Child Nutrition Program Waivers and Implementation

1. **What waivers are currently in place for school year 2020-21?**

   The U.S. Department of Agriculture nationwide waivers were extended on June 25, 2020 only for the National School Lunch and School Breakfast Programs, not the Summer Food Service Program. The waivers allow for the following flexibilities for the NSLP and SBP:

   - **Non-congregate Feeding in the Child Nutrition Programs**: Allows for off-site consumption of meals and serving models like grab-n-go, curbside pick-up, mobile/bus routes, and home delivery.
   - **Meal Service Time Flexibility in the National School Lunch Program, School Breakfast Program, and Child and Adult Care Food Program:** Allows for serving multiple meals at once and/ or serving meals for multiple days at the same time. Sponsors must still establish meal service times or delivery times
   - **Parents and Guardians to Pick Up Meals for Children:** Allows parents/guardians to pick-up meals and bring them home to their children.
   - **Meal Pattern Flexibility in the Child Nutrition Programs:** Allows sponsors to claim for reimbursement even if a meal does not meet all meal pattern requirements or include all meal components. Sponsors must contact CDE School Nutrition for approval to use this wavier for school year 2020-21. Approvals are based on disruptions to the availability of food products.
   - **Offer Versus Serve Flexibility for Senior High Schools in the National School Lunch Program for School Year 2020-21:** Eliminates the requirement for senior high schools participating in the NSLP to implement offer versus serve. Allows schools to serve individually plated meals and enables schools to offer complete meals for delivery or pickup for students doing remote learning.

Menu Planning

1. **What are best practices for menu planning for the 2020-21 school year?**

   - Identify which NSLP and SBP menu items fit your staffing capacity and planned meal service model(s).
   - When possible, simplify and shorten cycle menus. For example, identify the top 10 entrees that can be used in a 2-week cycle menu.
   - Communicate with school administrators to determine which meal service model will work best for schools. For example, meals in the classroom, grab and go or parent pick-up models.
   - Be sure to consider food transportation needs and food safety practices.
   - Include vegetable subgroups within the cycle menu if salad bars are not used. For example, determine the top 2-3 vegetables in each subgroup for rotation and backup.
   - Plan to assess menus often to encourage participation. Recipes for school nutrition can be found on the menu planning webpage.

2. **Will schools be able to serve the same meal to all students if age/grade groups are co-mingled?**

   The menu must meet the meal pattern requirements for each age/grade group. The meal pattern does allow for an overlap of menu quantities for K-12 at breakfast and K-8 at lunch. Additionally, if preschoolers are not co-

mingled with other students they will need to follow the preschool meal pattern. The meal pattern flexibility waiver does not apply in these scenarios.

3. **Will schools be allowed to utilize salad bars?**

    It is at the discretion of the sponsor if salad bars are used. Sponsors should work with their local health department and school administration to determine the safest and most appropriate route.

Civil Rights/Special Dietary Needs

1. **Is the And Justice for All Poster required to be in each classroom if meal service is not taking place in the cafeteria?**

    The And Justice for All Poster is not required to be in each classroom. The poster must be visible to participants in the school building. If participants will not have access to the poster in the cafeteria (e.g. meal service only in the classroom), best practice would be to have the poster visible and the school building entrance. A pdf printable version of the poster can be found on CDE School Nutrition website. The poster must be printed in color and the correct size (11"x17").

2. **If meals are being served in the classroom, do teachers need to complete civil rights training?**

    Yes. Teachers must complete Civil Rights training and the sponsor must track this information. Training formats, such as the Meals in the Classroom Teachers Training memo, self-study guide and PowerPoint slide deck can be found on CDE School Nutrition website.

