

Professional Standards Learning Code: 3240



Arizona Department of Education (ADE)

This training was developed by the Arizona Department of Education (ADE) Health and Nutrition Services Division (HNS).

Intended Audience

This training is intended for School Food Authorities (SFAs) operating the National School Lunch Program (NSLP) or Seamless Summer Option (SSO). All regulations are specific to operating the NSLP under the direction of ADE.



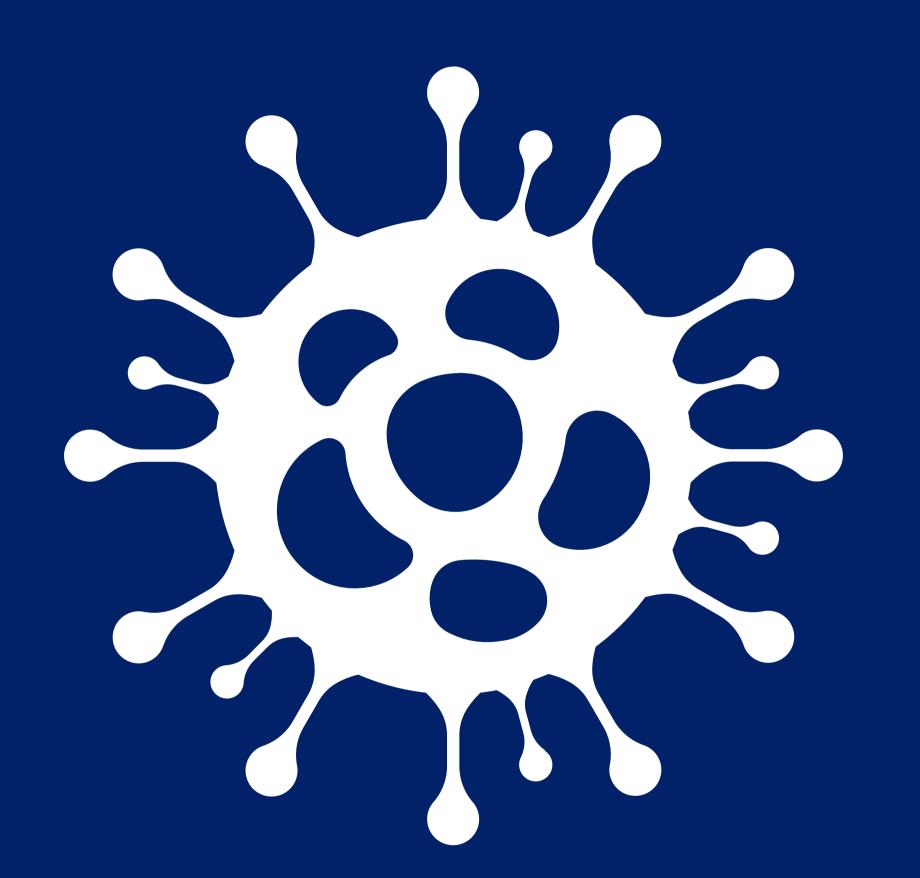


HNS is committed to ensuring Child Nutrition Program operators have the most current information while operating during COVID-19.

HNS Communications: ADE will alert operators when new memorandums or resources are released via our email communications.

The <u>COVID-19</u>: <u>Guidance to Child Nutrition Operators</u> webpage is the place where you can find all guidance related to operating during COVID-19.

Webinars: ADE will host informational webinars to support operations during COVID-19.



GET INFORMED.

TODAY'S DISCUSSION

USDA COVID-19 Child Nutrition
Responses applicable to SFAs in SY 21-22

Child Nutrition Nationwide Waiver Update for SY 21-22

COVID -19 Child Nutrition Response #84

USDA announced a new suite of Child Nutrition Program nationwide waivers and flexibilities to support successful school reopening in SY 21-22.

Purpose of the waivers:

- Supports access to nutritious meals while minimizing exposure to COVID-19
- Support successful school reopening and promote afterschool and child care
- Provide schools with flexibilities to serve meals to virtual learners and support alternative meal service models that support social distancing for in-person students
- Increase funding and balance operational needs with the goal of providing nutritious meals
- Give every school the ability to provide a safe and efficient meal service in SY 21-22

Please note: Not all waivers are extensions of previous waivers.

