

**State Plan for Pandemic EBT
Children in School and Child Care, 2020-2021**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	State Plan for Pandemic EBT: Children in School and 2020-2021
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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 school children during school year (SY) 2020-2021 and for children in child care during federal fiscal year 2021. (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) and the Consolidated Appropriations Act, 2021 (P.L. 116-260).
Disclaimer:	The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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 should be covered under an Emergency Information Collection Request for the Pandemic EBT (Schools), to be adjusted as appropriate, which is currently under review at OMB. Once OMB has approved the request and assigned the OMB# Control Number, FNS will include the necessary information on the State Plan.

State Plan for Pandemic EBT
Children in School

1. **State:** Delaware

2. **Primary Citations:** Families First Coronavirus Response Act (FFCRA);
Continuing Appropriations Act, 2021 and Other Extensions Act;
Consolidated Appropriations Act, 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).

Note that P-EBT benefits for school children are available from the start of school year 2020-2021. P-EBT benefits for children in child care are only available from the start of federal fiscal year 2021, or October 1, 2020.

- a. The *date range* covered by this State plan or amendment
 - for children in school
- 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
- 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
- d. Estimated total amount of administrative funds the State needs to complete the work described in this State plan/amendment.²
- e. 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

Delaware's Division of Social Services (DSS) in collaboration with the Department of Education (DOE) will issue P-EBT Benefits to the current Supplemental Nutrition Assistance Program (SNAP) households and non-SNAP households, which includes children eligible for free and reduced-price meals.

¹ The date range covered by P-EBT State plan or amendment. For example: a State's initial plan could cover August 31 through September 30, 2020; and a later amendment could cover October 1, 2020 through December 31, 2020.

² Note that States may only claim 100% reimbursement for P-EBT administrative expenses incurred from October 1, 2020 forward.

Delaware plans to use the established method to identify and issue P-EBT benefits to existing and newly eligible households based on the current approved plan. (see attached plan) Delaware will commit to informing USDA of any significant increase or decrease in these data points during the date range covered in this plan.

a. The ***date range*** covered by this State plan or amendment

- for children in school

The State is submitting the P-EBT plan to cover the period of FFY 2021 from October 2020 through September 2021. Estimates on the number of students and issuance amounts will be updated and provided each quarter.

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.

Monthly = \$ 4,668,152.71 Total =\$42,013,374.40

- Estimated amount issued to school children in non-SNAP Estimated amount households.

Monthly = \$ 5,480,006.40 Total = \$49,320,057.60

SNAP Hybrid It is estimated that approximately 50% of SNAP (21,390) are participating as hybrid (3 days per week) 12 Days per month.

12 days per month x \$6.82 = \$81.84 x (21,390) = \$1,750,557.60 monthly x 9 months (October 2020 – June 2021) = **\$15,755,018.40**

SNAP Full time It is estimated that approximately 50% of SNAP (21,390) are participating full-time (20 Days per month) 20 days x \$6.82 = \$136.40 x 21,390 = \$2,917,596.00 monthly x 9 months (October 2020 – June 2021) = **\$26,258,364.00**

Total SNAP Recipients Estimated cost = \$42,013,382.40

Non-SNAP Hybrid It is estimated that approximately 50% of non-SNAP (25,110) are participating as hybrid (3 days per week) 12 Days per month

12 days per month x \$6.82 = \$81.84 x (25110) = \$2,055,002.40 monthly x 9 months (October 2020 – June 2021) = **\$18,495,021.60**

Non-SNAP Full time- It is estimated that approximately 50% of non-SNAP (25,110) are participating full-time (20 Days per month) 20 days x \$6.82 = \$136.40 x 25,110 = \$3,425,004.00 monthly x 9 months (October 2020 – June 2021) = **\$30,825,036.00**

Total Non-SNAP = \$49,320,057.60

c. Estimated total number of children to which the State will issue P-EBT benefits.

- Estimated number of school children in SNAP households **(42,780)**
- Estimated number of school children in non-SNAP households **(50,220)**

d. Estimated total amount of administrative funds the State needs to complete the work described in this State plan/amendment.

Please see the attached Change Request from Conduent and System Update Changes proposal from Deloitte. These items have not been finalized and the state will provide additional details. Delaware will submit an Administrative Cost plan at a later date.

e. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).

Delaware plans to split the “catch up” issuance over two months. The first issuance will cover October and November and the next issuance will cover December and January. The ongoing P-EBT benefits for the rest of the year will be issued retrospectively on a monthly basis.

