

**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 childcare 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:** West 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
August 2021 – May 2022
 - for children in childcare
- 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: **\$18,046,070.00**
West Virginia estimates the average benefit will be \$71.00 per month for each eligible student in a SNAP household. The state estimates approximately 50% of students in SNAP households will receive PEBT. Below is a breakdown of this calculation.
 - Total number of school children in SNAP households: **50,493**
 - Total number of school children in SNAP households eligible for PEBT: **25,417**
 - Average monthly benefit for date range covered in plan: **\$71.00**
 $25,417 \times \$71.00 \times 10 \text{ months} = \mathbf{\$18,046,070.00}$
 - Estimated amount issued to school children in non-SNAP households: **\$64,355,820.00**
West Virginia estimates the average benefit will be 71.00 per month for each eligible student in a non-SNAP household. The state estimates approximately 50% of students in non-SNAP households will receive PEBT. Below is a breakdown of this calculation.
 - Total number of school children in non-SNAP households: **181,283**
 - Total number of school children in non-SNAP households eligible for PEBT: **90,642**
 - Average monthly benefit for date range covered in plan: **\$71.00**
 $90,642 \times \$71.00 \times 10 \text{ months} = \mathbf{\$64,355,820.00}$

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).

- Estimated amount issued to non-school children in childcare: The state will request authorization to issue non-student children in childcare at a later date.
- c. Estimated total **number** of children to which the State will issue P-EBT benefits.
- Estimated number of school children in SNAP households: **25,247**
 - Estimated number of school children in non-SNAP households: **90,642**
 - Estimated number of non-school children in childcare: The state will request authorization to issue non-student children in childcare at a later date.
- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
- School children in SNAP and non-SNAP households:

Response:

The following tentative PEBT schedule is factored with the assumption that approval for this plan will take approximately 6 weeks to receive. The state will inform FNS of any major program changes including issuance schedule change. Please note, the “issuance date” is the date Optum sends the data to FIS. The “availability date” is the date the benefit is made available on the PEBT card. Summer PEBT for 2022 will be finalized after guidance is released by FNS.

PEBT FY22 Benefit Periods	Tentative Issuance Dates
Fall Retroactive: August, September, October, November, December 2021	Issuance date: 4/1/22 Availability date: 4/11/22
Spring #1: January, February, March 2022 and Fall Retroactive dispute/corrective payments	Issuance date: 4/22/22 Availability date: 5/2/22
Spring #2: April and May 2022 and Spring # 1 dispute/corrective payments	Issuance date: 7/15/22 Availability date: 7/25/22
Summer PEBT 2022 June 1, 2022 - August 31, 2022	Mid-late August 2022
Final Dispute/Corrective payments	Issuance date: 9/19/22 Availability date: 9/29/22

West Virginia will issue PEBT to both SNAP and non-SNAP students on the same issuance schedule. SNAP and non-SNAP will only be differentiated for reporting purposes.

- Children in childcare

Response: West Virginia will provide an issuance schedule for non-students, children in childcare after guidance is received from FNS.

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.

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 in Schools*, expiration date 7/31/23.

Response:

PEBT Eligible students: 90% of all West Virginia schools are Community Eligibility Provision (CEP) schools. 50 counties are full CEP. 4 counties are partial CEP, this includes Berkeley, Jackson, Jefferson and Putnam counties. Only a single WV county is NOT CEP, this is Monongalia County. For the 5 counties who are not full CEP, the state will utilize direct certification based on receipt of SNAP benefits.

