



Food and Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

October 30, 2023

SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)
Approval of U.S. Virgin Islands' State Plan for Children in Schools,
School Year 2022-2023

TO: Christine Ruggieri
Regional Administrator
Northeast 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 U.S. Virgin Islands' enclosed plan to operate P-EBT for children in schools.

Summary of State's Plan

The U.S. Virgin Islands Department of Human Services and the U.S. Virgin Islands 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 U.S. Virgin Islands 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 U.S. Virgin Islands 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, the U.S. Virgin Islands has or will:

(for children currently enrolled in in-person NSLP-participating schools)

- rely on attendance data reported by schools to the territory to identify P-EBT eligible days:
 - for schools that do not track COVID-related absences, USVI will issue P-EBT benefits automatically to school children with a total of 5 or more days of consecutive excused absences; the school must confirm 5 or more days of consecutive excused absences before issuing benefits to the child;
 - for schools that track COVID-related absences, USVI will issue P-EBT benefits to eligible children based on actual days of COVID-related absences;
 - only schools that have met the minimum 5 consecutive day threshold of being closed or operating with reduced attendance or hours will be authorized to issue P-EBT benefits to their students;
- households of eligible children who had COVID-related absences of 4 or fewer consecutive days may contact the Virgin Islands Department of Human Services to report these P-EBT eligible days to the state:
 - the information provided by households will be reviewed against school P-EBT data to prevent duplicate P-EBT issuances;
 - the school or school district will validate that these absences were excused on the dates reported by households before issuing benefits;
 - households may submit requests through November 15, 2023.
- tentatively issue automatic benefits for August 2022 through May 11, 2023 in December 2023,
- issue benefits in response to parent requests in December 2023,
- issue contingency and corrections through December 31, 2023.

(for eligible children attending virtual schools and eligible homeschooled children)

- conduct a public information campaign to encourage households of potentially eligible children to apply for benefits through USVI's P-EBT website:
 - the state's public information campaign will clarify that P-EBT eligibility applies to a well-defined, narrow subset of children who enrolled in homeschool or virtual school at some point after the start of the public health emergency,
- develop an application that requires applicant to respond to a set of supplementary questions to confirm the remaining eligibility criteria:
 - applicants will select the reason their children attend a virtual school or are homeschooled; only applicants that select COVID concerns as the reason will be potentially eligible for P-EBT,
 - USVI will confirm enrollment of children who may have started virtual school or homeschooling in USVI in SY 20-21 or later by

asking the Virgin Island Department of Education to confirm if the student was enrolled in in-person NSLP-participating schools between January 2020 and May 2023 and the date the child was disenrolled from the NSLP school. If the child was enrolled in virtual school or homeschool homeschools prior to January 27, 2020, they will not be eligible for P-EBT benefits,

- for non-K-2 children who were previously enrolled in an NSLP-participating school in USVI, USVI will confirm that applicants were enrolled in an NSLP-participating school at some time on or after the January 2020 start of the pandemic; if not confirmed, the children will not receive benefits,
- for K-2 children who began school as homeschooled or virtual school children after the start of the pandemic, or for older children who began school as homeschooled or virtual school children in USVI after the pandemic, USVI will verify the child's identity through proof of enrollment in a virtual school or homeschool in SY 22-23,
- for all children attending virtual schools or homeschool, applicants will provide the name of the in-person school and school district the child would have attended in SY 22-23; because all NSLP-participating schools receive free meals through the Community Eligibility Provision, if the school listed is an in-person NSLP-participating school, this satisfies the eligibility requirement for free or reduced price meals,
- USVI will provide USDA the opportunity to review the application prior to implementation,
- tentatively issue automatic benefits for August 2022 through May 11, 2023 in December 2023,
- issue contingency and corrections through December 31, 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.

- USVI estimates that it will issue \$1.1 million to approximately 12,500 school children for school closures and reductions in attendance and hours extending 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 the U.S. Virgin Islands. 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

The U.S. Virgin Islands will distribute benefits to households consistent with the timeframes identified in the state plan. Should the U.S. Virgin Islands 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

The U.S. Virgin Islands 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 U.S. Virgin Islands 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 U.S. Virgin Islands 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 the U.S. Virgin Islands Department of Human Services partnership in the administration of Pandemic EBT. FNS stands ready to provide additional support as needed. If you have questions, please contact the FNS Northeast Regional Office.

Sincerely,

Cindy Long
Administrator