3. **Are schools required to accommodate special dietary needs when meals are served in the classroom or there are grab and go options?**

    Sponsors are required to continue to accommodate special dietary needs regardless of the meal service model. Best practices to consider include:

    -   Use a consistent process to separate and identify special dietary meals and communicate to all who will be involved with meal service; for example, teachers serving meals in the classroom.
    -   Assess menus to make sure accommodations can be made within a modified cycle menu, if applicable. For example, if the salad bar was previously used to accommodate many special diets, different products may need to be added to the menu.
    -   Assess the district's special dietary needs policy to ensure it still meets the needs of the sponsor and families. For example, if you did not allow special dietary needs forms to roll over from year to year previously, you could consider allowing it to streamline paperwork.
    -   Identify communication needs with school administrators, teachers, and parents. Resources can be found on the special dietary needs webpage.

Procurement

1. **What procurement flexibilities are available to purchase new food and supplies for the 2020-21 school year?**

   - Informal procurement methods (small purchase and micro-purchase) may be used if district/sponsor purchasing policies allow. For more information on methods of procurement, visit the [CDE School Nutrition Unit's Procurement Web Page](#).
   - Work with your purchasing department or cooperative purchasing group to add new products to existing contracts if possible. New products can be added if adding those products is not a material change to the contract.
   - Procurement without a competitive process may be used when a public emergency will not permit a delay resulting from a competitive solicitation (when you need the goods or services immediately). For non-competitive procurement, the district can negotiate directly with one vendor instead of soliciting multiple quotes, bids, or proposals. Non-competitive contracts cannot be longer than one year in length.

2. **How do sponsors communicate with food vendors when they are unsure what products are needed for the 2020-21 school year?**

   - Be upfront and establish an open line of communication with your distributors, vendors, and brokers about your upcoming needs and unknowns.
   - Use participation data from this past spring and summer to estimate quantities needed for the fall.
   - Consider procuring products from local producers to shorten the supply chain.

Meal Counting and Claiming

1. **Will schools still be allowed to feed all kids for free or do meals need to be claimed based on the student's eligibility status?**

   The waivers that were extended on June 25, 2020 apply only to the National School Lunch (NSLP) and School Breakfast Programs (SBP), not the Summer Food Service Program (SFSP). Meals must be claimed by the student's eligibility status (free, reduced, or paid), unless the school participates in a provisional program, such as the Community Eligibility Provision (CEP). Sponsors may also use money from the general fund to cover the cost for paid student meals if they wish to provide free meals for all students. Meals served at no cost will need to be tracked and claimed according to eligibility status.

2. **How do sponsors claim meals for students when using a "drive-thru" meal service model?**

   If sponsors choose to implement a "drive-thru" service model, meals will need to align with standard NSLP counting and claiming procedures. Each meal will need to be reimbursable and tracked by student and associated student eligibility. Sponsors are encouraged to communicate what will be required for families to receive meals through a "drive-thru" model such as student ID badges, monies for paid meals, student ID numbers, pre-ordering, etc.

   Sponsors implementing a provisional program such as CEP or Provision 2 can continue to track the total number of meals served and do not need to track by individual student.

3. **How do sponsors claim meals for students that may be enrolled in other schools?**

Similar to standard NSLP counting and claiming procedures, students receiving a school meal must be claimed at the school site in which they are enrolled and meals must be claimed based on the student's eligibility status. As best practice, meals should be claimed based on the school the student is enrolled in. If that is not feasible, and your tracking system allows, meals may be claimed by the school the student ate at or picked up a meal from. It is also important to ensure the system to track and claim meals does not allow duplicate meals to be claimed.

4. **Are sponsors responsible for making sure parents do not pick up meals at multiple sites or multiple meals for one child each day?**

Sponsors are encouraged to follow procedures developed during the unanticipated school closures for parent pick-up models. Procedures can include requesting a student ID badge, student ID or student name with an additional identifier such as student grade and teacher, using a punch card with children's names/ages, or using online meal signups (e.g. Google form).

5. **How do sponsors accurately record and claim meals when parents or guardians pick up meals for their children?**

Sponsors are encouraged to have a procedure in place ensuring the students are in attendance of the school by either requesting a student ID or student name. Meals can then be tracked and claimed accordingly by that student name or ID. Ensuring meals are tracked by students will mitigate students receiving more than one breakfast and/or lunch per day.