WHAT DOES "WAIVER" MEAN?

THE WAIVERS "WAIVE" CERTAIN PROGRAM REGULATIONS GOODBYE

42 U.S.C.

Richard B. Russell National School Lunch Act (NSLA) 7 CFR 210

National School Lunch Program (NSLP) 7 CFR 220

School Breakfast Program (SBP) 7 CFR 226

Child and Adult Care Food Program (CACFP)

STATES MUST OPT INTO THE USE OF EACH WAIVER

The waivers state:

"...this waiver applies automatically to all States that elect to use it, without further application. If the State agency elects to implement this waiver, it must notify its respective FNS Regional Office, which will acknowledge receipt."

ADE has elected to implement all but one of the waivers for SY 21-22.

If states have opted into a waiver, then local Program operators can decide if they are going to opt in. Some waivers require State agency notification and approval, some do not.

STATES MUST REPORT BACK TO USDA ON THE USE OF WAIVERS

Additionally, local Program operators who utilize the waivers must be prepared to provide ADE with information to report back to USDA:

- "...each State that elects to be subject to this waiver must submit a report to the Secretary not later than 1 year after the date such State elected to receive the waiver. The report must include:
 - A summary of the use of this waiver by the State agency and school food authorities, and
 - A description of whether and how this waiver resulted in improved services to program participants."

SFA ACTIONS

SFA OPT-IN REQUIRES ADE APPROVAL

If the waiver requires State agency approval or SFA justification for why the waiver is needed.

SFA OPT-IN DOES NOT REQUIRE ADE APPROVAL

If the waiver does not require State agency approval or SFA justification for why the waiver is needed.

REPORTING TO USDA ON USE OF WAIVERS

You opted in, but did you really use the waiver? And if you did use it, how often and how did it benefit your program?

SFA ACTIONS

SFA OPT-IN REQUIRES ADE APPROVAL

- Parent pick-up
- School meal pattern flexibilities
- *Multiple day meal distribution

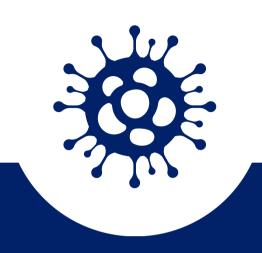
SFA OPT-IN DOES NOT REQUIRE ADE APPROVAL

- Operating SSO in SY 21-22
- SFSP reimbursement for SSO
- Non-congregate meal service
- Meal times
- OVS for high school
- Area eligibility for afterschool programs
- Onsite monitoring

REPORTING TO USDA ON USE OF WAIVERS

- Operating SSO in SY 21-22
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^{*}Not a waiver but requires State agency notification and approval.



DISCLAIMER

ADE Health and Nutrition Services is comfortable providing only clear guidance as stated in the USDA waivers. We will not make any assumptions or infer any allowances that are not specifically stated in the waivers.

The Waivers, Explained



COVID -19 Child Nutrition Response #85

Waives the following Program regulations:

42 U.S.C. 1761(a)(8) Seamless summer option: ...a service institution that is a public or private nonprofit school food authority may provide **summer or school vacation food service** in accordance with applicable provisions of law governing the school lunch program established under this chapter or the school breakfast program...

COVID -19 Child Nutrition Response #85

Therefore:

USDA is allowing SSO operations during the regular school year, effective July 1, 2021 through June 30, 2022.

This flexibility is available to **all SFAs** and may be used at any school, regardless of its location or the type of SSO site it is operating (open or closed enrolled).

