



State of Arizona
Department of Education

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Superintendent of
Public Instruction

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MEMORANDUM

To: Summer Food Service Program Sponsors

From: Mary Szafranski, Deputy Associate Superintendent
Health & Nutrition Services Unit

Lynn Ladd, Director
School Health & Nutrition Programs Department

Date: August 21, 2009

RE: School Closings for H1N1 Outbreaks with Questions & Answers

Original Signed

This memorandum outlines how schools and community organizations may continue to provide reimbursable meals to low-income children during school closures related to the H1N1 influenza virus. Enclosed is a Question & Answer section that addresses some specific details relating to meal service during an H1N1-related school closure. Such closures would follow a declaration of a public health emergency under section 319 of the Public Health Service Act, and would prevent the service of congregate meals through the National School Lunch and School Breakfast Programs. Meals served during these school closures may be claimed either through the Simplified or Seamless Summer Food Service Program (SFSP).

The Richard B. Russell National School Lunch Act authorizes the provision of meal service to children who are not in school during non-summer months due to an unanticipated school closure. The United States Department of Agriculture (USDA) has provided Arizona Department of Education (ADE) with added flexibility to use waiver authority in an effort to address concerns regarding the loss of school meals for low-income children, many of whom may not have access to other sources of food when schools are closed. Thus, the requirement for serving meals in a congregate setting will be waived for these H1N1-related school closures in order to provide meals to low-income children. Otherwise, the SFSP will generally operate as it

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does during the summer months, and all meals provided to children 18 and under will be reimbursed at the Simplified SFSP rates for rural/self-prep or urban/vended meals, or the free Seamless SFSP rates.

Steps for Approval to Operate SFSP During H1N1-related School Closures

- Any local educational agency (LEA) or eligible community organization that wants to provide reimbursable meals for children in schools closed due to the H1N1 virus must have an approved Food Program Permanent Food Service Agreement (FPPSA) with ADE which includes the operation of Simplified or Seamless SFSP. LEAs and community organizations with existing FPPSAs in place that do not include the operation of the Simplified or Seamless SFSP will be required to submit new FPPSAs if they intend to operate the Simplified or Seamless SFSP during an H1N1-related school closure.
- In addition, the LEA or community organization will be required to submit a waiver request, *on organization letterhead*, and signed by a representative of that LEA or organization. The waiver request should include specific information about the closed school(s) for which meal service will be provided, the meals (breakfast, lunch and/or snack) that will be served, and the method of meal distribution that will be used. Meal distribution methods must address how meals will be provided for off-site consumption and must also address food safety related concerns. LEAs and community organizations should also address how meals will be counted to ensure the integrity of the claims submitted. Interested LEAs and community organizations not currently operating the Seamless or Simplified SFSP should execute new agreements with waiver requests, as soon as possible, for planning purposes in anticipation of possible school closures in the coming school year. A waiver request template will be posted to the following website shortly: www.ade.az.gov/health-safety/cnp/sfp/Operating/How2Apply/Default.asp. All waiver requests must be submitted to ADE for review and approval, and will be reported to the Food and Nutrition Services (FNS) Western Regional Office (WRO) in the event of a school closure.
- LEAs and community organizations will also be required to submit SFSP online applications for the closed school(s) for approval at the time of an H1N1-related school closure. ADE may require additional information from LEA's and community organizations to determine the logistics of the proposed meal service.

In summary, LEAs and community organizations interested in providing Simplified or Seamless SFSP meals in the event of an H1N1-related school closure should ensure that a current FPPSA (including Simplified or Seamless SFSP) is approved and submit a waiver request to ADE in preparation for possible closures due to the H1N1 virus. Only at the time of an actual H1N1-related school closure, should LEAs and community organizations submit SFSP online applications.