6. **What methods can sponsors use to track student meals for meals in the classroom?**

Many points of service (POS) programs have ways for teachers to record meal counts within the program. Many sponsors typically utilize a roster system that is provided in each tote for each classroom. A best practice is to provide a laminated classroom sheet with a dry erase marker for teachers to mark meals and then return to school nutrition staff to enter meal counts into the electronic POS.

Meal Service

1. **Can sponsors continue to feed all kids through the same grab and go concept used during the Summer Food Service Program/emergency feeding?**

Grab and go is an allowable meal service method under the Nationwide Waiver to allow Non-congregate Feeding in the Child Nutrition Programs.

2. **Will Offer versus Serve be required at the high school level if meals are served in the classroom?**

Offer versus Serve (OVS) at the high school level is waived for the 2020-21 school year under the Nationwide Waiver to allow OVS Flexibility for Senior High Schools in the National School Lunch Program.

3. **Is Offer versus Serve signage required to be in each classroom if meals are served in the classroom?**

Signage identifying a reimbursable meal is not required for meals in the classroom or where posting the signage is determined to be problematic. Best practice is to have signage available to help both students and school administrators (such as teachers) determine what a reimbursable meal is.

4. **If schools are planning to have both in-person and remote learning, can sponsors serve meals to remote students?**

   Sponsors may serve reimbursable meals to students completing remote learning. Schools will need to meet school breakfast and lunch regulations, such as the meal patterns and ensuring meals are claimed based on the student's eligibility (free, reduced, paid). For remote students, flexibilities such as grab and go options, parent pick-up, multiple meal distribution will be good options to consider.

5. **Can districts operating a 4-day school week offer and claim meals on the 5th day?**

   If the 5th day is not an instructional day, the sponsor may not provide meals under NSLP or SBP. This would also not be considered an unanticipated school closure, as the calendar was planned this way. Therefore, the school may not serve and claim or send meals home for students for this 5th day under NSLP or SBP.

6. **Can up to 5 breakfasts and 5 lunches per student be sent home if a district typically operates a 4-day school week but plans to have instructional time occurring on the 5th day?**

   Yes, since the 5th day is an instructional day, the sponsor may send home multiple meals because of the non-congregate and meal time waivers in place. Schools can only claim one breakfast and one lunch per child per school day. Up to 5 breakfasts and 5 lunches could be sent home per child for the week. Weekend meals are not allowable in the NSLP or SBP. The sponsor will want to make extra efforts to ensure a good HACCP plan is in place and food is labeled properly with dates to be consumed or disposed of and food safety rules are adhered to.

7. **If students are in school certain days per week, can multiple meals be sent home for the days they are remote?**
   Yes, multiple meals can be sent home because of the non-congregate and meal time waivers in place. Schools can only claim one breakfast and one lunch per child per school day. Up to 5 breakfasts and 5 lunches could be sent home per child for the week. Weekend meals are not allowable in the NSLP or SBP. The sponsor will want to make extra efforts to ensure a good HACCP plan is in place and food is labeled properly with dates to be consumed or disposed of and food safety rules are adhered to.

8. **If students are in school for half of the day and then go home for the afternoon, can a grab and go lunch be sent home with the student?**

   Yes, the non-congregate meal flexibility allows students to be given a meal to eat off site.

9. **What constitutes an unanticipated school closure for the 2020-21 school year?**

   The *Meal Service During Unanticipated School Closures* [memo](#) defines an unanticipated school closure as "preventing children from receiving educational instruction and the nutritious meals they would normally receive". School buildings that must close for in person learning but offer remote learning are considered open and meals can be served under the National School Lunch and School Breakfast Programs.