The state will also utilize NSLP free or reduced meal applications to certify students who are income eligible. For school year 2021-2022, West Virginia will reset eligibility and school children will only receive benefits if the household submitted a new application for the current school year (if the student is not attending a CEP school or not already directly certified). Additionally, West Virginia will provide communication to guardians that eligibility for P-EBT is possible through the free/reduced meal application processed, if approved. This information will be made available on the state's P-EBT website and EBT website, as well as distribution through local school communication chains. The State will allow households a 2-week application period following plan approval to apply for free/reduced meals to establish eligibility for P-EBT. The State will assume P-EBT eligibility back to the start of SY2021-2022 for households certified through free/reduced meal applications during the 2-week application period. Following the 2-week period, any student found income eligible for P-EBT through the free/reduced meal application process will receive benefits from the establishment of eligibility going forward.

Individual Student Eligibility: WVDE's PrimeroEdge software captures student eligibility information based on individual status or enrollment in a CEP school. PrimeroEdge captures free/reduced status in real time for all students participating in the NSLP. The state will be able to identify SNAP and non-SNAP students, for both public and private schools participating in the NSLP. West Virginia conducts direct certification (DC) matching at a more frequent interval than what is required by federal regulations. West Virginia conducts DC matching at weekly intervals for SNAP, TANF and Medicaid, and at monthly intervals for foster students.

Individual Student Enrollment: WVDE's WVEIS system captures enrollment information for WV's public-school students. Only students who are enrolled in school during SY 2021-2022 have active enrollment records in WVEIS, this includes kindergarten students. Students that have graduated are inactive in WVEIS at the end of each school year; these students will not be included in eligibility file for P-EBT. WVEIS data batches nightly. Any changes in student enrollment for any student newly enrolled/newly withdrawn is captured daily.

Individual Student Household Contact/Mailing Information: The WVEIS system captures contact/ mailing information for all students (regardless of selected learning model) enrolled in public schools. Students who attend private schools may have their contact information maintained in the statewide student eligibility system, or at the school level. In cases where eligibility information is maintained at the school level, WVDE will work with these private schools (2 in the entire state) to obtain required information in a secure method.

Individual Student Learning Model (in-person, hybrid or virtual): For SY2021- 2022 the predominant learning model for West Virginia schools is in-person learning. Additionally, in SY2021-2022, the state does not have a state virtual school. The state's virtual platform, *WV E-Learns*, was designed for utilization of credit course recovery or provide additional elective

courses for in-person learners (prior to the COVID-19 pandemic). The state offers this virtual platform for any county that elects to utilize it. If a county elects to use virtual school in response to COVID-19, the county will provide their own content and teachers, and create their own individual virtual school. These counties continue to use the state's virtual platform. Only virtual learners who attend schools or sites that participate in the NSLP are eligible for P-EBT. The WVEIS system incorporated indicators to capture individual student learning model. These indicators were in place and available to all public schools at the beginning of SY2020-2021. County boards of education will update individual student learning models monthly. Children in a homeschool learning environment are not eligible to receive PEBT.

Individual Student Attendance: The WVEIS system incorporated attendance codes that will afford West Virginia the opportunity to capture attendance information on individual students. In addition, WVEIS has a code in place to capture attendance information on individual students specific to absences related to COVID-19. This individual student attendance will allow WVDE to determine a child's lack of access to meals at school.

Individual School Operational Dates: The WVEIS system has a built-in calendar feature that will allow counties to indicate closures due to COVID-19, inclement weather, or other extenuating circumstances. This feature will allow West Virginia to capture individual school operational days and only calculate P-EBT benefits for days in-person learning was unavailable.

COVID-19 Related Absence/lack of access to free/reduced meals: PEBT will only be issued on days a student did not receive meal service due to factors related to COVID-19. A student's lack of access to free or reduced meals will be based on the number of days the student was physically absent from school due to COVID-19 related absences. This information is collected through existing data infrastructure by county boards of education.