School Districts will submit changes in students' learning plans (full time remote/virtual, full-time in-person or hybrid plan) by the 3rd Friday of the Month for the previous month for School children in SNAP and non-SNAP households. Example-Delaware will request information on the 3rd Friday in February for January benefits?

Please Note: DSS plans to issue the SNAP and non-SNAP benefits at the same time.

4. P-EBT for School Children

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 2020-2021, *or*
 - b. certified through submission of a household application processed by the child’s school district for SY 2020-2021, *or*
 - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, *or*
 - d. directly certified, determined other source categorically eligible, or certified by application in SY 2019-2020 *and* the school district has not made a new school meal eligibility determination for the child in SY 2020-2021.
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.

Delaware will follow the standard for P-EBT eligibility for school children as required.

- **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 2019-2020 graduates and other non-students.**

Delaware will use the best available data when determining eligibility status for school year 2020-2021, October 2020 - December 2021. Delaware is using the most current eligibility data. We have provided the school districts with the student rosters that was used to issue P-EBT benefits in the spring. School districts are validating the rosters against current enrollment. Any students who are no longer attending school in the district, including those who have graduated, are being marked inactive. Any student who has started attending school in the district are being added by the school district. This assures that P-EBT will only be issued to students who are eligible. Delaware has developed a spreadsheet/roster for monthly changes to ensure that graduates and other non-student do receive P-EBT benefits.

- **How will the State determine and/or confirm each child's eligibility for free or reduced-price meals? 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.**

Delaware will use the best available data from both public and non-public schools when determining eligibility status for school year 2020-2021. The schools will be provided with the parameters for determining student eligibility for P-EBT. This eligibility includes migrant, homeless and foster children. Schools will be provided with a webinar training which will define school eligible requirements as well as student eligibility for NSLP and how to arrive at countable student days. This is the link to the webinar. <https://www.doe.k12.de.us/Page/4342>

FNS Guidance was discussed with DOE in detail prior to the webinar. The webinar was set up mainly to provide instruction for the staff who were responsible for completing the spreadsheets. DOE felt this was necessary because of some of the issues with spreadsheets in the prior rounds of P-EBT. Most of the questions were in reference to completing the spreadsheets.

Eligibility will be determined based upon the child receiving free or reduced-price school meals under the NSLP and SBP if not for the COVID health emergency. This includes those directly certified or certified by application, CEP schools; and 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. Delaware obtained a list of students who are direct certifications from our Eligibility system and have marked those students

on the roster. We have matched students on the roster to the schools who are CEP and have marked those students on the roster. The students who were income eligible for free/reduced meals for the 19-20 school year are marked as such on the roster. If a school district has received a 20-21 SY meal application, they are updating eligibility by marking newly eligible students as income eligible and marking students who are no longer eligible as not eligible this includes new students and transfer students. For students who have not submitted a 20-21 SY meal application, eligibility from 19-20 SY is being used. This ensures that benefits are being accurately issued to eligible students.

- **How will the State confirm each child’s lack of access to meals at school? Please describe separately for SNAP-recipient and non-SNAP-recipient children, and children in public and non-public schools.**

This will be determined based on the schools' attestation that students did not have access to meals at school. This same procedure would apply regardless of public or non-public schools or whether they are SNAP recipients or not.

- **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.)**

Information will be updated every other month by the schools using the established roster. A copy of the roster/spreadsheet can be located at <https://www.doe.k12.de.us/Page/4342>. The issuance of benefits will occur monthly except for October, November, December, and January.

- **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).**

DHSS/DSS will be responsible for the communications and overall processing of P-EBT benefits. We will work with DOE to determine the most up to date contact information for all schools. Schools are responsible for determining eligibility, they will be sent communications on how to determine student eligibility, calculation of days and submission protocol. We will also work with DOE on the determination of free/reduced status of students since that determination may have been paused due to SFSP being available for this first semester.

- **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.**

The State will not be using any simplified assumptions particularly since we will be determining eligibility retrospectively.

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.**

Delaware schools have already met the student eligibility based on the period of closure or reduced attendance or hours that meet the minimum 5 consecutive day threshold this school year. The school districts have provided the verification that the schools have met the 5-day requirement. The school districts are required to report eligible days based on their calendars, operating days, and attendance. This is tracked monthly on the student data spread sheet. A copy of the student level spreadsheet can be found in the following link. <https://www.doe.k12.de.us/Page/4342>. Schools and DOE are responsible for determining free/reduced lunch eligibility.

