

**State Plan for Pandemic EBT
Children in School and Child Care, 2022-2023**

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Summary:	(1) This document is a template to assist states in the development of state plans to operate Pandemic EBT for children in schools or child care during school year (SY) 2022-2023. (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 State Guidance on Coronavirus P-EBT: [Click Here](#)

The submission of a P-EBT state plan, associated template, and related reporting obligations are addressed in OMB# 0584-0660, Pandemic Electronic Benefit Transfer (P-EBT), expiration 11/30/2023.

State Plan for Pandemic EBT
Children in School and Child Care, 2022-2023

1. **State:** Vermont

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

3. **Executive Summary:**

Please provide the following data. In addition, please include a statement indicating that you commit to informing USDA of any significant increase or decrease in these data points during the *date range*¹ covered by this initial plan (or subsequent amendment).

- a. The *date range* covered by this state plan or amendment
 - for children in school
 - for children in child care
- b. Estimated monthly and total *amount* of P-EBT benefits the state will issue within this plan/amendment's date range.
 - Estimated amount issued to school children in SNAP households.
 - Estimated amount issued to school children in non-SNAP households
 - Estimated amount issued to non-school children in child care
- c. Estimated total *number* of children to which the state will issue P-EBT benefits.
 - Estimated number of school children in SNAP households
 - Estimated number of school children in non-SNAP households
 - Estimated number of non-school children in child care
- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
 - School children in SNAP households
 - School children in non-SNAP households
 - Children in child care
- e. Names of state agencies involved in administering this plan.

Response:

The date range for this plan is September 2022 through June 2023². The state commits to informing USDA of any significant increase or decrease in these data points during the date range covered by this initial plan. The following plan estimates are based on currently available data and information.

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 2022 through June 2023, for example).

² August 2022 was part of Vermont's 2021-2022 summer P-EBT plan.

The Vermont legislature passed a law, Act 151 (2022) available at <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT151/ACT151%20As%20Enacted.pdf>, that provides state funding for schools that offer universal school meals for students attending schools operating the Community Eligibility Provision or Provision 2 through the National Child Nutrition Act and National School Lunch Act. Universal school meals are effective in Vermont starting July 1, 2022. Because of this state funding, every public school in Vermont and many independent schools are operating CEP or Provision 2 in school year 2022-2023. The number of students in Vermont impacted by this new law is estimated at 80,000.

On August 10, 2022, the Vermont Agency of Education and Vermont Department of Health (VDH) issued a memo advising that school nurses should use clinical decision making to determine whether students should be sent home due to COVID-like symptoms and when students may return to school. The memo also advised that if students or staff have confirmed COVID-19, they should follow VDH isolation guidance. VDH currently [advises isolation for 5 days for those who have tested positive for COVID](#). Vermont estimates that up to 16,000 school children each month may be absent due to a COVID-related reason. At an absence length of five days each and a daily rate of \$8.18, Vermont estimates the following issuances:

- Monthly issuances of \$654,400
 - Estimated monthly amount issued to school children in SNAP households is \$196,320
 - Estimated monthly amount issued to school children in non-SNAP households is \$458,080
- Total issuance of \$6,544,000 (monthly estimate multiplied by 10 months of payments during the school year)
 - Estimated total amount issued to school children in SNAP households is \$1,963,200
 - Estimated total amount issued to school children in non-SNAP households is \$4,580,800

For the childcare benefit, Vermont estimates 8,681 children are eligible each month. At an estimated P-EBT benefit of \$35.79 per month³, this equals:

- Monthly issuance of \$310,692.99
- Annual issuance of \$3,106,929.90

For the home study students, Vermont estimates 2,007 children are eligible⁴. At a monthly benefit amount of \$143.15, Vermont estimates:

- Monthly issuance of \$287,302.05
- Annual issuance of \$2,873,020.50

³ Estimated 25% reduction in CACFP lunch meal claims. Please see childcare benefit section for detailed information about the proposed childcare benefit calculation process.

⁴ These are the number of children currently enrolled in home study through the Agency of Education. Please see the benefit levels section of the plan for the benefit calculation details.