10. **If school buildings are required to close and all learning is remote, can sponsors switch to the Summer Food Service Program where all students eat for free?**

    No. USDA has stated that as long as remote learning is offered and the day is counted on the school calendar as an instructional day, the school is considered open and meals can be served under the National School Lunch

and School Breakfast Programs. The National School Lunch and School Breakfast regulations will need to be followed and meals will need to be claimed based on student eligibility.

11. **Can a school building operate the Summer Food Service Program for remote learning and the National School Lunch Program for in-person learning?**

No. Sponsors must operate the National School Lunch Program for both remote and in-person learning models.

12. **Are longer lunch periods allowed to accommodate social distancing in the cafeteria and/or classrooms?**

Yes, flexibilities are in place for the school year to expand meal service times as needed to accommodate social distancing. School Nutrition recommends working with your superintendent, principals, teachers and local health department to determine what is needed to accommodate social distancing. The Center for Disease Control (CDC) published Considerations for Schools and Interim Guidance for School Administrators and the School Nutrition Association (SNA) has also published best practices to consider when planning for meal service.

13. **If school buildings are required to close due to a COVID-19 outbreak, how can sponsors feed students while school buildings are closed?**

Sponsors will be able to feed students if school buildings are required to close by utilizing flexibilities available through the Nationwide Waivers for the National School Lunch and School Breakfast Programs. Schools would not be able to operate the Seamless Summer Option or Summer Food Service Program when school is in session, even if this is exclusively remote learning. Sponsors have local level discretion on how to implement these waivers if school buildings close. For example, a sponsor may choose to serve out of one kitchen or serve out of all kitchens.

14. **If a school is on a year-round calendar, can the school utilize the Seamless Summer Option or the Summer Food Service Program for students who are "off-track"?**

Schools that are on a year-round calendar can utilize the Seamless Summer Option (SSO) during student vacations of 10 days or more. The same NSLP and SBP rules apply for meal service and meals served are reimbursed at the NSLP and/or SBP "free" rates. The waivers extended for the NSLP and SBP apply to the SSO.

Schools on a year-round calendar can utilize the Summer Food Service Program (SFSP) during student vacations of 15 days or more. The SFSP rules apply, including site eligibility and meal service and meals are reimbursed at the SFSP rate. The waivers extended for the NSLP and SBP do not apply to the SFSP.

15. **What food safety guidelines should sponsors be following for back to school?**

Your local public health agency is your ultimate authority on food safety related questions. Find your local public health agency here. If you are looking for state level guidance, consult Colorado Department of Public Health and Environment. General Colorado restaurant and food service guidelines can be found here (*not all recommendations may apply to schools). For national level recommendations, The Centers for Disease Control and Prevention (CDC) published What School Nutrition Professionals and Volunteers at Schools Need to Know about COVID-19. This CDC resource describes how individuals can protect themselves and slow the spread, steps the employer should take, and where to get more information.

16. Should sponsors develop a staffing plan in case there is a COVID-19 outbreak among food service staff?

It is recommended that sponsors develop a staffing plan in case employees contract COVID-19. Wisconsin Department of Public Instruction published Interim COVID-19 Cafeterias and Food Service Guidance that includes guidance on creating a back-up staffing plan. Back-up staffing plan considerations include identifying staff that are part of a high-risk group, providing cross-training and identifying back-ups, breaking up staff in teams to limit exposure, etc. School Nutrition Association (SNA) has also published staffing considerations such as whether staffers are working parents who may not be available to work if children are doing remote learning and determining how many staff members will be needed depending on type of meal service.

Professional Standards

1. Will all staff have to meet the training hour requirements for school year 2020-21?

School Nutrition allows the sponsor flexibility to complete annual training requirements over a two-year period. Staff must complete the annual civil rights training and any other training applicable to their day to day job duties.

School Meal Eligibility

1. Many sponsors are providing options for 100% remote learning, even if in-person instruction is available. These students may still be enrolled in a site participating in NSLP, but receiving remote learning from a different education agency that may not be participating in NSLP. In this instance, can the district/school still distribute and accept completed applications for free and reduced-price school meals? Or should they distribute the Family Economic Data Survey (FEDS Form)?