ADE will assist LEAs and community organizations in taking full advantage of the options available to serve low-income children and will work closely in preparing appropriate plans,

including meal distribution methods, should such school closures occur. As new information becomes available, ADE will continue to provide information to make LEAs and community organizations aware of the ability and process for providing reimbursable meals during an H1N1-related school closure.

As questions and concerns arise, USDA will provide additional information and technical assistance as needed to aid ADE and LEAs in their efforts to serve low-income children affected by H1N1 school closures. This information will be available at: www.ade.az.gov/health-safety/cnp/sfp/Memos/Default.asp.

LEAs and community organizations should contact their local county health department for more information relating to the H1N1 influenza virus and/or information regarding an H1N1-related school closure.

If you have questions or concerns regarding this memo, please contact your School Health & Nutrition Specialist at 602-542-8700.

Questions and Answers: Responding to School Closings for H1N1 Outbreaks

The questions and answers below provide additional information regarding how these programs may operate in order to assist low income children during such school closures. Please note that this option is being provided for H1N1-related school closures only. It is not authorized for any other situation.

1. Which requirements for operating the Seamless and Simplified SFSP are waived for H1N1-related school closures?

ADE may waive the requirement that meals be served and consumed in a congregate setting, to support social distancing measures necessary during these outbreaks. ADE may also waive any pre-operational training and monitoring requirements. Limiting the operation of the Seamless or Simplified SFSP during an unexpected school closure during the school year to non-school sites is also waived for these circumstances. Requests to waive other operational requirements applicable to provide meals during an H1N1 related closure will be considered on a case-by-case basis and will be forwarded by ADE to FNS WRO for approval.

2. What entities are eligible to operate the Seamless or Simplified SFSP during H1N1-related school closures?

Any LEA or community organization otherwise eligible to operate the Seamless or Simplified SFSP and which has an approved FPPSA with ADE to operate the Seamless or Simplified SFSP may participate. The FPPSA with ADE may be an existing agreement under which the LEA or community organization currently operates the Seamless or Simplified SFSP, or it may be an agreement entered into specifically to operate the Seamless or Simplified SFSP in the event of possible school closures in the coming school year. These agreements should be submitted to ADE at the same time waiver requests are submitted (see question #3 below). A representative of the LEA or community organization should also have SFSP access to Common Logon/CNP Web in order to fulfill the requirements of participation.

3. How does an LEA or community organization initiate participation in the Seamless or Simplified SFSP H1N1 program?

The LEA or community organization must submit a waiver request to ADE. Please see question #7 below for required components of the waiver request. In order to assure a prompt response to school closings, LEAs and community organizations are encouraged to work with ADE to develop their waiver request prior to a H1N1-related school closing. The SFSP online application should only be submitted in the event of an actual school closure.

It is important to note that while multiple organizations in a community may work to respond to H1N1 related closures, ADE may not approve waiver requests which would duplicate coverage.

4. Who is eligible to receive meals?

All children, ages 18 and under, who reside in a household where, at least, one child in the household is enrolled in the closed school are eligible to receive meals.

5. How do Seamless or Simplified SFSP site eligibility requirements apply to H1N1 meal service? Must all schools served be in low-income areas?

The primary goal of meal service offered during an H1N1-related school closure is to address the loss of school meals for the low-income children enrolled in the closed schools. In general, Seamless or Simplified SFSP site eligibility requirements apply, with modifications to address the unique circumstances of these school closings. As discussed below, the determination of site eligibility is based not on the location of the site, but rather on the closed school's population.

For closed schools with 50 percent or more of their enrolled students certified eligible for free or reduced price meals, LEA's may develop meal distribution methods in which meals are available to all families with children enrolled in that school, with a focus on serving low-income children. For closed schools with less than 50 percent of their enrolled students certified eligible for free or reduced price meals, meal distribution methods must more directly target the households of enrolled children who are eligible for free or reduced price meals. Schools should use current free/reduced price certification information or, if the school closure occurs during the first 30 operating days, it may be necessary to utilize prior year eligibility certifications.