4. P-EBT for School Children (see Q&As #7-25)

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. Please describe separately for the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT (see Q&As #16 and #25). Also describe what measures the state will take to prevent the issuance of benefits to school year 2021-2022 graduates and other non-students.
- How will the state determine and/or confirm each child’s eligibility for free or reduced-price meals?⁵ 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), children who become eligible during the school year, and the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT.
- 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.
- If the state’s schools will continue to impose temporary virtual or hybrid schedules, describe the process that the state will use to update each child’s in-person and virtual schedules (see Q&A #12). How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.)
- Describe the process that the state will use to identify individual students’ COVID-related absences or virtual learning days, including the process to identify, confirm

⁵ 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.

and monitor the enrollment status of children in non-NSLP-participating fully virtual institutions or homeschooling.

- 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. *(Please review Q&A #25 on simplifying assumptions regarding fully virtual schools and homeschooling.)*

Response:

The following two state agencies are responsible for the administration of P-EBT:

- Agency of Human Services, Department for Children and Families, Economic Services Division (ESD), which is responsible for the issuance of P-EBT benefits, P-EBT cards, P-EBT replacement cards, notices to customers and customer service and support as well as creating a P-EBT data template for schools to report information.
- The Agency of Education (AOE), in collaboration with local school districts, is responsible for eligibility determination through the direct certification process, the NSLP application process and monitoring and collecting of P-EBT student eligibility information. The AOE also manages homeschool enrollment (home study) for students in the State of Vermont.

Vermont made the decision in the first P-EBT plan year (2019-2020) to work with local school districts to identify children eligible for P-EBT rather than request that households apply for P-EBT benefits. This decision has resulted in fair and equitable access to P-EBT benefits to all eligible children in Vermont. We know that far fewer households would be served and far fewer children fed if the burden to apply for P-EBT was placed on families. This administrative decision further supports the goal of P-EBT which is to support families by providing food benefits for children eligible for free/reduced-priced meals who have missed meals at school due to disruptions in learning caused by the pandemic.

The COVID-19 pandemic continues to evolve in terms of its impact on school operations and children's learning. In the first school year of the pandemic, all children in Vermont schools transitioned to remote learning in March 2020 through the end of the 2019-2020 school year. In the second school year of the pandemic, children learned in a variety of different models, including in-person, hybrid and remotely. In the third school year of the pandemic, priority was placed on in-person learning with the goals of protecting children's mental health, nurturing their emotional and social maturity as well as providing a richer and more meaningful learning experience compared to virtual instruction. This fourth year is similar to the third with even more emphasis on in-person learning and activities in schools.

During the last school year because P-EBT guidance was so late in terms of planning for the school year, Vermont was not able to instruct or support most schools in tracking

individual COVID absence data. For the 2022-2023 school year, Vermont worked with schools to prepare them for tracking this data point for purposes of administering P-EBT and providing benefits to students. This school year, Vermont will issue P-EBT benefits to children in schools based on each eligible student's reported COVID absence information. As noted above, because of Act 151 (2022), all students in Vermont public schools and many in private and independent schools meet eligibility for free/reduced-priced meals because they attend CEP or Provision 2 schools.

AOE has instructed school districts to provide ESD (via a data upload to AOE) with a monthly list of all students eligible for free and/or reduced priced meals along with each student's number of COVID-related absences that month.

Only children attending schools or sites that participate in the national school lunch program are eligible for P-EBT.

For children who are learning at home, Vermont law requires all students between the ages of 6 and 16 to enroll with AOE for a home study program (16 V.S.A. §1121). Only children learning at home who are enrolled in home study through AOE are considered to be part of the Vermont education system. Because of the home study enrollment requirement, Vermont has a complete list of all children enrolled in home study during the 2022 -2023 school year. This list indicates whether the child has a Perm ID number. The assignment of a Perm ID number means the child was previously known to the education system in Vermont because they were enrolled in a Vermont school. Home study students without an assigned Perm ID number were not enrolled in a Vermont school prior to participating in home study. To provide the home study P-EBT benefit for the 2022-2023 school year, Vermont will use the home study enrollment list for purposes of issuing home study benefits. For children in home study this school year, who enrolled in home study between January 2020 and the current school year, and have a Perm ID number, a simplifying assumption is made that these families enrolled in home study because of concerns about COVID⁶. For children enrolled in home study during the 2022-2023 school year who do not have a Perm ID number, AOE and DCF will obtain attestations from these families before issuing the home study benefit to ensure that these children are enrolled in home study due to concerns about COVID-19. This group includes kindergartners through second graders who were too young to have been in school prior to COVID, and families who moved to Vermont during COVID. Families new to Vermont since January 2020 will also provide attestation that they left a school that participated in the national school lunch program prior to pursuing home study in Vermont. Families enrolled in home study for the 2022-2023 school year who were enrolled in home study since before January 2020 are not eligible for the P-EBT home study benefit.

