



Food and Nutrition
Service

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April 18, 2023

SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)
Approval of Tennessee's State Plan for Children in Schools
and Child Care, School Year 2022-2023

TO: Willie Taylor
Regional Administrator
Southeast Regional Office

The Families First Coronavirus Response Act (P.L. 116-127; the Act), as amended, authorized a temporary assistance program for households with children without access to meals in school and to certain SNAP-enrolled children in child care during the public health emergency declared on January 27, 2020. Pursuant to the authority granted under Section 1101 of the Act, FNS approves Tennessee's enclosed plan to operate P-EBT for children in schools and child care.

Summary of State's Plan

The Tennessee Department of Human Services and the Tennessee Department of Education will issue P-EBT benefits through the state's Supplemental Nutrition Assistance Program (SNAP) EBT card system to households with eligible children. The state's plan covers the months of August 2022 through May 11, 2023.

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

Children in Schools

The state and its school districts will identify children eligible for free or reduced price NSLP meals using the most current available data. All school districts that rely on eligibility data from the most recent prior year will have a means to address that they do not issue benefits to school year 2021-2022 graduates and other non-students, and will offer households with new students the ability to establish their eligibility through the traditional school food authority-run school meal application and direct certification processes. The state will also provide a path for households with eligible homeschooled children and children in fully virtual schools to receive benefits; these children may be eligible if they began homeschooling or enrolled in fully virtual school due to concerns about the COVID health emergency.

In addition, Tennessee has or will:

(for children currently enrolled in NSLP-participating schools)

- provide a web portal for public school districts to submit monthly student-level attendance files to the Department of Human Services; NSLP-participating non-public schools will report the same data to the Tennessee Department of Education,
- match attendance records of children with COVID-related absences to the state's file of children eligible for free or reduced-price school meals:
 - for children in schools that use the state's COVID-related absence codes of "Y" and "Z," the state will issue P-EBT benefits to free and reduced price eligible children for each of their COVID-related absence days through May 11, 2023,
 - for children in schools that are not using "Y" and "Z" absence codes, the state will issue P-EBT benefits to free and reduced price eligible children for blocks of excused absences of 6 or more consecutive days through May 11, 2023,
 - the state will send any excused absences of 5 consecutive days or fewer, through May 11, 2023 to the school for validation that the absence was COVID-related:
 - if the school can validate that the absence was COVID-related through other school-level forms of documentation, the school will update the attendance record with the appropriate special code ("Y" or "Z") and the state will issue P-EBT benefits for those days,
- provide an administrative review process through the state's P-EBT parent portal for households of children with COVID-related absences through May 11 who do not receive benefits through the state's automated process, and for households who disagree with their child's benefit amount:
 - households that submit administrative review requests will attest that specific days were COVID-related absences,
 - if the state can validate that the absence was coded by the school as an excused absence using the "A" absence code, then the absence will be recoded as "Y" or "Z" and the state will issue P-EBT benefits for those days,
- tentatively issue benefits for the months of August through January in April 2023,
- tentatively issue benefits for the months of February through May 11, 2023 with clean up issuances beginning in June 2023,
- tentatively issue benefits to children determined eligible through the reconsideration process in May with a final clean up issuance in June.

(for eligible children attending non-NSLP virtual schools and eligible homeschooled children)

- develop a “Homeschool Virtual School P-EBT Registration Form” for potentially eligible homeschooled and virtual school children:
 - initiate a public information campaign to make households of potentially eligible children aware of the link to the state’s registration form,
 - local homeschool / virtual school liaisons will provide the names of potentially eligible children to the state and the state will provide a registration form link to those children’s parents or guardians,
 - the state will use the information from local homeschool / virtual school liaisons to communicate directly with families via robocall and email regarding P-EBT registration; the state will also provide the registration link to local homeschool / virtual school liaisons and other homeschool / virtual school contacts across the state in case parents reach out to these entities directly for more information,
- instruct households to submit their registration forms to the state for review; applicants will provide the following information on the form:
 - basic contact and demographic information for parents/guardians and the child,
 - the reason the child currently attends a non-NSLP virtual school or is homeschooled,
 - the name of the child’s previous NSLP-participating school along with the date of unenrollment if applicable, or confirmation that the child began school in Tennessee after the start of the pandemic and has always been homeschooled or enrolled in a virtual school,
 - the name of the public school that the child would have attended this year if not for the COVID health emergency:
 - the state will determine whether the school participates in CEP when determining free or reduced-price meal eligibility,
 - the registration form’s interface will update automatically in response to applicant input to display the appropriate CEP or non-CEP registration pathway for the applicant to complete,
 - a complete free and reduced price meal application for children whose current assigned public school does not participate in CEP or Provisions 2 or 3:
 - these applicants will also have the opportunity to provide confirmation of categorical eligibility for free meals by providing a SNAP case number, etc.,
- review P-EBT registration forms to determine children’s eligibility for P-EBT benefits:
 - confirm that the applicant attests that the child is homeschooled or attending a non-NSLP-participating virtual school due to concerns about COVID; only applicants that select COVID concerns as the reason will be potentially eligible for P-EBT,