COVID -19 Child Nutrition Response #85

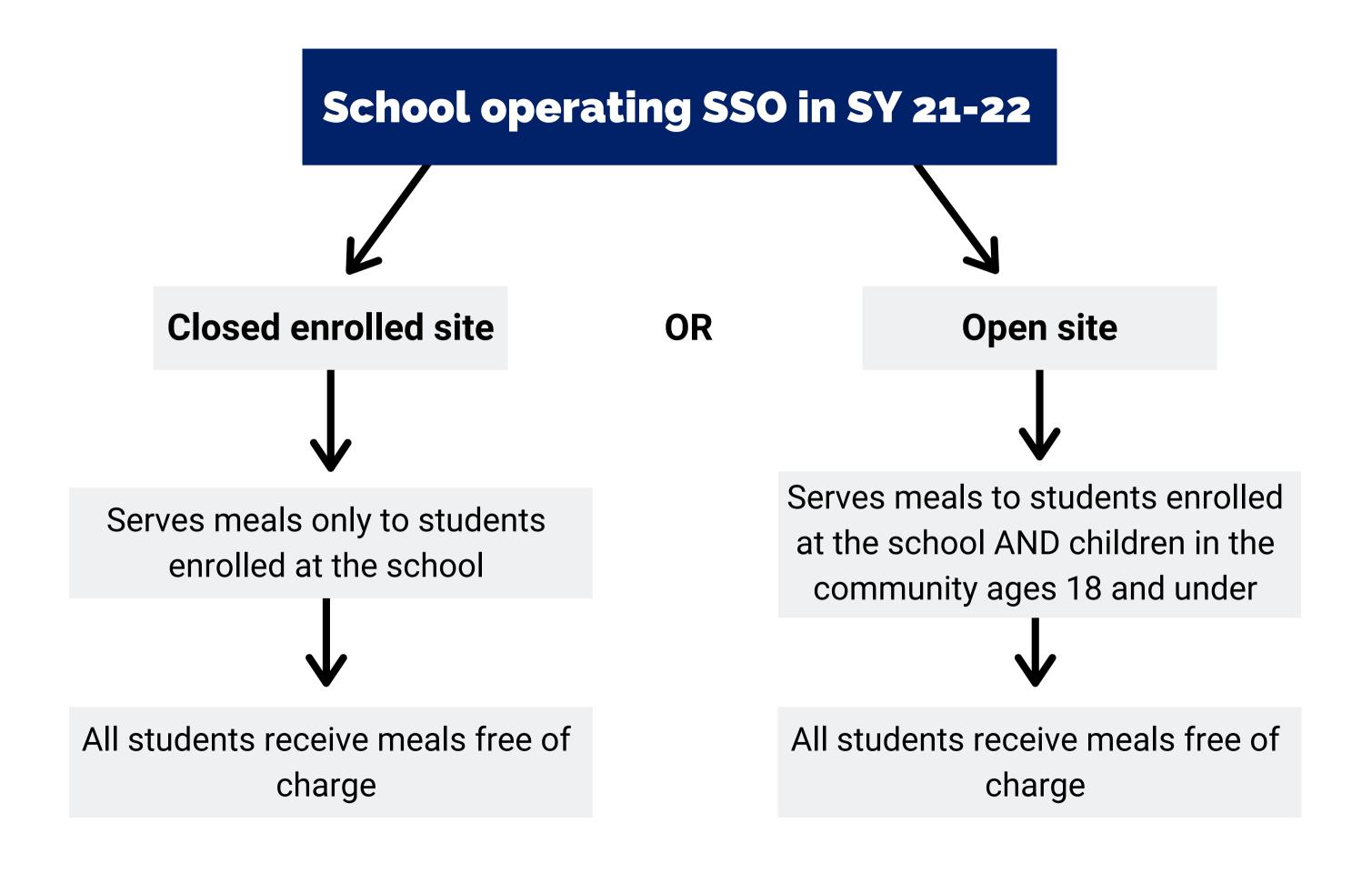
So what does this mean?

Any school can operate SSO during the regular school year.

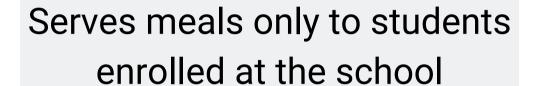
- All children 18 and under receive meals at no charge
- Meals do not need to be counted and claimed by eligibility category
- Area eligibility waiver is not necessary; all schools can participate regardless of location or percentage of students eligible for free or reduced-price meals
- Can operate open or closed enrolled SSO sites

Schools wishing to operate SSO during SY 21-22 will apply and claim breakfast and lunch under SSO in CNPWeb within two fiscal years (FYs).

