



United States Department of Agriculture

Food and
Nutrition
Service

May 30, 2012

Park Office
Center

SUBJECT: Approval of SNAP E&T Plans

3101 Park
Center Drive
Alexandria
VA 22302

TO: SNAP Directors
Financial Management Directors
All Regions

This memorandum sets forth Supplemental Nutrition Assistance Program (SNAP) State Employment and Training (E&T) Plan approval policies. This guidance is based upon a similar memo regarding SNAP Nutrition Education Plans, issued June 16, 2006.

Starting in fiscal year (FY) 2013, FNS will no longer provide conditional approval for State E&T plans. FNS has found that conditional approvals pose additional and unnecessary administrative burdens to State agencies and to FNS. Therefore, Regional offices (ROs) should only approve State E&T plans in full or in part. ROs should deny State E&T plans that are wholly unacceptable.

FNS will not release 100 percent Federal E&T grant money to a State agency's letter of credit without an approved E&T plan in place. Further, ROs must approve 50 percent reimbursements in excess of the Federal grant via an E&T plan before these funds are obligated. State agencies cannot claim E&T reimbursements or draw from the State letter of credit without an approved E&T plan in place.

Please apply this guidance in the review and approval of FY 2013 plans, which are due August 15, 2012. Please share this guidance with your State agencies.

Annual E&T Plans

State E&T plans for each fiscal year are due by August 15 of the prior year. To ensure plans are approved and implemented at the start of each Federal fiscal year (October 1), FNS encourages State agencies to:

- Submit plans early, but no later than August 15;
- Use suggested formats and any optional templates provided in the E&T Handbook;
- Be as short and concise as possible, while still being responsive to guidance in the E&T Handbook, E&T Toolkit, and FNS memorandums.

The 2003 E&T Handbook is located at the following link:

<http://www.fns.usda.gov/snap/rules/Memo/Support/employment-training.htm>

Upon receipt of an E&T plan, the FNS RO has 30 days to approve, deny, or request additional information.

USDA is an Equal Opportunity Provider, Employer and Lender

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

While most State agencies have their plans approved by October 1, some State agencies begin the new fiscal year without full approval on all aspects of their plans. Additional clarifications are sometimes necessary due to lack of clarity, documentation, or essential information.

FNS will approve a plan in full, in part, or not at all. If only portions of the plan are approvable, FNS will approve those portions. FNS will no longer provide contingent approval as a valid approval option.

After approval, State agencies may proceed with approved activities with full assurance that they will be reimbursed. State agencies choosing to start activities without FNS approval risk not receiving reimbursement for these activities. FNS will consider retroactive reimbursements of E&T activities to the plan submission date or October 1, whichever is later, if plans are subsequently approved. If a State agency offered components or activities that were wholly unallowable prior to plan approval and then later changed these activities to be allowable, FNS reserves the right not to fund these activities retroactively. See the examples in this memo for additional clarification of this policy.

After FNS approves a State's E&T plan and determines that retroactive reimbursement is reasonable based on the specific circumstances of the State, FNS will put funds into a State agency's letter of credit but only for the amount officially approved in the State E&T plan. Regional program staff and financial management staff should work together to ensure an approved E&T plan is in place before funds are deposited in the State's letter of credit.

Plan Amendments

The State agency must submit plan revisions to its RO for approval at least 30 days prior to the implementation of planned activities. Prior approval is required when a plan amendment alters the nature or location of components, or the number of persons served. Examples include:

- Major changes in components (e.g., adding, deleting, or modifying a component);
- Significant changes in State policy (e.g. major changes to State E&T exemptions);
- Requests for additional 100 percent Federal E&T grant funds, over and above the State agency's annual grant allocation;
- Changes in the amount of expenditures expected to exceed the 100 percent E&T grant level for which the State agency will request 50 percent Federal reimbursement;
- Changes in the method of paying participant reimbursements.

Examples of Plan Submission and Approval Scenarios:

- 1) *Approval of a Timely Received Plan* – The State agency submits an approvable plan on August 15 and the RO approves it within 30 days. Cost reimbursement begins October 1.
- 2) *Approval upon Prompt Receipt of Minor Clarification of a Timely Received Plan* – State agency submits a plan on August 15 and the RO responds with questions within 30 days. The State submits minor clarifications on November 1. The State agency does not substantially restructure E&T activities and the RO approves the plan on November 15 based on acceptance of the State agency's clarifications. FNS retroactively reimburses the State agency for costs incurred on October 1 and forward.
- 3) *Approval After an Extended Approval Period of a Plan Submitted Timely or Untimely* – The State agency submits a plan on October 15 and the RO responds with questions within 30 days. The State provides clarifying information in March at which point the RO approves the plan. The RO has discretion in determining whether retroactive reimbursement back to October 15 is reasonable given significant delays in response from the State and the substantive nature of the changes made. FNS has the right to deny retroactive reimbursement if it believes a State agency has not acted in good faith to promptly provide sufficient information to assist in the approval process.
- 4) *Approval upon Receipt of Untimely Submitted Plan* – The State agency submits an approvable plan on November 1; the RO approves the plan on November 30. Costs will be reimbursed for activities that occur on or after November 1.
- 5) *Approval upon Receipt of Major Clarification of a Plan Submitted Timely or Untimely* – The State agency submits an unapprovable plan in whole or in part and the RO does not approve the plan in part or in whole within 30 days due to substantive concerns and issues. The State agency makes major changes to components or services and resubmits the plan to RO for approval consideration. The RO approves revised plan. Costs will be reimbursed for activities that occur on or after the date the RO approved the plan.

If you have any questions, please contact Jackie Windfeldt at 703-305-2390 or jackie.windfeldt@fns.usda.gov.

Sincerely,

/signed/

Lizbeth Silbermann
Director
Program Development Division