⁶ Please see <https://www.healthvermont.gov/sites/default/files/documents/pdf/COVID-19-Surveillance-report-20220810.pdf>, which shows that COVID-19 continues to be present throughout Vermont as of August 2022, with continued new hospital admissions because of the virus.

Free/Reduced-Priced Meals Eligibility

Please see information above about Vermont's universal meals law, Act 151 (2022). Effective for the 2022-2023 school year, all public schools in Vermont and many independent (private) schools are offering meals under CEP or Provision 2.

Because of the availability of universal meals using either CEP or Provision 2 at all public schools in Vermont, all home study households reside in a school district/catchment area where universal meals through CEP or Provision 2 are offered. A simplifying assumption is made that all home study households are eligible this school year on this basis because their default school if not enrolled in home study would have been a CEP or Provision 2 school.

COVID-Related Absences

AOE has provided guidance, to schools on the definition of a COVID-related absence prior to the start of the 22-23 school year. Additional training and technical assistance will be provided prior to data collection. The definition of a COVID-related absence includes excused absences from school or classroom closures for any of the following reasons:

- Absence due to COVID-19-like symptoms, with or without a positive test.
- Absence due to any quarantine or isolation requirements or recommendations as issued by the CDC or the Vermont Department of Health. These include positive test, symptoms, or close-contact status of the student or others in their household.
- Absence due to any need to quarantine before/after travel or to protect vulnerable household or family members.
- Absence to receive COVID-19 vaccination or as a result of symptoms related to COVID19 vaccinations.
- Absence due to transportation barriers resulting from a COVID-19-related reason.
- Students who cannot attend school because paraeducators or other support staff assigned to that student are not available for a COVID-19-related reason.
- Medically vulnerable students needing to reduce risks of exposure to COVID-19.
- Students who are not physically at school for any of the above reasons but are engaged in school through remote learning conducted by school staff or contracted staff.
 - See questions 17-19 of USDA's P-EBT Q&A – SY 2021-22 for more on eligibility of students engaged in virtual learning.
- While contact tracing is not a tool that the state is currently relying on for COVID-19 prevention, absence due to need to complete contact tracing would also be considered COVID-19-related.

Schools in Vermont have been instructed this school year to track individual student-level COVID-related absence information for the purposes of P-EBT. Schools will be instructed not to report any identifying personal health information about individual students, staff or any other person.

Proposed Issuance Schedule

Vermont intends to issue school and childcare P-EBT retroactively in two rounds. September-January benefits will be issued together, followed by February-June. The tentative schedule for school and childcare issuances is as follows:

- School September – January benefits will be issued in early April
- Childcare September – January benefits will be issued in late April
- School February – June benefits will be issued in August
- Childcare February – June benefits will be issued in early September

ESD and AOE will request that school districts provide a template spreadsheet showing all eligible children, indicating the months in which they were eligible, on a schedule determined by ESD and AOE. The first reporting period may be delayed pending USDA approval of the state plan.

The home study benefits will be issued in one round in May 2023, exact schedule to be determined. A simplifying assumption is made that if a family is enrolled in home study during May 2023, that the family will continue home study for June, the last academic month of the 2022-2023 school year. ESD and AOE will compare the data files and ensure that there is no duplication of benefits for each month. All P-EBT issuance schedules will be posted online for families and the public.

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 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.