Delaware conducted a Webinar training for school administration on program overview and specific eligibility requirements that also included Webinar training school staff specifically responsible for data entry of student level information. Each month the schools update via the roster the reduced hours, reduced attendance and changes in the school's instruction methods.

Data collection methodology will include edits and safeguards such as DOB field not allowing anyone over the age of 22, student ID will include character limits and edits, limit on allowable days that can be entered, verification of file receipt and acceptance, and how to contact the State if errors are identified after transmission.

- **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?**

The State will require all schools to report school and student information to attest to meeting the above noted requirements.

- **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.)**

School reporting of student eligibility will occur on a monthly basis throughout school year 2020-2021, using the monthly roster/spreadsheet.

- **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.**

School reporting of student eligibility will occur on a monthly basis throughout school year 2020-2021, using the monthly roster/spreadsheet. This spreadsheet is used to calculate the 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.**

The State will not be using any simplified assumptions particularly since we will be determining eligibility retrospectively.

5. 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 2020-2021. The benefit is multiplied by the number of days that the eligible child’s status makes them eligible for P-EBT benefits.

SY 2020-2021 July 1, 2020 - June 30, 2021	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack (NEW)	Daily Total
Contiguous U.S.	\$3.60	\$2.26	\$0.96	\$6.82
Alaska	5.79	3.64	1.56	10.99
Hawaii, Guam, Virgin Islands, Puerto Rico	4.20	2.64	1.13	7.97

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-2020-07-22/pdf/2020-15764.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.**

The State will not be using any simplified assumptions particularly since we will be determining eligibility retrospectively. Student P-EBT amount will be equal to the value of the daily allotment notated above multiplied by the number of school days in the specified month where the students were not physically in- person at school, for each eligible child in the household. The value of the school meals is equal to the Federal reimbursement rate for breakfast, lunch and snack at the free rate, which is \$6.82, as specified by USDA.

The School will update the eligibility days for each student monthly. For those schools who have been in virtual instruction the entire time or in a hybrid setting, the schools will be required to provide the number of days in virtual learning for the specified month.

Response: [please use as much space as needed]

6. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2020-2021 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 State's plan has been developed cooperatively with our Department of Education as well as with Conduent the EBT processor. We have informed Conduent of our retroactive monthly issuance plan. parents will be informed to retain their P-EBT card from the January issuance in case their child(ren) continue to remain eligible for P-EBT in future monthly issuances. Conduent has requested to be provided with a copy of this plan and it will be provided once finalized.

- **The timeline must include the State's tentative issuance dates. In SY 2019-2020, 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.

Delaware's tentative P-EBT issuance schedule: we plan to issue benefits over the last 5 days of the month in which the information is collected from schools for the previous month. Our plan is to provide schools a two to three-week period to report student information each month. For example, we will provide schools a three-week timeline for March 19th to provided February's data.

Day 1 Plan approval-by Day 7 October and November PEBT catch up will be sent, the month following Day 7 December and January's will be issued. If the plan is approved in February, Februarys PEBT will be issued by March 30.

A final schedule can be provided to FNs upon approval of the plan. As information is submitted by schools, our data warehouse will load files in the appropriate format for transmission to our EBT vendor, Conduent EBT. We would determine if issuance would need to be made over a period of 5 days based on that month's volume. Card issuance would then proceed once issuance is completed.

Delaware's P-EBT customer service hotline remains active and ready to take calls. Delaware will update the current campaign information to include program changes including a notice to the P-EBT household and a press release to the public announcing the start of the program. This information has already been created and will disperse upon approval of the P-EBT plan.

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?**

The State will use the same card design for non-SNAP households that we used for our previous two P-EBT issuances which was the unique P-EBT card for Delaware.

- **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 2019-2020. This will greatly facilitate the States' ability to report and USDA to maintain accountability for P-EBT.**

The State will continue to use our sub-benefit type as was used previously which would be separate and apart from D-SNAP.

- **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.**

Delaware will make 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.**

The State will follow the same expungement rules as SNAP. Delaware expungement period is 365 days.

- **During SY 2019-2020, 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?**

P-EBT cards will be returned to Conduent EBT. Parents will be informed of card replacement procedures.

- **Will you issue *new* P-EBT cards to existing P-EBT households? No**
 - If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?

Each new student eligible at January issuance will receive a new P-EBT card. The parents of each student will be informed to retain this card in case eligible for future P-EBT eligibility.

