


COVID-19 WAIVERS and Q&A'S




**For SY 2020-2021
Virtual Training
RCCI and Private Schools**

2020 Fall RCCI/Private Schools Training <i>presented by</i> Alabama State Department of Education			
			
AGENDA			
Wednesday October 7, 2020 VIRTUAL TRAINING Montgomery, AL	8:00	Welcome ~ Announcements Updates and Reminders	Robbie Scott Education Specialist ALSDE, School Programs
	8:30	COVID19 Waivers	Julie Autrey Education Specialist ALSDE, School Programs
	2:00	CNP Finance Management	Steven Rylant Auditor ALSDE, Financial Management
	1:00	HACCP	LaKecia Love Education Specialist ALSDE, School Programs
	Using previous recording	Special Diets and Food Allergies	Devin Williamson Nutritionist ALSDE, School Programs
	Recording on Tuesday	Corrective Action Procedures	Chad Langston Senior Nutritionist ALSDE, School Programs



FOR SY 2020-2021
COVID-19 WAIVERS
AND
Q&A'S



Click on the link below to access the recorded training:

<https://alsde.webex.com/alsde/lsr.php?RCID=fb95caf2a74b49deb1d536f10042ff60>



COVID-19
WAIVERS FOR
NSLP, SSO,
AFTER SCHOOL
SNACK and FFVP

AGENDA



Waivers for NSLP/SBP, After School Snack,
SSO & FFVP



Q&As and USDA Memos

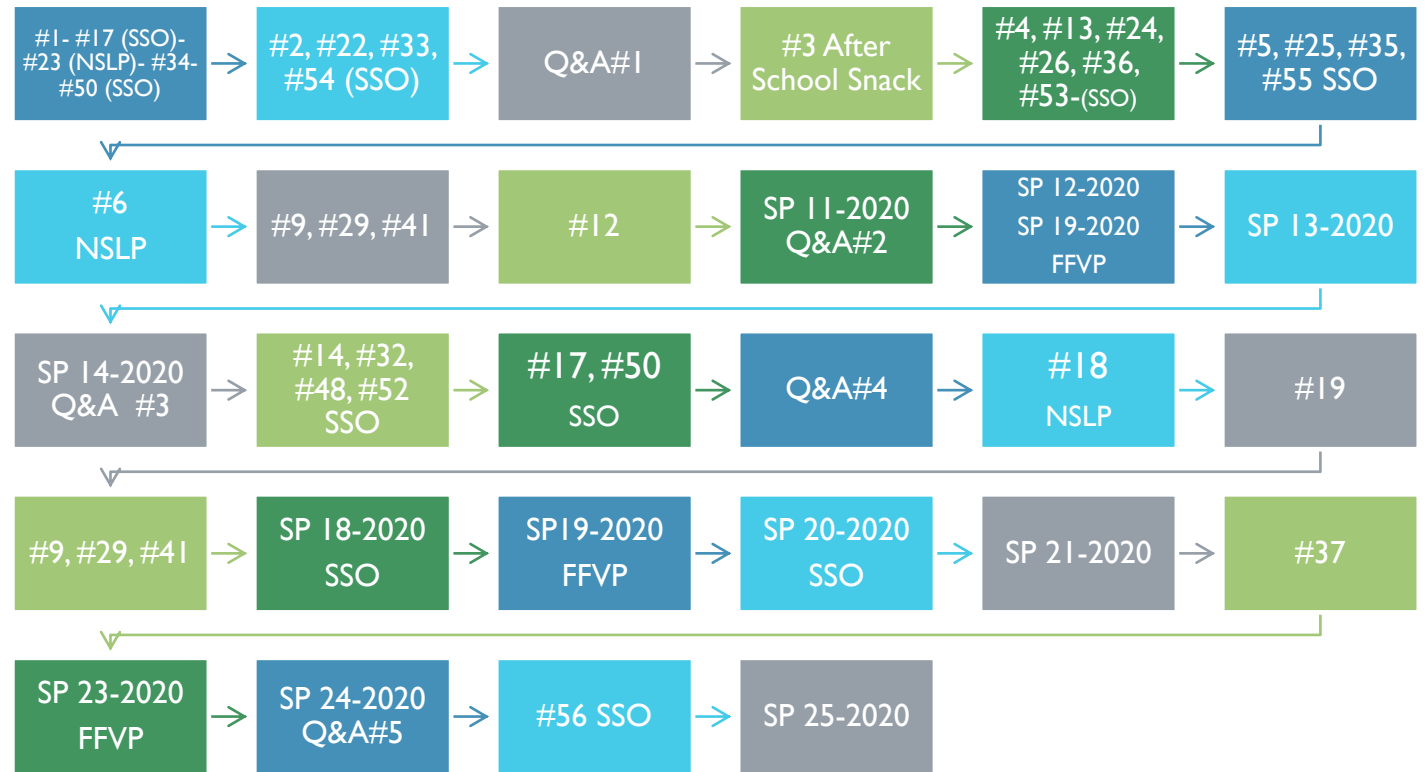


Waivers related to monitoring



ALSDE answers to sponsor questions

37 Waivers applicable to NSLP/SBP, SSO and FFVP with 13 Q&As/Memos to provide clarification.



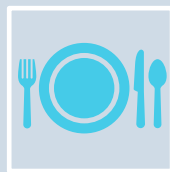
RESPONSE #1, #17, #23-
NSLP only, #34, #50-SSO only

Nationwide Waiver to Allow
Meal Service Time Flexibility in
the Child Nutrition Programs—
2 Extensions

EXPIRES JUNE 30, 2021



Applicable to NSLP/SBP & SSO



Waives the meal service
time requirements to support
streamlined access to nutritious
meals.

Allows for serving multiple meals
for the same day at one time.
With further clarification, this
includes meals for multiple days
at the same time.

Operators must still establish
meal service times or delivery
times.

RESPONSE #2, #22, #33, #54 SSO

Nationwide Waiver to Allow Non-congregate Feeding in the Child Nutrition Programs
2 extensions

SSO - #54 Expires DEC 31, 2020
NSLP/SBP - Expires JUNE 30, 2021



Applicable to NSLP/SBP & SSO



Allows for consumption of meals off-site and outside of group settings.

This allows for serving models like grab-n-go, curbside pick-up, mobile/bus routes, and home delivery.

Q&A #1 NSLP/SSO

Question & Answers re: Meal Delivery Using Existing Authority

Expires June 30, 2021

Sets guidelines & restrictions around home delivery

Clarifies that NSLP/SBP can be used during distance learning.

Parents must consent in writing and verify address before delivery starts.