Response: AOE has instructed schools that students are only eligible for P-EBT once the school has been closed or had reduced attendance for five consecutive days or more. The first day of the first five-day minimum closure/reduced-attendance episode will be the effective date that the school meets this school status requirement. Schools have been instructed to determine what their first date of eligibility is for each school building, and to only report eligible students who had a COVID-related absence on or after that date. Upon submitting their list to the state agency, the SFA is indicating that the students listed are eligible for P-EBT because they had a COVID related absence occurring on or after the date that the school became eligible.

5. P-EBT for Children in Child Care (see Q&As #26-33)

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.

There are no changes for P-EBT for children in child care from SY 2021-2022. USDA encourages states to refer to their **approved** SY 2021-2022 child care plan to complete this section. Please describe:

- how the state will identify eligible children and confirm their eligibility consistent with the above standard,
- how the state will set benefit levels for children,
- the roles and responsibilities of each state agency or other partners involved in P-EBT and
- any simplifying assumptions the state proposes to use and the justification for using those simplifying assumptions.

If the state will establish a reduction in access to child care using the CACFP data method, we recommend that the state respond to all points as described in their **approved** SY 2021-2022 child care plan, such as:

- The state will confirm that there has been a statewide reduction in access to child care for each of the months of the current school year relative to the same months

immediately prior to the pandemic, and will share this data and calculations with USDA before issuing benefits for any months.

- The state will use the sum of CACFP lunch claims for child care centers and family day care homes as reported by the state on the FNS-44⁷. The state will exclude at-risk lunches and adult lunches.
- The state will set an average monthly P-EBT child care benefit using the reduction in aggregate lunch claims over a designated period of time, the average number of school instructional days over the course of the current school year, and the SY 2022-2023 P-EBT benefit per day.
- The designated period over which the state will set the average monthly benefit (e.g., a separate average monthly benefit for the fall semester and the spring semester).
- The state will monitor CACFP lunch claims through the end of the school year (or through the end of the public health emergency, as applicable) and will only issue benefits for months where lunch claims remain below claims for the most recent same month prior to the pandemic.

USDA will continue to support states with their calculations for the above approach.

If the state will establish a reduction in access to child care using a different approach, such as individual children's eligibility or proximity to area schools, then please describe below what the state will do and how this approach will be consistent with the above standard, such as:

- 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 #30)
- 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 those children's eligibility? (See Q&A #32-33). Specifically, how will the state determine that:
 - the child's child care facility is closed or is operating with reduced attendance or hours, or
 - the child's child care facility is in the area of one or more schools that are closed or operating with reduced attendance or hours?
- Are there any state or local public health ordinances that limit the capacity of child care facilities in response to COVID-19 in your state? If yes, describe how you will use those to find that all SNAP-participant children under age 6 are eligible for P-EBT in those areas?
- Describe the process that the state will use to update and re-establish each child's continued P-EBT eligibility and benefit level consistent with changes in the operating status of the child care facility or area schools? How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.)

⁷ The burden associated with state reporting of CACFP meal claims via the FNS-44 form is covered under OMB Control number 0584-0594, *Food Programs Reporting System (FPRS)*, expiration date July 31, 2023.

Response:

The following two state agencies are responsible for the administration of P-EBT for children in childcare:

- Agency of Human Services, Department for Children and Families, Economic Services Division (ESD), which is responsible for the issuance of P-EBT benefits, notices to customers and customer service.
- The Agency of Education (AOE) is responsible for monitoring and collecting Child and Adult Care Food Program (CACFP) data to inform the P-EBT benefit amount and ongoing eligibility.

AOE collects and monitors CACFP meal data served in childcare settings. Programs have 60 days following the end of each month to submit claims for CACFP meals. Vermont proposes using the most current CACFP lunch meal data available for childcare settings to determine both whether Vermont is able to issue childcare P-EBT benefits that month (i.e. if the 2022/2023 data shows a decrease in the number of meals served compared to the same month in 2019) and also to set the childcare P-EBT benefit amount.