COVID-19 related absences include but are not limited to the following:

- School closure mandated by county boards of education/state of WV
- Quarantine required by the local Health Department based on positive COVID-19 results for student, immediate family or other positive individual(s) the student may have come into contact with
- Required quarantine based on exposure of the student, family member or other individual(s) the student may have come into contact with
- Absences related to awaiting COVID-19 testing and results
- Any absence where the school directs students to stay home for a COVID-related reason (where the school is acting out of concern related to COVID-19), including school-ordered quarantine of a student, group of students, a classroom, or a school.
- Absences initiated by a guardian based on concern for COVID-related scenarios, including a guardian's decision to keep their child home after a positive test or possible exposure to COVID-19. *Guardians will be responsible for reporting self-initiated COVID-19 absences to the child's school.

Establishing the 5-day Benchmark: WVDE will utilize school surveys to verify individual schools have met the required 5-day benchmark to determine eligibility for individual students. This survey will be sent to all West Virginia schools who participate in the NSLP. These surveys

will require the school to verify and confirm they have met the 5-day benchmark. For integrity purposes, individual students will NOT be eligible for PEBT issuance until the school survey has been received by WVDE. These school surveys will be maintained for one year following the end of the PEBT program period.

Reestablishing Establishing Eligibility for all Students: Due to the impact of COVID-19, West Virginia understands the need to reevaluate eligibility for P-EBT benefit periods. Each month county boards of education will be required to send student data to WVDE (2 weeks prior to data being sent to Optum for issuance). This data will include the number of days the student was not physically present in school due to a COVID-19 related absence. School absence could include the school being closed due to a COVID-19 outbreak or the child is a virtual learner enrolled in a county virtual school, etc. The data will also include SNAP household and foster student designation. The data received will be used to calculate the total PEBT benefit individual students are eligible to receive during specified benefit periods. Once vetted, the information will be sent to DHHR to prepare benefit issuance.

Roles and Responsibilities of the State: West Virginia's PEBT program for SY2021-2022 will be led jointly by both DHHR and WVDE. DHHR will be the administrative oversight authority.

West Virginia Department of Health and Human Resources (DHHR)

- Statewide administration of SNAP including but not limited to, interpreting and enforcing federal regulations to ensure program integrity, issuing public assistance benefits, handling and tracking payment corrections, provide fair hearings and civil rights notification and managing expungements
- Financial and demographic reporting to FNS
- Managing all EBT processes/procedures
- Providing guidance and requirements for Optum (the eligibility system administrator)
- Contracting sole source call center necessary to facilitate the triage of the initial layer of PEBT calls for households, provide case information for student families and replace PEBT cards at guardian request.
- Notification to all PEBT households regarding benefit amounts, providing general program information to the public and internal guidance for eligibility staff
- Accept data monthly from WVDE through a secured file. Eligibility data will be tested for validity before each issuance.
- Issuance of PEBT for all eligible SNAP and non-SNAP students
- Will coordinate effort with all parties to see state PEBT plan through administration and reporting, while issuing to all students who meet eligibility criteria

West Virginia Department of Education (WVDE)

- Responsible for the administration of the National School Lunch Program (NSLP) for both public and private schools, and the oversight of public education for the state
- Operates and maintains the statewide education information system (WVEIS) and statewide eligibility system (PrimeroEdge). Both systems utilize data that is provided and owned by county level boards of education.

- The Office of Child Nutrition, Office of Data Management and Information Systems, and West Virginia Education Information System Office will provide initial and ongoing training to county boards of education regarding PEBT program eligibility
- Process and procedure management for ensuring county level enrollment data is accurate and complete
- Providing and confirming data elements necessary to issue student benefits and send a secured data file to DHHR that includes benefit level, PEBT payment due, household demographic information and WVEIS # for issuance of PEBT
- Assist with providing training for PEBT call center for triage of information
- Operate and maintain statewide PEBT informational website
- Handle all dispute/correction issues of student PEBT benefits

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:

WVDE's WVEIS incorporated attendance codes will afford West Virginia the opportunity to capture attendance information on individual students. In addition, WVEIS has a code in place to capture attendance information on individual students who have been quarantined due to COVID-19. This individual student attendance will allow WVDE to determine a child's access of lack of access to meals at school.