- FY 2021: July-September 2021
- FY 2022: October 1, 2021-June 30, 2022



School operating closed enrolled SSO site in SY 21-22



All students receive meals free of charge

↓nt provided a

Reimbursement provided at the SFSP rate (highest reimbursement received for all meals)

School operating regular NSLP in SY 21-22

Serves meals only to students enrolled at the school

Meals counted by each student's free/reduced/paid eligibility

Reimbursement for meals is based on each student's free/reduced/paid eligibility

COVID -19 Child Nutrition Response #85

Poll question:

Will you be operating SSO under this waiver during SY 21-22?

Yes or no.

SFSP Reimbursement Rates During SY 21-22

COVID -19 Child Nutrition Response #86

Waives the following Program regulations:

42 U.S.C. 1761(b)(1)(C) Seamless summer reimbursements: A service institution described in subsection (a)(8) of this section shall be reimbursed for meals and meal supplements in accordance with the applicable provisions under this chapter...and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), as determined by the Secretary.

SFSP Reimbursement Rates During SY 21-22

COVID -19 Child Nutrition Response #86

Waives the following Program regulations:

42 U.S.C. 1761(b)(1)(C) Seamless summer reimbursements: A service institution described in subsection (a)(8) of this section shall be reimbursed for meals and meal supplements in accordance with the applicable provisions under this chapter...and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), as determined by the Secretary.

Therefore:

Meals and snacks served under SSO will be paid at the higher SFSP reimbursement rates.

SFSP Reimbursement Rates During SY 21-22

COVID -19 Child Nutrition Response #86

So what does this mean?

When SFAs submit their CNPWeb claims under SSO, they will automatically receive the SFSP reimbursement rates. No action is needed to receive the SFSP reimbursement.

SFAs choosing to operate NSLP in SY 21-22 will NOT receive SFSP reimbursement rates for meals and snacks served.

Non-Congregate Meal Service

COVID -19 Child Nutrition Response #87

Waives the following Program regulations:

42 U.S.C. 1753(b)(1)(A): The Secretary will provide money to State agencies for lunches served that meet nutritional requirements. **???**

42 U.S.C. 1773(b)(1)(A)(i)(I) The Secretary will provide money to State agencies for breakfasts served that meet nutritional requirements. **???**

7 CFR 226.19(b)(6)(iii) Meals served are consumed on the premises of the centers...

This doesn't say anything about congregate meals; however, this waiver states:

"Under the...National School Lunch Act...and Program regulations at 226.19...NSLP, SBP and CACFP meals must be served in a congregate setting and must be consumed by participants on site."

Non-Congregate Meal Service

COVID -19 Child Nutrition Response #87

Therefore:

Meals served under NSLP, SBP, CACFP, and SSO do not need to be served in a congregate setting or consumed onsite.

This waiver is effective July 1, 2021 through June 30, 2022.

Non-Congregate Meal Service

COVID -19 Child Nutrition Response #87

So what does this mean?

Schools have the flexibility to provide meal pick-up options for students learning virtually and grab-n-go meals for students in school.

The waiver also states: "While this waiver is available through June 30, 2022, flexibilities under the waiver should be implemented by program operators until such a time when greater levels of congregation in in-school settings is safe and healthy to pursue."

SFAs can implement this waiver without notifying ADE. No action is needed.

Meal Times Requirements

COVID -19 Child Nutrition Response #88

Waives the following Program regulations:

7 CFR 210.10(I) Requirements for lunch periods—
(1) Timing. Schools must offer lunches meeting the requirements of this section during the period the school has designated as the lunch period. Schools must offer lunches between 10 a.m. and 2 p.m.

7 CFR 220.8(I) Requirements for breakfast period. (1) Timing. Schools must offer breakfasts meeting the requirements of this section at or near the beginning of the school day.

7 CFR 226.20(k) Time of meal service. State agencies may require any institution or facility to allow a specific amount of time to elapse between meal services or require that meal services not exceed a specified duration.