For the benefit amount, Vermont proposes to use the percentage reduction of CACFP lunch data compared to 2019 as the basis of a childcare P-EBT benefit amount. This monthly benefit amount assumes an average 17.5-day monthly attendance in childcare (175 school days required each school year/10 months). The state will multiply this percentage reduction in claims by the 17.5-day monthly attendance figure and the \$8.18 benefit per day to arrive at a monthly P-EBT childcare benefit. The monthly benefit for September through January will be based on the sum of CACFP lunches served September - November 2019 compared to the sum of CACFP lunches served September –November 2022. The February – June benefit will be based on the reduction in CACFP lunches for December 2022 – February 2023 compared to the sum of CACFP lunches in December 2019 - February 2020, which will be calculated in early July 2023.

Vermont commits to updating USDA each month on:

- whether Vermont is eligible to issue childcare P-EBT benefits based on whether the most current CACFP data available as of the end of each benefit month shows a reduction in the number of meals served in childcare settings compared to the same month in 2019; and
- the childcare P-EBT benefit amount for that month based on the most recently available data.

As another simplifying assumption, Vermont proposes that for each month that CACFP data shows an overall reduction in the number of meals served in childcare settings, all children in Vermont under 6 years of age as of September 1, 2022 and in a household receiving SNAP benefits at any time during the plan period September 1, 2022 through June 30, 2023 will be eligible for the childcare P-EBT benefit for that month. ESD will determine and confirm a child's receipt of SNAP benefits in accordance with the relevant SNAP privacy requirements through the use of the State's eligibility system.

Vermont is a small state comparatively in terms of both area and population⁸ and is composed almost primarily of small towns and villages separated by mountains. Because of the rural nature of the state, many Vermont families commute to other towns and counties for employment and/or childcare. Vermont proposes that the State of Vermont is considered an “area” for purposes of making the determination that one or more childcare facilities have closed or operated with reduced attendance or hours each month for purposes of determining eligibility. Relying solely on county-level CACFP data for purposes of determining eligibility for households receiving childcare P-EBT benefits would unfairly impact many eligible families who reside in one county but send their children to childcare in other towns and counties. In addition, relying on CACFP sponsor address data in terms of determining eligible regions is problematic because sponsor and sub-state level data are not aligned in terms of address information. The address of a childcare sponsoring organization may not be in the same town or county as the centers or day care homes under that sponsor. Therefore, using the State of Vermont is the best proxy for making this determination.

Finally, the state proposes the reliance on the most recent CACFP data available (August 2022) which shows an approximate reduction of 27% in the number of lunches served compared to pre-pandemic numbers in the same month meets the reduced attendance/closure threshold requirement of five consecutive days.

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 2022-2023. The benefit is multiplied by the number of days that the eligible child’s status makes them eligible for P-EBT benefits.

⁸ Vermont’s population from the most recent 2020 census report is 643,077.

SY 2022-2023 July 1, 2022 - June 30, 2023	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$4.43	\$2.67	\$1.08	\$8.18
Alaska	6.87	4.21	1.75	12.83
Hawaii, Guam, Virgin Islands, Puerto Rico	5.10	3.09	1.26	9.45

Notes:

1. Lunch rates include the 8 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
4. The figures include the temporary additional funding for school lunch and school breakfast authorized under Section 2 of the Keep Kids Fed Act of 2022.

Source: <https://www.federalregister.gov/documents/2022/07/26/2022-15892/national-school-lunch-special-milk-and-school-breakfast-programs-national-average-paymentsmaximum>

- 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:

For school benefits, students will be issued benefits based on individual COVID-related absence days each month, at the benefit amount of \$8.18 per day.

For home study students, benefit amounts are set at a monthly benefit amount of \$143.15. This is based on the required 175 school days per academic year, multiplied by \$8.18 and divided by 10 months. A simplifying assumption is made that a student is enrolled in home study is enrolled for the entire month.

7. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2022-2023 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 past years, 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 P-EBT issuances for previous school years. 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.
- 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:

Vermont's tentative issuance schedule is as follows:

Vermont will issue school and childcare P-EBT retroactively in two rounds. September-January benefits will be issued together, followed by February-June. The tentative schedule for school and childcare issuances is as follows:

- School September – January benefits will be issued in early April
- Childcare September – January benefits will be issued in late April
- School February – June benefits will be issued in August
- Childcare February – June benefits will be issued in early September

The home study benefits will be issued in one round in May 2023. All P-EBT issuance schedules will be posted online for families and messaged to households and the public.