- If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

If the P-EBT household no longer has their card from previous P-EBT issuance, they will be informed of how to request a replacement card.

A P-EBT card was issued only to non-SNAP households. The P-EBT benefit was issued to SNAP households on their regular SNAP card. This is how benefits were issued for August/September. If a client had the need for a replacement card in August or September one was issued. The expectation that there will be a high need for replacement cards due to being destroyed or lost is not expected. However, that State has the resources to handle all requests for replacement cards that we receive.

Response: [please use as much space as needed]

7. 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 questions from actual or potential P-EBT households.
2. USDA strongly encourages States to provide relevant program information to actual and potential P-EBT households.

- **How will the State resolve disputes or issuance errors (incorrect benefit amount, denied benefits, etc.)? Based on the large number of such inquiries received by USDA, the States, and EBT processors, USDA suggests a phone number (hotline) staffed by personnel empowered to research and address such cases.**

Delaware has an established customer service number (hotline) to resolve all inquiries, disputes and discrepancies that are reported. The State also works closely with DOE when issues involve eligibility issues. Disputes over amount of benefits can be addressed with schools and the schools will have an opportunity to correct previous monthly issuances at next monthly issuance cycle.

- **Please describe how the State will serve groups with potential access problems, for example: homeless children, foster children, children without social security numbers, children with limited English proficiency, households without internet access, and people living with disabilities.**

For limited English proficiency, we do have immediate capabilities to translate any information as needed. For homeless children, we will work with schools to ensure that

there is a mailing address by which to provide benefits and as well someone at the school to assist in getting the benefits to the student.

For foster children, we will communicate with our Department of Child Services to inform of this next issuance and to advise that foster parents update their addresses with their respective schools. Those without a SSN should not be a problem since that is not included in the data being collected nor is it necessary to pin the card. Individuals with out internet access can call the Costumer Service hotline for assistance. If a TTY line is available. Delaware will assist any customers with access problems. Division of Social Services has designated our Customer Service Unit to handle inquiries 1-866-843-7212.

- **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).**

The State will release a statewide media statement concerning the continuation of P-EBT benefits for this coming FFY 2020/2021. The State P-EBT website will be updated at least quarterly with a list of schools who submitted student data, FAQs, and communication with parents on school/student eligibility.

Delaware has established an internal process to update address corrections based on returned mail, changes reported by the schools and information reported to our Customer Service hotline.

- **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.**
Information will be provided on the Buck slip and the P-EBT web site informing households to destroy the P-EBT card if they do not want the benefit.
- **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 Spring and Summer of 2020, 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)

Delaware's buck slip information that will be sent out with the P-EBT card and the P-EBT website will contain information noted above. The buck slip will contain reference to our P-EBT website for more information on the program and customer service number (hotline). The buck slip and P-EBT card carriers included as part of this plan submission for reference and will be posted on our P-EBT website.

- How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?

Information will be provided via the buck slip sent with the P-EBT card as well as on the DHSS/DSS P-EBT website.

- Will you provide information via e-mail, text messages, social media, website, robo-call, and/or other electronic means?

We will have to rely primarily on communication with DHSS/DSS websites, all schools, social media for information concerning P-EBT. Delaware will consider using flyers and brochures as well.

8. 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.

Response: [please use as much space as needed]

Delaware understands the expectations regarding benefit over-issuances.

The State confirms that we will not attempt to reclaim P-EBT benefits by reducing a household's SNAP benefit. Since P-EBT benefits are unsolicited benefits to many of the families receiving, the State does recognize that efforts must be taken to communicate and attempt to rectify questions and concerns.

The State will research cases that come to our attention where perhaps custody recently changed such as to a guardian or custodial parent status changes. In these situations, if the benefit has already been spent, there is no further recourse available. If the benefit has not been spent, we are able to re-issue a P-EBT card for the student.

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

9. 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.

10. 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, 2020 through September 30, 2021. 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.

11. 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.”

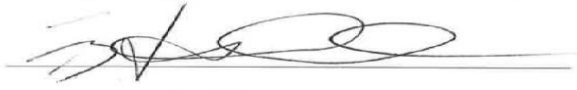
12. Civil Rights Statement

The State will continue to comply with civil rights requirements, to include providing equal access to individuals with disabilities and individuals who are limited English proficient.

13. 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:

A handwritten signature in black ink, appearing to read 'Ray Fitzgerald', written over a horizontal line.

Signature

Print Name and Title: Ray Fitzgerald, Director

Signature

Print Name and Title

Date of Request: _____