Additionally, WVEIS has a built-in calendar feature that will allow counties to indicate closures due to COVID-19, inclement weather, or other extenuating circumstances. This feature will allow West Virginia to capture individual school operational days and calculate P-EBT benefits for days in-person learning was unavailable. West Virginia will not issue PEBT for non-COVID related absences.

WVDE will conduct a survey of each county school system to confirm that the child's school has been closed or is operating with reduced attendance or hours for a minimum of 5 consecutive days. For those sponsors that do not report that all schools are eligible on the first survey will receive monthly surveys until such time as they report 100% of their schools are eligible. Only students attending schools that have met the PEBT eligibility guidelines will receive benefits.

Information regarding school eligibility status will be obtained monthly. School eligibility status will be obtained prior to issuing any PEBT benefits for the corresponding benefit period. This will eliminate the potential to revise issuance amounts due to school eligibility.

West Virginia will only issue PEBT for students who have COVID-19 related absences, such as inability to attend due to quarantine of self or family, when a student is awaiting testing results due to COVID-19 or when an entire class/school is temporarily closed due to COVID-19.

West Virginia is proposing to issue PEBT to eligible students using a tiered benefit approach. This will be address in the Benefit Level section of this plan. This is the only simplified assumption the state will utilize for SY2021-2022.

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 childcare facility is closed or is operating with reduced attendance or hours, or
 - the child’s childcare 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 childcare 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 childcare 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:

West Virginia will request approval for childcare/children under 6 once additional guidance is received from FNS.

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:

West Virginia is proposing a daily P-EBT benefit of \$7.10 for each student who is unable to access school meals as a result of school closures or a student's inability to attend (i.e., student was placed in quarantine by local health department) due to COVID-19. WV will be using individual student and school eligibility data as maintained and reported by WVEIS to determine eligibility and benefit levels for students enrolled in schools participating in NSLP.

To reduce administrative burden placed on the already stressed infrastructure of local schools, the state will apply a simplified assumption to benefit level issuance. Please note, in-person learners who are not out of school due to a factored related to COVID-19 are not eligible to receive PEBT. West Virginia is proposing to issue benefits on the following tiered levels:

Tiered Benefit Level Model

Tier	Number of Days Absent	Standard Benefit	Value
Tier #1	1 to 5 days	3-day benefit	\$21.30 per month
Tier #2	6 to 15	10-day benefit	\$71.00 per month
Tier #3	16 and more	18-day benefit	\$127.80 per month

NOTES: All full-time virtual learners will receive tier #3 benefits. Hybrid learners are those who chose in-person instruction, but days were missed or reduced due to COVID-19. Each eligible child will receive benefits consistent with the average COVID-related absence of children who fall in each tier.

West Virginia will utilize an individual student's lack of access to school meals (captured using the state data infrastructure) to determine their ongoing eligibility and tiered benefit level for PEBT. The simplified assumption relating to the tiered benefit levels are necessary due to:

- West Virginia schools are experiencing a shortage of classroom teachers, therefore central office staff and substitute teachers are being utilized to fill required gaps. The shortage in classroom teachers and dedicated attendance directors at the central office may cause delays in the recording of individual student attendance. By using a tiered structure for benefit issuance, student benefit levels will not be significantly impacted by potential delays.
- In the prior PEBT program period, WVDE fielded thousands of dispute cases in which the guardian believed the student was entitled to an additional one-or two-days' worth of benefits. Once the cases were investigated the majority of students were actually not entitled to more PEBT benefits. Since benefits are issued retroactively parents' memory of actual days missed due to COVID-19 are often inaccurate. The tiered benefit approach will reduce the administrative burden placed on individual schools and the state as a whole.
- Like the previous PEBT program period, WVDE will afford parents the ability to dispute benefit levels; however, by using a tiered structure the number of disputes that result in a change in benefit level will be greatly reduced. This reduction will decrease administrative burden at the state and local levels.
- The COVID-19 public health and economic crisis continues to be larger and more challenging than any disaster either agency has previously experienced. The disruption to daily lives, supply chains and school operations across the economy remains unprecedented. Since the start of the public health crisis, both agencies have worked tirelessly to continue providing program access, despite supply chain and labor disruptions experienced. Superintendents and administrators have substituted in classrooms and Child Nutrition Directors have served on cafeteria lines. The state does not have the manpower capacity to capture individualized days in a manner that would be conducive with investing the intensity at the local level that is required of managing and navigating individualized student benefit days. West Virginia was able to assign individual days in SY2020-2021, because of Governor issued executive orders and a color-coded map that dictated when schools could open or were mandated to close. This school year, all decisions are being made locally in consultation with local boards of education and county health departments.
- Additionally, OPTUM (the SNAP system administrator for DHHR) must have time to focus on other benefit programs such as SNAP, TANF, Medicaid and LIEAP. As well as all additional pandemic programming and mandates required of the state.
- The State of West Virginia 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 eligible children do not receive a meal service at school.

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:

West Virginia SY2021-2022 PEBT Implementation Timeline

- Day 0 – Receive PEBT plan approval from FNS
- Day 2 – WVDE sends Fall Retroactive payment data to Optum (prior to plan approval this data will be collected)
- Day 3 – Joint press release through the Governor's office
- Day 4 – Information provided to schools and DHHR staff
- Day 4 – Update PEBT statewide website with approval and important program information
- Day 5 – DHHR and WVDE jointly trains statewide PEBT call center
- Day 10 – PEBT call center initiated
- Day 10 – Public notice/outreach campaign begins
- Day 11 – Fall Retroactive payment issuance/mass mailing sent to DHHR Print Shop

- Day 15 – 46 – WVDE collects Spring #1 and Fall dispute/correction data from local schools/boards of education
- Day 25 – Availability date for Fall Retroactive payment
- Day 56 – WVDE sends Spring #1 and Fall disputes/corrections to Optum
- Day 66 – Spring #1 and Fall dispute/corrections issuance/mass mailing sent to Print Shop
- Day 76 – Availability date of Spring #1 payment and Fall dispute/corrections
- Day 89 – 119 – WVDE collects Spring #2 and Spring #1 disputes/corrections data from local schools/boards of education
- Day 120 – 140 – WVDE collects Summer PEBT 2022 data
- Day 129 – WVDE sends Spring #2 and Spring #1 disputes/corrections data to Optum
- Day 149 – Spring #2 and Spring #1 dispute/correction issuance/mass mailing sent to Print
- Day 159 – Availability date of Spring #2 and Spring #1 dispute/corrections
- Day 162 – WVDE sends Summer PEBT 2022 data to Optum
- Day 178 – Summer PEBT 2022 issuance/mass mailing sent to Print Shop
- Day 188 – Availability date of Summer PEBT 2022
- Day 203 – WVDE sends Spring #2 disputes/corrections and any additional disputes/corrections that have been verified since program start to Optum
- Day 213 – Spring #2 dispute/corrections and final dispute/corrections issuance/mass mailing sent to Print Shop
- Day 22 – Availability date of Spring #2 disputes and final dispute/corrections
- Day 224 – Public release of end of SY2021-2022 PEBT program period

West Virginia will issue PEBT on the existing WV PEBT white generic card that was utilized for PEBT SY2020-2021. PEBT for both SNAP and non-SNAP households will be issued to the PEBT card. Each child will receive PEBT benefits on their own PEBT card; the state will not attempt to lump siblings or those who reside in the same household onto a single card. 1 child = 1 card. The state will only issue new PEBT cards to students who were previously ineligible during SY2020-2021, or at guardian request to replace a lost or stolen card.

P-EBT will be issued outside the eligibility system. It will be separated from SNAP and D-SNAP. West Virginia will be able to distinguish the total amount of students and PEBT benefits issued through a separate sub-category.