In anticipation of having an approved P-EBT plan this school year, instructions and a data template have already been shared with schools. The first data collection from schools for the period September through January will occur in February 2023. The second data collection for the period February through June will occur after the end of the school year on a date to be determined. This schedule is subject to change based on the federal public health emergency status. The State notes that it will make every effort to issue all P-EBT benefits for the 2022-

2023 school year by September 30, 2023, but anticipates that some issuances, particularly corrections and/or late applications or missed children may result in some benefits being issued after September 30, 2023.

The State will de-duplicate children who have already received P-EBT benefits for each corresponding month.

The State intends to follow the same distribution model utilized in previous iterations of P-EBT. SNAP (3SquaresVT) households will receive their P-EBT benefits on their EBT card, while non-SNAP households will receive benefits on a unique P-EBT card. P-EBT benefits will follow the same expungement rules that SNAP follows in Vermont. New P-EBT cards will be issued to non-SNAP families for the 2022-2023 school year who don't already have a P-EBT card from last year.

Vermont will continue to use the FSM benefit code for non-SNAP PEBT and the SSFB benefit code for SNAP PEBT. P-EBT in Vermont is spend/draw priority 1.

Returned P-EBT cards are sent to Vermont DCF's EBT unit, where they are logged. In cases where a forwarding address is provided, ESD will update its files and forward the P-EBT card and correspondence to the new address. In cases where customers call ESD to report changes of address, ESD will update its records and forward the returned mail to the correct new address.

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 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.

To complete Section 8, we encourage states to use language from their approved plan from SY 2021-2022 with all necessary updates. -

- How will the state resolve disputes or issuance errors (incorrect benefit amount, denied benefits, etc.)? Based on the large number of such inquiries received by USDA, the states, and EBT processors, USDA suggests a phone number (hotline) staffed by personnel empowered to research and address such cases.
- Please describe how the state will serve groups with potential access problems, for example: homeless children, foster children, children without social security numbers, children and caregivers with limited English proficiency, households without internet access, and people living with disabilities.

- Describe the state’s public information campaign. That is, the information you will provide to the general public (i.e., *not directly* to P-EBT participants), and how you will provide that information (i.e., print or broadcast advertising, social media, mailers to the general population).
- Describe what information you will provide for households that do not want the P-EBT benefit that is directly issued to them. How 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: ESD and AOE have a multi-faceted approach to ensure robust communication to all eligible households. ESD has a benefit service call center, which has its own dedicated P-EBT option. The State will conduct a public awareness campaign, working with schools, outreach partners and social media, including issuing a press release, posting information on-line and answering frequently asked questions. ESD and AOE will also work with schools to send out direct communications to eligible families.

The State will communicate P-EBT issuance schedules with retailers and Vermont’s retail and grocers’ association. The State will also consider SNAP and SNAP emergency allotment issuance schedules when planning P-EBT issuances.

Customer Service: During plan year 2020-2021, ESD and AOE worked with local schools to establish clear roles and responsibilities in addressing questions about P-EBT benefits and eligibility. This process resulted in efficient and comprehensive solutions to inquiries and questions and ensured that families and households received resolution to each question and/or complaint. This process for communication and customer service will continue in the 2022-2023 plan year. As part of this process, any household who did not receive a P-EBT benefit for any month for which they thought eligible will be directed to contact the dedicated ESD P-EBT hotline. ESD will work with local schools and AOE to confirm P-EBT eligibility and issue benefits, if eligible. Households dissatisfied with the response have the option to request a fair hearing.

ESD will have a database of eligibility information, reported to ESD by school districts, which ESD P-EBT staff can access to allow staff to specifically investigate a child's P-EBT eligibility, benefit amounts and card issuance status. Additionally, inquiries from ESD P-EBT staff may be sent to a specific email inbox for further review and resolution.

Equitable Access: ESD and AOE are committed to equitable access for all eligible families. The fact that Vermont works with schools to identify and provide P-EBT benefits to all eligible families rather than requiring families to apply for P-EBT benefits ensures equal access to the program. ESD and AOE will identify eligible home study families from the AOE enrollment list.