Children do not need to be present for delivery; no one needs to be present for delivery of shelf-stable food.

RESPONSE #3
(After School Snack only)

Nationwide Waiver of the Activity
Requirement in Afterschool Care
Child Nutrition Programs

Expired JUNE 30, 2020



Applicable to NSLP After School Snacks



Eliminates need for
supervised enrichment
programming

RESPONSE #4, #13, #24,
#26, #36, (#53 SSO only)

Nationwide Waiver to Allow Meal Pattern Flexibility in the Child Nutrition Programs - 7 extensions

Expires June 30, 2021

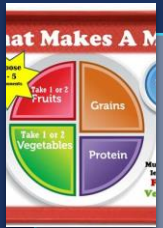
Resp #53 Extends SSO
Until December 31, 2020



Applicable to NSLP, SBP, SSO



Operators must get advance approval from their state agency.



For SY 2020-2021 in the NSLP, SBP, and CACFP, flavored milk may be only non-fat; all grains served in the NSLP and SBP must be whole-grain rich; and school lunches and breakfasts offered through the NSLP and SBP must meet Target 2 weekly sodium levels as defined in 7 CFR 210.10(c) and 220.8(c).



Allows operators to claim for reimbursement even if a meal does not meet all meal pattern requirements or include all meal components.



State agencies can only grant this waiver on case-by-case basis and must inform their regional office when, where, and for which components the waiver is in effect



NOTE: 2012 Meal Pattern restricts non-fat flavored milk, 100% whole grains and Target 2 sodium. You may submit a request to waive 2012 meal pattern due to procurement being complete at time of notice.

RESPONSE #5, #25, #35, #55-SSO

Nationwide Waiver to Allow Parents and Guardians to Pick Up Meals For Children – 2 extensions

NSLP/SBP EXPIRES JUNE 30, 2021

RESP #55 SSO EXPIRES
DECEMBER 31, 2020



Applicable to NSLP, SBP, and SSO



Allows for distributing meals to adults without a child present.



States need to ensure integrity and are instructed to work with operators on ways to verify that adults have eligible children.

**RESPONSE #6
(NSLP only)**

**Nationwide Waiver of Community
Eligibility Provision (CEP)
Deadlines**

Expires JUNE 30, 2020



Extends deadlines for various tasks within the CEP data release and election process



ISPs may be calculated based on data drawn through June 30, 2020



Deadline to declare intent to elect CEP is now August 31, 2020.

WAIVERS
APPLICABLE TO
MONITORING



RESPONSE # 9, #29, #41

Nationwide Waiver of Onsite Monitoring Requirements in the School Meals Programs

Expires June 30, 2021



Waives the in-person component of the state agency's and SFA's required monitoring activities.