If a student is enrolled in a school site that participates in NSLP, the free and reduced-price school meal application must be offered and sponsors must accept and process complete applications. This will apply for students receiving remote learning from a non-participating site, but are still enrolled in a participating NSLP site. The FEDS forms must be offered for students enrolled in a site that does not participate in NSLP.

2. If sponsors are implementing 100% remote learning, do free and reduced-price applications still need to be provided?

Yes. Sites that participate in NSLP must offer the free and reduced-price school meal application. There currently there are no flexibilities in distributing, collecting and processing free and reduced-price meal applications. Sponsors can implement innovative ways to collect applications (see Letter to Household template for ideas) and ensure application submission methods are clearly communicated to households.

Sponsors should plan for all operating scenarios to ensure families can access and submit free and reduced-price meal applications.

Applications

1. How do sponsors apply to participate in the National School Lunch and School Breakfast Programs?
Sponsors will apply, as normal, through the Child Nutrition Portal. Organizations interested in becoming a School Food Authority and applying as a new sponsor organization can contact Kerri Link.

2. **Do sponsors need to update their National School Lunch and School Breakfast Program site applications if schools change from in-person to remote learning meal service operations throughout the year?**
No. Sponsors should complete site applications as normal, following these [instructions](). For example, a school that has 5 instructional days per week will check Monday through Friday for days of the week meals are served in the site application even if the school may change to distributing multiple meals only certain days of the week.

3. **If schools extend the time for meal service, do the changes need to be indicated in the National School Lunch and School Breakfast site applications?**

   Yes. Meal service times or delivery times need to be indicated in the site applications. School Nutrition recommends adding buffer time to the beginning and end times in the site applications so sponsors do not need to update as frequently.

4. **If a school typically operates a 4-day school week but plans to have instructional time occurring on the 5th day does the site application need to be updated?**

   Yes. In this instance, Monday through Friday will be checked for the days of the week meals are served in the site application.

Reviews

1. **Will CDE School Nutrition conduct school meal Administrative Reviews (ARs) in the 2020-21 school year?**

   School Nutrition will not conduct school meal ARs or Procurement reviews in the 2020-21 school year. [Sponsors]() originally scheduled for an AR in the 2020-21 school year will be rescheduled over the next three years to fit in to the approved five-year cycle. A new review schedule is forthcoming.

2. **Why are sponsors receiving a Summer Food Service Program review in the 2020-21 school year?**

   When schools closed in March due to COVID-19, sponsors continued offering meals through the Summer Food Service Program (SFSP), also referred to as emergency feeding. School Nutrition is required to conduct a review of sponsors operating the SFSP, including sponsors that operated the program during unanticipated school closures. All sponsors that did not have a school meal administrative review in school year 2019-20 and did not operate SFSP in the previous year, are required to undergo a review. The SFSP review schedule and resources can be found on [CDE School Nutrition website]().

Financial Management

1. **Can sponsors provide a 'program-adult meal' to the teachers or adults serving meals in the classrooms?**

   This is allowable. Meals served to employees directly involved in the operation and administration of the breakfast and lunch programs (e.g., managers, cooks, servers, etc.), may be provided a meal at no charge. This is considered a fringe benefit attributable to program costs. It is at the discretion of the local school district to charge food service employees for their meal; the cost of these employee meals may be paid from program funds.

2. **What grant code should be used for CARES Act funding?**

CDE received CARES Act funds intended for meal reimbursement for March – September.

      Grant code – 4555
      Source code – 4000
      CFDA # - 10.555
      SRE code – 94 (optional), can be used to isolate activity during March - June

CARES Act funds should be used to claim all meals March-September under the appropriate program:

      Unanticipated School Closures under SFSP (Emergency Feeding) - March - June
      SFSP – July - August
      NSLP and SBP – August - September