaboratively to assist LEAs and private schools in determining the children that are eligible for P-EBT benefits. School children eligible for P-EBT will be identified by the determining official in their respective LEA or private school. This will ensure that only students that are enrolled in each school will receive P-EBT benefits. Working with the determining official at each school will ensure that SNAP-recipients, non-SNAP recipients, new students, and children who become eligible during the year will receive their benefits. School divisions in Virginia are using the most recent FRP eligibility for student PEBT status. That could be a current year direct certification eligibility, a current year FRP application, or, if neither of those exist, a prior year FRP approved application from 2019-2020 or 2020-2021. The school will collect applications for a new or returning student that is now eligible for free and reduced price meals. Parent's can submit an application at any time during the school year if they feel their eligibility status changed.

Each school must track all students that will be eligible for P-EBT in the SY 2021-2022 school year. The school nutrition director/manager and attendance personnel at each school must work together to determine the individual free and reduced-priced eligible students that have been required to quarantine or are out of school because of COVID-19. If entire schools or divisions are closed for at least five consecutive days, all free and reduced price eligible students at the school or division level are eligible for a specified time. This identification process will be for both LEAs and private schools and will occur on a monthly basis to ensure the most current data is available. The files of identified students will be submitted to VDSS by each LEA and private school on the 10th of each month.

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:

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.

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.).

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:

Superintendent's Memo #230-21, Preparing for Instructional Disruptions During the 2021-2022 School Year, provides guidance to LEAs for tracking all school closures, reduced hours, or reduced attendance. Senate Bill 1303 mandates that all schools and public school-based early childhood care and education programs offer 180 days or 990 hours of in-person instruction to each student during the 2021-2022 school year, except when health conditions have necessitated classroom or school closures to address the level of transmission of COVID-19 in the school building. House Bill 1790 and Senate Bill 1132 provide divisions with options to employ remote learning on unscheduled remote learning days which may be utilized in limited circumstances. HB 1790/SB1132 allows the use of up to ten unscheduled remote learning days to apply to the 180-day requirements. LEAs are prepared for school or classroom-leave closures made in collaboration with local health departments due to COVID-19 related issues. Divisions are also prepared to transition individual students in and out of in-person learning for quarantine related to COVID-19. VDOE recommends that all divisions have policies and procedures - for instruction transition, attendance, and enrollment- in place for quarantined students.

The above paragraph describes VDOE’s mandated guidance for schools around COVID-19 and absences. Because these policies are already in place, VDSS will align with existing guidance for issuing P-EBT benefits. The determining official/school nutrition director will work in collaboration with the Office of School Nutrition Programs at the VDOE to determine if the school qualifies for P-EBT by missing or operating at reduced hours for five consecutive days. Once the school is identified as eligible, it will remain eligible for the entire school year. The school will then work to identify each student that qualifies for P-EBT for each month. At each school the designated person (school nutrition manager/determining official/attendance officer) will maintain a list each month of students that qualify for P-EBT if the following criteria are met: 1) the student is eligible for free and reduced-price meals when schools are operating normally and 2) the student is missing school because of a COVID-19 related issue.

Due to the complex nature of issuing P-EBT benefits this year by student and by the number of days an individual student misses, Virginia will offer some simplifying assumptions. Virginia proposes to issue a standard tiered benefit for students that miss school because of COVID-19 and those that are participating in a division managed virtual school. There are only a few virtual schools that would qualify for these benefits. The first scenario may include children who will either be asked to quarantine, isolate depending on their symptoms or exposure and those children that miss school because of COVID exposure outside of school. Any child missing school because of a COVID related issue approved by the school and eligible for free and reduced price benefits will be eligible. This tiered approach would be based on the chart below.

Chart 1

Tier	Number of Days Absent	Standard Benefit
Tier A	1 to 5 days	3 day benefit
Tier B	6 to 15	10 day benefit
Tier C	16 and more	18 day benefit

Tier A will be based on the student missing between one and five days. The standard benefit of three days will be paid. For Tier B, students missing six to fifteen days will be paid at a standard benefit of ten days. Tier C will be a standard benefit of 18 days for a student missing 16 or more days in a month.