Meal Times Requirements

COVID -19 Child Nutrition Response #88

Therefore:

Meals served under NSLP, SBP, CACFP, and SSO do not need to be served during specific times.

This waiver is effective July 1, 2021 through June 30, 2022.

Meal Times Requirements

COVID -19 Child Nutrition Response #88

So what does this mean?

Schools have the flexibility to provide meal pick-up options for students learning virtually and grab-n-go meals for students in school.

The waiver also states: "While this waiver is available through June 30, 2022, flexibilities under the waiver should be implemented by program operators until such a time when greater levels of congregation in in-school settings is safe and healthy to pursue."

SFAs can implement this waiver without notifying ADE. No action is needed.

COVID -19 Child Nutrition Response #89

Waives the following Program regulations:

7 CFR 210.10(a) General requirements—(1) General nutrition requirements. Schools must offer nutritious, well-balanced, and age-appropriate meals to all the children they serve to improve their diets and safeguard their health.

7 CFR 220.2 Definitions. Breakfast means a meal which meets the meal requirements set out in §§220.8 and 220.23, and which is **served to a child** in the morning hours.

7 CFR 226.2 Definitions. Meals means food which is **served to enrolled participants** at an institution, child care facility or adult day care facility and which meets the nutritional requirements set forth in this part. However, children participating in at-risk afterschool care centers, emergency shelters, or outside-schools-hours care centers do not have to be enrolled.

COVID -19 Child Nutrition Response #89

Therefore:

A parent or guardian may pick up meals for eligible children without the children being present.

COVID -19 Child Nutrition Response #89

The waiver also requires:

"State agencies opting to use these flexibilities must have a plan for ensuring that local operators are able to maintain accountability and program integrity. This includes putting in place processes to ensure that meals are distributed only to parents or guardians of eligible children, and that duplicate meals are not distributed to any child. State agencies may want to consult local operators when developing their plans, as local operators are best situated to determine how to provide these assurances."

COVID -19 Child Nutrition Response #89

So what does this mean?

Schools have the flexibility to provide meal pick-up options for students learning virtually and allow parents/guardians to pick up the meals on behalf of eligible children.

The waiver also states: "While this waiver is available through June 30, 2022, flexibilities under the waiver should be implemented by program operators until such a time when greater levels of congregation in in-school settings is safe and healthy to pursue."

ADE will communicate how SFAs will notify ADE of their optin in the coming weeks.

COVID -19 Child Nutrition Response #90

Waives the following Program regulations:

7 CFR 210.10 Meal requirements for lunches and requirements for afterschool snacks.

7 CFR 220.8 Meal requirements for breakfasts.

- That menus meet the dietary specification for sodium
- That all grains offered be whole grain-rich
- That, for pre-schoolers, at least one serving per day, across all eating occasions, must be whole grain-rich
- To offer a variety of vegetables from the vegetable subgroups
- To offer a variety (at least two different options) of fluid milk
- That low-fat milk must be unflavored
- To plan menus and offer food components for specified age/grade groups in the stated combinations

All other meal pattern requirements remain in effect.

COVID -19 Child Nutrition Response #90

What the meal pattern waiver DOES do:

This meal pattern waiver provides flexibilities to SFAs for the specific meal pattern requirements described in the previous slide. USDA has offered these specific flexibilities to support schools with offering alternative meal service models and support social distancing efforts.

What the meal pattern waiver DOES NOT do:

This meal pattern waiver <u>does not</u> allow SFAs to not serve an entire component, serve less than the required amounts to meet the daily and weekly requirements, or provide flexibilities for meeting the meal pattern requirements due to product shortages or delivery issues.

COVID -19 Child Nutrition Response #90

SFAs must opt into the use of the meal pattern waiver.

"In order to participate under the flexibilities...local program operators must contact the State agency for approval to use this waiver and provide the State agency any necessary information to complete the report requirements...

"State agencies must report to the FNS Regional Office regarding these flexibilities. When reviewing requests from local program operators, the State agency should consider requests that are targeted and justified with a demonstrated need, based on plans to support access to nutritious meals while minimizing potential exposure to COVID-19."