West Virginia's draw/spend priority is P-EBT, D-SNAP and SNAP in that order. The state currently expunges SNAP 274-days following issuance of the benefit. The state practices first in, first out. The oldest unused SNAP benefit being removed first. WV will expunge unused P-EBT based on current SNAP rules.

West Virginia's EBT processor will provide a list of undeliverable cards – the processor will provide information that will allow the PEBT team to identify specific families that need contacted regarding address/contact update. The state will replace PEBT cards at the request of the guardian. WVDE has maintained consistent correspondence with public school districts about the importance of ensuring accurate information is entered into WVEIS. This ongoing communication and correspondence will continue throughout the duration of P-EBT implementation.

West Virginia has provided the public and families of previous PEBT recipients with consistent information informing them to keep the PEBT card. If existing cards have been lost, the Office of EBT will replace these cards at the request of the guardian (after each situation has been vetted and verified using unique demographic data). An online form has been developed that will allow the Office of EBT to request verification of guardianship changes for foster students from WVDE. This model will maintain integrity, by improving backup documentation and ensuring the PEBT benefit is portable; being used for the child in their current residence.

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 dispute 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:

Disputes/Corrections: Guardians seeking to dispute student benefit amounts will be directed to contact the PEBT call center. The call center will add disputes to a database that will be sent to WVDE on a daily basis. Once WVDE receives the dispute, the dispute will be routed to the appropriate county school system for resolution. WVDE will reconcile disputes on a monthly basis and provide the information to DHHR for processing at next dispute/correction issuance date. All guardians/students of a positively verified dispute/correction will receive a corresponding letter telling the household the amount of PEBT due and corresponding benefit period.

Serving Groups with Potential Access Issues

- **Homeless Students:** WVDE will communicate PEBT guidance with schools, and in particular make information available to each Homeless Services Liaison within public school systems.
- **Foster students:** Students in foster placement will be served in the same manner as non-foster students. WVDE data will be utilized to issue benefits for foster students. DHHR requires changes of guardianship for foster students be reported to local schools within 5 days of the placement change. Additionally, an online form has been created for the Office of EBT to request verification of guardianship changes from WVDE before reissuing a foster student's PEBT card.
- **Lack of Social Security Number:** West Virginia's PEBT plan for SY 2021-2022 will not rely on social security numbers for benefit issuance. Each student has a WVEIS number that is not affiliated with private social security numbers. The WVEIS number will be utilized for verification when guardians contact the PEBT call center.

- **Households with Limited English Proficiency:** 95% of West Virginia residents speak English as the predominant language. For the 5% of residents who are considered limited English proficiency, DHHR will utilize the agency's interpreter service regularly used for other DHHR benefits. Also, household notification will be available in Spanish upon request.
- **Households without Internet Access:** Program information will be made available to local schools in the form of paper and robo calls to guardians. DHHR will provide county office notification through the use of paper flyers. All benefit determination notification will be sent to the household in the form of a mass mailing.
- **Individuals with Disabilities:** The state is bound by Americans with Disability Act (ADA) compliance. Both DHHR offices and local schools are wheelchair and handicap accessible. The state will provide ANY reasonable accommodation for individuals living with a disability. DHHR employs a statewide ADA Coordinator tasked with keeping the agency compliant and properly serving the general public.

West Virginia's Public Information Campaign

West Virginia will have a robust communication strategy – which includes keeping a main web site through the WVDE updated and current with relevant information. Both WVDE and DHHR will work together to compile press release information and social media posts. County boards of education will receive information and suggested content to share with their student communities through their regular communication channels (social media, robo-calls, text messages, apps. etc.). Households who choose to not accept the PEBT benefit will be instructed to destroy the PEBT card. PEBT will be expunged 274-days after issuance. Information for PEBT will be provided to both SNAP and non-SNAP households in the same manner as stated below in the public information campaign.