There are also two types of scenarios for data collection:

Scenario 1 - The process is outlined as follows: Each LEA will maintain a list of schools that reached their five consecutive day limit throughout the school year and submit this list to VDSS. Each month the LEAs will update their list and submit it to VDSS. Students at the school who are eligible for P-EBT will be tracked each month by the LEA. Each LEA will submit a list of these students and schools to VDSS by the 10th of each month. After the P-EBT plan is approved, LEAs will submit the names of all students that were eligible for P-EBT for each month that has already passed. Each eligible student will receive benefits as detailed in the chart above (chart 1). By issuing standard benefits, we will hope to maintain program integrity with the simplified process. The administrative burden of tracking each student and their number of days missed each month will not be required. VDSS will share the list of schools with the call center to make it easier to answer parent questions about eligibility determinations.

Scenario 2 - The process is outlined as follows: Each LEA will maintain a list of students that are participating in the 100% virtual education. This virtual education will be one that has been approved by the VDOE as P-EBT eligible. VDOE will approve any school that is eligible to participate in P-EBT by determining if they are eligible to participate in NSLP. The LEAs will submit a list of students who are attending the virtual school by the 10th of each month. Each student will receive a standard benefit of 18 days. The standard benefit will maintain program integrity with this simplified process.

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:

The child is a member of a household that is enrolled in SNAP in the benefit month.

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.)

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:

VDSS removed the child care section plan at USDA's request as we await additional guidance from USDA.

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 after school 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:

Virginia will utilize simplified assumptions when determining benefit levels for P-EBT. The state will use the daily total of \$7.10 per day for the standard as shown in the chart below. The payment is based on the standardized number of issuance days.

Tier	Number of Days Absent	Standard Benefit	Payment
Tier A	1 to 5 days	3 day benefit	\$ 21.30
Tier B	6 to 15	10 day benefit	\$ 71.00
Tier C	16 and more	18 day benefit	\$ 127.80

Virginia is utilizing simplifying assumptions for SY 2021-2022. Tracking students this year is going to be an administrative burden for LEAs and private schools because students will have to be tracked on a case by case basis. The LEAs and private schools will have to track student eligibility each month. The majority of the students will be quarantined or absent due to a COVID outbreak. Tracking each student's eligibility is burdensome without adding the additional complication of tracking days out for each student. There will be less chance for benefit issuance errors and enhanced program integrity if absent days are not linked to each student.

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:

Virginia will begin issuing benefits for SY 2021-2022 once the plan is approved.

Proposed Timeline:

Day 0 - Plan approval from USDA-FNS

Day 1- Communicate the plan approval to relevant stakeholders. Communicate with VDOE and the local LEAs to begin the data collection process for SY 2021-2022. Websites and social media will be updated and a targeted communication campaign begins.

Once the LEAs are informed they will begin gathering data for the available months for SY 2021-2022. The data will then be transferred to the P-EBT processor. Five days later, benefits will be available on the cards of P-EBT clients.

Virginia will establish a schedule for P-EBT by issuing benefits on the 25th of each month. LEAs will prepare a data file each month and submit to the VDSS on the 10th of each month. The start date will be dependent on the approval of the plan.

Children who previously received P-EBT and remain eligible for the program will continue to receive benefits on their existing card. As with former P-EBT issuances, SNAP children will receive their benefits on their SNAP EBT card and non-SNAP children will receive benefits on a unique P-EBT card. Virginia mails this unique P-EBT card to newly eligible children that are non-SNAP participants in care of their parent or guardian.

P-EBT is currently first in the draw/spend priority. P-EBT benefits will follow the same expungement rules that the state follows for SNAP. Virginia implemented an address matching solution with the fall 2020 P-EBT that reduced the instances of returned mail. This will also be used going forward into SY 2021-2022 P-EBT. VDSS has also worked closely with VDOE and the LEAs and private schools to provide them with training on submitting data in the correct file format to reduce instances of returned mail.

Virginia's contract with Conduent requests them to process returned mail specific to P-EBT. Undelivered cards will be returned directly to Conduent who will deactivate the cards. A report is created and provided to the state. In Virginia, participants have multiple ways to receive a replacement card. Families may call the Conduent toll free number, access the user web portal or make direct contact with the state office.