COVID -19 Child Nutrition Response #90

SFAs must opt into the use of the meal pattern waiver.

"The State agency must consider approval of this waiver for whole grains, vegetable subgroups, milk variety, low-fat flavored milk, and the age/grade groups on a case-by-case basis. For sodium, State agencies should allow all local program operators to implement sodium flexibilities because, due to COVID-19 safety concerns, many schools are relying on grab-and-go or shelf-stable foods that are prepackaged, many which are higher in sodium than the foods that were typically used by schools prior to COVID-19."

ADE is working on the meal pattern waiver opt-in process for SY 21-22. Stay tuned...

COVID -19 Child Nutrition Response #90

ADE recognizes the challenges SFAs may face with transitioning to this new meal pattern waiver.

SFAs transitioning from the Simplified meal pattern to the NSLP/SSO meal pattern will no longer have the menu flexibilities the Simplified meal pattern provides.

Additionally, SFAs will no longer have the "backup" of the meal pattern waiver in the case of product shortages or issues with delivery/receiving.

ADE plans to offer a webinar specifically on the new meal pattern waiver.

- Meal pattern refresher
- Review the meal pattern waiver in detail
- How to fill out ADE's SY 21-22 meal pattern waiver

Specific School Meal Pattern Flexibility

COVID -19 Child Nutrition Response #90

Important dates:

June 30: Current meal pattern waiver for Simplified expires

September 30: Current meal pattern waiver for NSLP/SSO expires

October 1, 2021-June 30, 2022: New meal pattern waiver available for SY 21-22

TBD: ADE webinar on the SY 21-22 meal pattern waiver

Offer Versus Serve (OVS) Flexibility for Senior High Schools

COVID -19 Child Nutrition Response #92

Waives the following Program regulations:

42 U.S.C 1758(a)(3) Students in senior high schools that participate in the school lunch program under this chapter...shall not be required to accept offered foods they do not intend to consume...

7 CFR 210.10(e) Offer versus serve for grades K through 12. ... Senior high schools (as defined by the State educational agency) must participate in offer versus serve.

OVS is already optional for senior high schools at breakfast.

Offer Versus Serve (OVS) Flexibility for Senior High Schools

COVID -19 Child Nutrition Response #92

Therefore:

Menus for grades 9-12 under NSLP, SBP, and SSO can be Serve Only.

This waiver is effective July 1, 2021 through June 30, 2022.

OVS flexibility supports schools who are implementing COVID-19 mitigation strategies such as individually plated or pre-packaged meals.

SFAs can implement this waiver without notifying ADE. No action is needed.

COVID -19 Child Nutrition Response #93

Waives the following Program regulations:

42 U.S.C. 1766(r)(1)(B) Program for at-risk school children. Participates in a program authorized under this section operated at a site located in a geographical area served by a school in which at least 50 percent of the children enrolled are certified as eligible to receive free or reduced price school meals under this chapter or the Child Nutrition Act of 1966.

42 U.S.C. 1766a(c)(1) Meal supplements for children in afterschool care. In the case of an eligible child who is participating in a program authorized under this section operated at a site located in a geographical area served by a school in which at least 50 percent of the children enrolled are certified as eligible to receive free or reduced price school meals under this chapter or the Child Nutrition Act of 1966...

COVID -19 Child Nutrition Response #93

Waives the following Program regulations:

7 CFR 226.6(b)(1)(viii) At-risk afterschool care centers. Institutions (independent at-risk afterschool care centers and sponsoring organizations of at-risk afterschool care centers)...must submit documentation that each sponsored at-risk afterschool care center meets the area eligibility requirements in §226.17a(i).

COVID -19 Child Nutrition Response #93

Therefore:

While school is in session, all schools, regardless of their location, can claim all afterschool meals and snacks at the free rate.

This waiver is effective July 1, 2021 through June 30, 2022.

COVID -19 Child Nutrition Response #93

So what does this mean?

SFAs can apply and will be approved to operate and claim afterschool meals and snacks in the NSLP CNPWeb applications.

The waiver language does not indicate that sites need to notify the State agency or provide any justification for opting into the use of this waiver.