6. What distribution methods are envisioned for H1N1 meal service, and what logistical issues need to be considered?

We anticipate the meal distribution methods will be either pick-up or delivery models in order to meet the need for social distancing during an H1N1 outbreak. All methods should focus on targeting a closed school's low-income children, using the free and reduced price certification information available in each LEA. The logistical issues are numerous and further support the need for ADE, LEAs, and community organizations to begin planning immediately.

7. What components are required as part of a waiver request?

The waiver request should address how the LEA or eligible community organization will operate the Seamless or Simplified SFSP during an H1N1-related closure. At a minimum, the waiver request should address:

- Name of school(s) covered by waiver request;
- At what point after the declaration of a public health emergency and school closure would the meal service start;
- What meal distribution method(s) the institution will use and how the program will be operated to target the children in the closed schools (see question #4);
- How the meal distribution will target low-income children, including children that may not have free or reduced price eligibility information readily available (i.e. children new

to the LEA) if the school does not have 50 percent or more free or reduced price eligible children enrolled;

- Methods for communicating with families; and
- How the LEA or community organization will ensure proper operation of the program including meal content, meal counts, food safety, oversight, etc.

ADE may require additional information if necessary, to determine the appropriateness and feasibility of the response. The waiver requests are subject to ADE approval. Once approved, LEAs and community organizations must notify ADE and submit SFSP online applications before they activate the waiver. A template for the waiver request will be posted to the following web address shortly: www.ade.az.gov/health-safety/cnp/sfp/Operating/How2Apply/Default.asp.

8. Can meals be provided to siblings who may not be in school or who do not attend the closed school?

Yes, if a household has a child enrolled in the closed school, all children age 18 and under in that household may be served.

9. Can a parent/caregiver of a child enrolled in the closed school pick up meals for their children?

Yes. As long as the meal distribution site has a way to verify that the adult picking up meals has an enrolled child in the closed school, this would be permissible. This arrangement should be described in the LEA's waiver request.

10. How many meals per child may be offered each day? Can meals be distributed for more than one day?

The maximum number of meals that may be offered remains the same as under the Seamless or Simplified SFSP: up to two meals or one meal and one snack, per child, per day, in any combination except lunch and supper. ADE may approve a distribution approach that includes meals for multiple days. ADE will consider the capacity of the school or community organization to execute such an approach effectively, including meeting food safety requirements.

11. At what rates will the meals be reimbursed?

Programs operating under the Seamless SFSP will be reimbursed at the applicable free meal rate for school meal programs. Programs operating under Simplified SFSP will be reimbursed at the appropriate rural/self-prep or urban/vended rates. Keep in mind that the reimbursements are provided on a per meal basis and no additional Federal funds, i.e. start-up or advance funds, will be provided for this effort.

12. What are the requirements for the meals?

The meals must meet the regular menu planning requirements of the Seamless or Simplified SFSP. LEAs or community organizations may find it easier to use food based menu planning and provide the maximum portion size, rather than trying to provide meals based on the

various ages of the children served. Offer versus serve (OVS) will not apply and all meals must be unitized, meaning a complete reimbursable meal that meets the requirements of the menu planning method used, including milk, must be distributed. Shelf-stable milk may be used. USDA commodity foods may also be used.

All meal documentation, such as production records, daily menus, daily meal counts, etc., are still required while operating the Simplified or Seamless SFSP during an H1N1-related school closure to be in compliance.

13. When operating an H1N1 program, what types of expenses may be paid from the non-profit school food service account?

Schools may pay any allowable cost from the non-profit school food service account including any equipment or supplies that may be needed to hold and distribute meals, costs related to meal distribution, and staff wages to prepare and distribute meals.

Public or private non-profit organizations operating under the Simplified SFSP are not required to have a separate non-profit food service account, but all regular Simplified SFSP requirements related to allowable costs and recordkeeping will apply.