New P-EBT cards will be issued to previous households. If a participant no longer has their card, they may receive a replacement card by following one of the aforementioned steps. The steps are clearly communicated on both the VDSS and VDOE information materials to include websites, flyers, frequently asked questions and online portals.

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.

USDA strongly encourages States to provide a means to resolve disputes and answer from actual or potential P-EBT households.

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 to dispose of the card, etc.
- Describe the information you will provide *directly* to P-EBT participants (this is different from 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 and 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 flier/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 email, text messages, social media, website, robo-call, and/or other electronic means?

Response:

The Commonwealth commits to ensuring that a comprehensive communication is in place that addresses common questions and ensures no eligible child is inadvertently excluded from receipt of benefits. Virginia received a substantial number of inquiries from previous issuances of P-EBT, and lessons learned from this resulted in the decision to procure a vendor skilled in handling/resolving disputes of this nature. The vendor maintains a dedicated P-EBT hotline to provide customer service to participants to resolve concerns included but not limited to answering general questions, address verification/error correction, collecting missing or updated information and data matching/validation. Additionally, an on-line portal will be created to automate the resolution of issuance problems and enable participating households to validate their household information and propose changes for an LEA to approve/resolve. VDSS will work with the vendor to increase the number of call center employees to handle the increase in calls once the P-EBT plan is approved and benefits are issued.

Ensuring that vulnerable populations have equitable access to the program is a top priority. VDSS and VDOE will work collaboratively with partners and advocates to ensure that homeless children are not adversely impacted due to their circumstances. Working with the school divisions to validate parent/guardian information and addresses is the first level strategy to a streamlined and accurate access. The VDSS Division of Family Services (DFS) provides oversight and administration over the Foster Care Program. VDSS will work internally with DFS to develop outreach strategies to ensure children in foster care do not have access barriers. A social security number is not a required field in the approved file layout, nor is it necessary to apply for NSLP; therefore, students without SSNs may obtain eligibility for the program.

VDSS/VDOE will work together to provide public information and will certify that all materials are compliant with language access and ADA rules. All information materials for this program are translated to Spanish, Swahili, Arabic, Russian, Kurdish, and Tigrinya. Virginia's participation and information campaign will consist of press alerts, social media posts, and broadcasting messaging. Additional information Virginia tends to provide directly to program participants consists of digital flyers, buck slip, online portal to capture inquiries, website which contains frequently asked questions, and a hotline to resolve issues. Virginia will leverage current informational material to continue to inform P-EBT participants of important information regarding their benefits and will continue to look for additional avenues to provide clarity and understanding. The materials provided in various formats included information describing the program, instructions for PIN-ing, instructions on destroying the card if it is not desired, as well as other important information about the program. Public inquiries regarding P-EBT may be directed to the state office at 804-726-7000.

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:

Virginia learned many lessons from P-EBT issuances the past school year. The relationship between the agencies and agreements to exchange data is more aligned through a MFT file process. There is a continued commitment to ensure that there are extensive processes in place to ensure transmission of accurate information. This effort supports our collective recognition that we should issue benefits only to those who meet the outlined eligibility criteria. The Commonwealth is committed to ensuring the highest level of program integrity across each pathway of issuance, SNAP and non-SNAP. Currently, there is no mechanism for that to occur; however, we are seeking a technical solution to assist in our collection efforts. Guidance for P-EBT specific to the program structure, rules, and accounts for its fluidity is being developed, Virginia will not seek to impose undue burdens on families and will work to guarantee in those instances that an overpayment is identified and opportunities are sought to lessen impacts to a family's financial stability. If any errors are discovered, VDSS will not use SNAP benefits to satisfy P-EBT errors by reducing a future SNAP benefit. Once the overissuance process is developed, VDSS will amend the P-EBT plan to incorporate the process. VDSS will report any overissuances to USDA once they are discovered.

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:

Signature
S. Duke Storen and Commissioner

Signature
Dr. James Lane, Superintendent of Public Instruction

Date of Request _____