The State is also committed to serving all eligible children regardless of primary language. The ESD call center has translation services available for families calling in with questions about P-EBT benefits. ESD posts translations of P-EBT information and frequently asked questions on its website and works with schools to translate letters and other communications for households.

Families Experiencing Homelessness: Since the beginning of the pandemic, ESD has operated a general assistance housing program providing motel rooms to applicants, with relaxed eligibility rules, to ensure that families experiencing homelessness have a safe and reliable place to stay during the pandemic in a non-congregate setting. As a result, ESD has address information for many families experiencing homelessness in Vermont. In addition to this resource, ESD and AOE will work with school homeless liaisons to ensure that families receive their P-EBT benefits. ESD will also continue the collaboration with DCF's Family Services Division to determine current address, custodian, etc. of children in foster care.

9. Over-issuance of P-EBT benefits

To complete Section 9, we encourage states to use language from their approved plan from SY 2021-2022 with all necessary updates.

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:

ESD and AOE are committed to working with schools to ensure that ESD has current information about eligible families. To that end, upon plan approval, ESD and AOE will work with school districts on communications to families about P-EBT benefits and how to ensure that school districts have current information.

ESD is committed to thoroughly researching P-EBT cases to ensure that benefits reach eligible children. AOE will dedicate at least one FTE to assist in communications with school districts in addition to assisting in researching complex cases. In addition to receiving current information from schools, ESD also has the roster of eligible children with corrected addresses and other information from the prior school year that can be used as a reference. ESD and AOE are further committed to working directly with schools when there are questions. ESD commits to reporting improper payments to USDA.

10. Benefit Issuance Reporting

The state agrees to complete the FNS-292 form as well as all other normally recurring SNAP reporting, including the FNS 46, 388, and 778 reports, on a timely basis in accordance with requirements.

11. Administrative Funding

A separate grant to cover state level administrative costs associated with the administration of P-EBT will be awarded to the SNAP state agency within each state, for the period of performance October 1, 2022 through September 30 2023. As the authorized grantee, the SNAP state agency will be granted access to the associated letter-of-credit in which the administrative grant funds will be placed. As P-EBT related state administrative costs may be incurred by state agencies other than the SNAP state agency, the SNAP state agency will be responsible for entering into interagency agreements in the form of a Memorandum of Understanding, or document of similar construct, with all other respective state agencies responsible for delivering P-EBT benefits. The SNAP state agency will be responsible for reimbursing the administrative costs of all associated agencies accordingly.

Prior to USDA releasing the grant for administrative funding, each SNAP state agency will be required to submit a P-EBT Budget Plan using the FNS-366(a) Program and Budget Summary Statement. Funds will not be released to the SNAP state agency's letter-of-credit until this plan is submitted and approved. The SNAP state agency's Budget Plan should include the estimated administrative costs for all state agencies that will be handling P-EBT.

As noted in Item 9 above, the SNAP state agency will be also responsible for reporting all administrative expenditures on a separate FNS-778, Supplemental Nutrition Assistance Program, Federal Financial Report designated specifically for P-EBT. The expenditures on the FNS-778 should align with those outlined in the FNS-366(a), Program and Budget Summary Statement. The forms associated with P-EBT will be modified accordingly.

12. Release of Information

Per Section 1101(e) of the Families First Coronavirus Response Act: Notwithstanding any other provision of law, the Secretary of Agriculture may authorize state educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.”

13. Civil Rights Statement

The state will continue to comply with civil rights requirements by not discriminating on the 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.

14. Administration of State P-EBT Plan

The state will administer P-EBT according to the terms of its approved state plan. If the state wishes to change any of the terms of its plan, the state shall first notify USDA and will, if requested by USDA, submit a plan amendment for USDA review and approval.

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



Mary Rose Krueger
State Director of Child Nutrition Programs
Vermont Agency of Education

Leslie Wisdom

Leslie Wisdom
Food and Nutrition Program Director
Vermont Department for Children and Families
Economic Services Division

Date of Request: December 22, 2022