- **PEBT statewide website (wvde.us/wv-pebt):** WVDE maintains a statewide PEBT web site that is regularly updated with public information. For the SY2021-2022 program period, information will be provided that explains and connects CEP counties/schools, private schools who participate in the NSLP and general information regarding the School Alert System in West Virginia. Important PEBT program information will be regularly updated on this site.
- **Information provided to schools/guardians:** WVDE will leverage existing communication channels, via county school systems and dedicated social media pages to conduct outreach to ensure messaging for PEBT is effective for all families.
- **WVDE PEBT dedicated email (wvpebt@k12.wv.us):** This email address is monitored by several staff members. Automatic response messages are provided with important information and updated regularly. Emails are monitored and timely responses are given to those who submit email questions, inquiries or disputes.
- **PEBT statewide call center:** For SY2021-2022 DHHR will be utilizing emergency procurement procedures to secure a sole source vendor to assist households. The vendor will provide the initial layer of triage for all program

information, including eligibility criteria and issuance/availability dates. The call center will also provide case numbers for PEBT card activation by utilizing the WVEIS number as the standard for verification. The call center will complete confidentiality training required by WVDE.

- **Office of EBT contact:** DHHR's EBT will make an email address and telephone number available to individuals with questions regarding relevant information about the benefit issuance process. EBT will also replace PEBT cards upon verified guardian requests. Additionally, the Office of EBT website will include update to date, relevant PEBT information.
- **Information provided to DHHR county offices:** DHHR SNAP Policy will provide guidance to eligibility staff regarding touch points for student PEBT. Eligibility staff will redirect families seeking to dispute benefits to the PEBT call center.

All public communication strategies listed in this plan will also serve as a basis for communication with households of eligible students. Additionally, a letter of instruction will accompany cards explaining the terms, conditions, and other pertinent information with recipient households. The following information will be provided specifically to PEBT households:

- A description of P-EBT and criteria for eligibility
- 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 households want to decline benefits
- Information regarding the PEBT call center and the PEBT website that households can reach out to, if they have questions or need assistance
- How to request a new PEBT card if one is lost or stolen
- Information about how to file a dispute
- ADA and Civil Rights information

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:

West Virginia does not believe it has the authority to issue claim recoupment to individual families, due to 95% of recipients not being required to complete an application. These students fall under CEP status. The state will review any improper payments issued on a monthly basis and report back to FNS if overpayment has occurred. The SNAP agency and eligibility system management team are working together to identify any improper payments issued due to two data systems crossing over. The Office of Inspector General and the Front-End Fraud Unit (FEFU) have been involved in the planning and implementation of this plan and will work to minimize any improper payments.

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.

West Virginia agrees to complete the FNS-292, FNS-46, FNS-388 and FNS-788 reports in a timely and accurate manner.

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.

West Virginia acknowledges that a separate grant application is required to cover State level administrative costs incurred during October 1, 2021 – September 30, 2022, associated with implementation of P-EBT. West Virginia also understands to receive a grant for administrative costs it must submit a budget plan using FNS-366(a). The SNAP agency and WVDE will work together to determine what administrative funding is necessary to fully implement this plan. The SNAP Agency will enter into MOU agreement(s) for administrative funding with WVDE within 45 days of plan approval.

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.”

West Virginia agrees to comply appropriately with release of information to FNS.

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.

West Virginia is committed to complying with all civil rights requirements and providing equal access to vulnerable populations such as the disabled or limited English speaking families.

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.

West Virginia agrees to administer PEBT according to the terms of its approved State plan. If there are any major program changes, such as benefit issuance the SNAP agency will inform it's regional FNS office.

Signature and Title of Requesting SNAP and Child Nutrition State Agency Officials:



Signature
Bill J. Crouch, Cabinet Secretary of WVDHHR



Signature
W. Clayton Burch, WV Superintendent of Schools

Date of Request 2/15/22