- match the names of children who previously attended an NSLP-participating school against names in the State Education Information System to confirm that the child did unenroll from the NSLP school at some point after the January 2020 start of the COVID public health emergency; children who unenrolled prior to that date will not receive benefits,
- confirm the identity of children who began school in Tennessee after January 2020 as homeschooled or virtual school children by matching their names against the state's homeschool/virtual school registration lists; children not matched to those lists will not receive benefits,
- determine whether the public school that the child would have attended this year participates in CEP or Provision 2 or 3; if not, determine whether the child is categorically eligible for free or reduced price meals,
- for children who are not categorically eligible for free school meals and would not have attended a CEP or Provision 2 or 3 school in the absence of the COVID emergency, the state will determine eligibility based on the free or reduced price application submitted by the household with the registration form:
 - the state will use the income documentation provided by applicants to verify eligibility as follows:
 - the state will confirm that the documentation matches the income entered on the application for the first 100 applications received,
 - if the error rate on the first 100 applications is at or above 5 percent, the state will continue to verify all applications,
 - if the error rate is below 5 percent, the state will verify 10 percent of remaining applications; if at any time, the error rate rises above 5 percent, Tennessee will resume verifying the documentation for all applicants,
- issue benefits to eligible homeschooled and virtual school students for up to 171 instructional days given the anticipated end of the public health emergency on May 11:
 - parents may submit applications beginning in April 2023; the state will set a reasonable application deadline and communicate that deadline through its robocalls, emails, and other outreach to families of children identified by the homeschool / virtual school liaisons,
 - the state will tentatively issue benefits for these children in July.

Children in Child Care

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

In addition, Tennessee has or will:

- identify SNAP-enrolled children under age 6,
- determine if there has been a statewide reduction in access to child care by comparing Child and Adult Care Food Program (CACFP) lunch claims since the start of SY 2022-2023 to the same months prior to the pandemic,
- issue an average monthly benefit to all eligible children statewide for the months Tennessee experienced a reduction in child care access:
 - calculate the reduction in claims for the months of August 2022 through April 2023 compared to the months of August 2019 through February 2020 and March 2019 through April 2019,
 - for all benefit months except May 2023, multiply the reduction in claims by the average monthly number of instructional days for school children in the same months (180 days over 10 benefit months for an average of 18 days per month), and by \$8.18, to determine the average monthly benefit,
 - for the month of May, set the benefit to half of the average benefit for all other months to account for the anticipated May 11, 2023 end of the public health emergency,
- provide USDA with the state’s tentative average monthly benefit for confirmation prior to issuing benefits,
 - confirm that lunch claims, for the most current months where complete data are available, have not returned to pre-pandemic levels before issuing benefits for those months or subsequent months,
- tentatively issue benefits for August through May 11 in July 2023.

Finally, the state will identify risks for improper payments and ensure a high level of integrity.

Estimated Caseload and Value of P-EBT Benefits

The state will calculate monthly benefits for each eligible child in the household equal to the daily reimbursement for a free breakfast, lunch, and snack multiplied by the number of benefit days calculated as described in the state’s plan.

- Tennessee estimates that it will issue up to \$212.6 million to as many as 474,000 school children for school closures and reductions in attendance and hours extending from August 2022 through May 11, 2023.
- Tennessee estimates that it will issue \$50.5 million to approximately 149,000 SNAP-enrolled children in child care from August 2022 through May 11, 2023.

Release of Information

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in Tennessee. Section 1101(e) of the Act states, “Notwithstanding any other provision of law, the Secretary of Agriculture

may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.”

Plan Timetable and Revisions

Tennessee will distribute benefits to households consistent with the timeframes identified in the state plan. Should the state encounter challenges or delays that significantly impair its ability to implement the approved P-EBT plan or require substantive changes, the state must notify the FNS Regional Office as soon as possible. The FNS Regional Office will work with the state to identify reasonable solutions and review revised plans for approval or further revision.

Civil Rights

Tennessee will continue to comply with civil rights requirements by not discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The state will also provide meaningful access to its programs and activities for individuals who are limited English proficient, and provide equal access to individuals with disabilities.

Administrative Funds

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

Reporting

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

FNS values Tennessee’s partnership in the administration of Pandemic EBT. FNS stands ready to provide additional support as needed. If you have questions, please contact the FNS Southeast Regional Office.

Sincerely,

Cindy Long
Administrator