"This nationwide waiver of area eligibility requirements provides improved access to nutritious meals and snacks for children by allowing State agencies to provide benefits to children who may be newly eligible due to the economic impacts of COVID-19. It also eases administrative burden for schools, community organizations, and family day care homes to allow operators to implement safety measures such as social distancing so that all students may receive meals and safely reopen."

Onsite Monitoring Requirements in the School Meal Programs

COVID -19 Child Nutrition Response #94

Waives the following Program regulations:

7 CFR 210.8(a)(1) On-site reviews. Every school year, each school food authority with more than one school shall perform no less than one **on-site review of the counting and claiming system** and the readily observable general areas of review cited under §210.18(h), as prescribed by FNS for each school under its jurisdiction.

7 CFR 220. 11(d)(1) On-site reviews. Every school year, each school food authority with more than one school shall perform no less than one on-site review of the breakfast counting and claiming system and the readily observable general areas of review identified under §210.18(h) of this chapter, as specified by FNS, for a minimum of 50 percent of schools under its jurisdiction with every school within the jurisdiction being reviewed at least once every two years.

Onsite Monitoring Requirements in the School Meal Programs

COVID -19 Child Nutrition Response #94

Therefore:

SFAs have the option to conduct SBP, NSLP, and Afterschool Care Snack Program monitoring reviews offsite.

The waiver does not prevent SFAs from conducting the review onsite.

There does not appear to be a waiver that includes SSO onsite monitoring. ADE will await clarification from USDA regarding monitoring requirements for SSO.

Onsite Monitoring Requirements in the School Meal Programs

COVID -19 Child Nutrition Response #94

So what does this mean?

SFAs still need to follow monitoring requirements for each program, but someone does not need to physically go onsite to conduct the review.

"Please note that to ensure Program integrity during this time, State agencies and SFAs should continue monitoring activities of Program operations offsite (e.g., through a desk audit)."

This waiver remains in effect until 30 days after the end of the public health emergency, which was declared on January 31, 2020 by the United States Department of Health and Human Services.

SFAs can implement this waiver without notifying ADE. No action is needed.

Onsite Monitoring Requirements for Sponsors in the Child and Adult Care Food Program

COVID -19 Child Nutrition Response #96

Waives the following Program regulations:

7 CFR 226.16(d)(4)(iii) Frequency and type of required facility reviews. Sponsoring organizations must review each facility three times each year, except as described in paragraph (d)(4)(iv) of this section. In addition:

- (A) At least two of the three reviews must be unannounced;
- (B) At least one unannounced review must include **observation of a meal service**;
- (C) At least one review must be made during each new facility's first four weeks of Program operations; and(D) Not more than six months may elapse between reviews.

USDA is waiving the portion of this guidance that requires the monitoring to be conducted onsite.

Onsite Monitoring Requirements for Sponsors in the Child and Adult Care Food Program

COVID -19 Child Nutrition Response #96

Therefore:

CACFP sponsors have the option to conduct monitoring reviews offsite.

The waiver does not prevent sponsors from conducting the review onsite.

SFAs operating the At-Risk Afterschool Meals Component of the CACFP must continue to monitor their at-risk sites, though monitoring requirements of the CACFP at-risk afterschool meal sites may be aligned with those of NSLP. (SP 09-2013, CACFP 04-2013: Streamlining At-risk Meal Participation for School Food Authorities)

Onsite Monitoring Requirements for Sponsors in the Child and Adult Care Food Program

COVID -19 Child Nutrition Response #96

So what does this mean?

Sponsors still need to follow the monitoring requirements, but someone does not need to physically go onsite to conduct the review.

"Please note that to ensure Program integrity during this time, sponsoring organizations should continue monitoring activities of Program operations offsite (e.g., through a desk audit)."

This waiver remains in effect until 30 days after the end of the public health emergency, which was declared on January 31, 2020 by the United States Department of Health and Human Services.

SFAs can implement this waiver without notifying ADE. No action is needed.

Wrap-Up



NATIONWIDE WAIVERS

SFA ACTIONS

SFA OPT-IN REQUIRES ADE APPROVAL

- Parent pick-up
- School meal pattern flexibilities
- *Multiple day meal distribution

SFA OPT-IN DOES NOT REQUIRE ADE APPROVAL

- Operating SSO in SY 21-22
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REPORTING TO USDA ON USE OF WAIVERS

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^{*}Not a waiver but requires State agency notification and approval.

SUMMARY

Key takeaways from the flexibilities issued by USDA for SY 21-22:

- USDA is providing schools with the flexibilities needed to continue to ensure all students have access to meals, even those who are learning virtually.
- USDA is expecting the meal pattern to be met, with the exceptions of the flexibilities being offered to accommodate alternative meal service and social distancing.
- USDA is decreasing the administrative burden of having SFAs provide justification for area eligibility waivers (SSO and afterschool feeding programs).
- USDA is treating all SFAs equal in terms of eligibility to operate the Child Nutrition Programs.

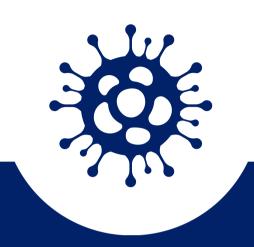
NEXT STEPS

Reflect on the flexibilities USDA has provided and look at how your programs can operate next year under these flexibilities.

Determine what you need to opt into so your students can receive the maximum benefit from the Child Nutrition Programs and for your operation to function safely and efficiently.

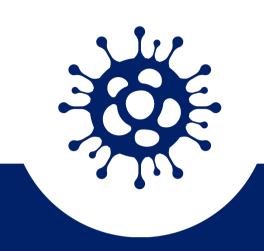
ADE will be providing guidance for applying for SSO in CNPWeb and opting into the waivers that require approval, but know that this guidance won't prevent you from planning your operations for next school year.

ADE will be providing support on the new meal pattern waiver.



Q&A

Please type your questions into the chat box.



THANK YOU!

The slides and recording will be posted on the COVID-19: Guidance to Child Nutrition Operators Webpage under the accordion, *Applying for the Seamless Summer Option When SY 21-22 Begins*.

If you are attending the live webinar, you will receive a link to complete the survey in EMS. After you complete the survey you can print a certificate of completion.

If you are watching the recorded webinar, you can access the survey link and certificate of completion at the end of the webinar slides.

Congratulations!

You have completed the Recorded Webinar: School Year 2021-2022 Waiver Review.

To request a certificate, please go to the next slide.

In order to count this training toward your Professional Standards training hours, the training content must align with your job duties.

Information to include when documenting this training for Professional Standards:

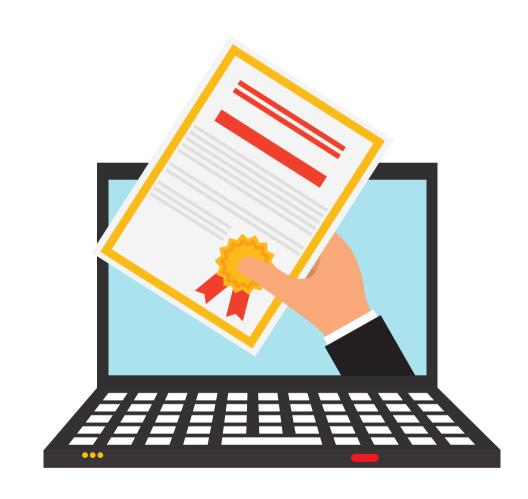
Training Title: Recorded Webinar: School Year 2021-2022
 Waiver Review

• Learning Codes: 3240

• **Key Area:** 3000-Administration

• Length: 1.5 hours

Please Note: Attendees must document the amount of training hours indicated regardless of the amount of time it takes to complete it.



Congratulations!

Requesting a training certificate:

Please click on the link below to complete a brief survey about this webinar. Once the survey is complete, you will be able to print your certificate of completion from Survey Monkey.

*This will not appear in your Event Management System (EMS) account.

https://www.surveymonkey.com/r/RecordedWebinarOnlineSurvey

The information below is for your reference when completing the survey:

- Training Title: Recorded Webinar: School Year 2021-2022
 Waiver Review
- Professional Standards Learning Codes: 3240