Allows states to postpone required reviews of SFAs that are closed and request an extension on their review cycle.



Waives the requirement to complete the onsite portion of an administrative review within the same school year that the review was begun.



Applies to both state agencies and SFAs that elect to use it without further application.

NOTE: ALSDE ALSDE will conduct reviews as required to the maximum extent possible.

RESPONSE # 12 NSLP/SBP AND SSO

Nationwide Waiver of 60 Day Reporting Requirements for January and February 2020

Expires June 30, 2021



Extends the deadline to submit claims for reimbursement for January 2020 and February 2020 by 30 days each



This now allows 90 days rather than 60 days for submission of reports



States and operators are encouraged to meet the original deadline wherever possible.

SP 11-2020

Questions & Answers Related
to the Child Nutrition
Program Monitoring and
Reporting Nationwide Waivers



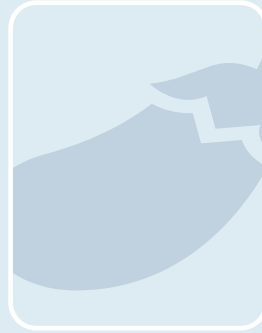
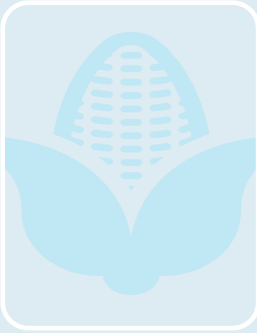
Clarifies COVID-19 Child Nutrition Response
waivers #7-#12, including what elements of
reviews can be done off-site and ways to assess
elements usually observed on site.



FFVP

SP 12-2020 Fresh Fruit and Vegetable Program During COVID-19

SP 19-2020 FFVP During COVID-19: Questions & Answers #2



SP 12-2020:
Clarifies that participating schools may serve fresh produce through FFVP in a non-congregate setting.

SP 19-2020:
Directs SFAs to request a waiver to distribute FFVP produce at locations other than participating elementary schools.

SP 12-2020: Clarifies that produce may be served outside the typical school day, at whatever time works best, including alongside other meals being distributed.

SP 19-2020
Confirms that funds may be reallocated from participating schools that are not distributing meals to those that are.

SP 12-2020:
This guidance applies to produce already in stock as well as produce ordered for distribution during closures.

SP 19-2020
Allows schools that participated in 2019-2020 and participate again in 2020-2021 to use the signatures on file if none of the signatories has changed.

SP 12-2020
FFVP produce may not be given to parents without their child present.

SP 19-2020
Confirms that FFVP produce may be delivered to children of all ages, not just students at participating elementary schools.

SP 12-2020
Produce may be distributed to children even if they are not enrolled at the participating school.

SP 19-2020
Participating elementary schools that are not distributing meals may not use FFVP funds to purchase produce to donate to other sites.

SP 12-2020
Produce may be distributed for up to a week at a time.

SP 19-2020
Participating schools that are not selected to participate in 2020-2021 may not retain funds for use next school year; they must be returned.

SP 12-2020
Nutrition education is not required.

SP 19-2020
States may not extend the deadline to obligate funds but may extend some reporting deadlines.

FFVP produce may not be used as meal components.

SP 13-2020

Questions & Answers Related to the Child Nutrition Program Nationwide Waivers related to

Meal Serve Time Flexibility, Non-Congregate Feeding and Activity Requirement in After School Snack



Provides clarification on waivers #1-#3, including how states elect to be subject to the waiver as well as record keeping and reporting.



Allows operators to serve items in bulk if there are instructions on portions and the items can be easily separated into meals with minimal preparation.



Per #7, program operators in states that elect to use these three waivers are not required to submit individual waiver requests, but advance notification may be required.



Confirms that meals may only be distributed at sites approved by the state agency.



Confirms that aside from SFSP and SSO open sites and CACFP At-Risk sites, operators may only serve enrolled participants and claim meals at the appropriate rates.



SP 14-2020 - Questions & Answers Related to the Child Nutrition Program Meal Service During Novel Coronavirus Outbreaks:

Q&A #3

Provides clarification on various elements of program operations.

Clarifies that advance funds may be paid to SFSP or SSO operators serving meals during unanticipated closures.

Clarifies that all SFSP and SSO operators may, with state agency approval, serve meals during weekends, holidays, and breaks within the year (like spring break) without needing a waiver from the USDA.

Notes that state agencies may approve operators to serve alternate forms of milk and may approve SSO operators to only serve one type of milk (instead of a variety) without needing a waiver from the USDA.

Confirms that school food authorities and sponsors approved to operate CACFP At-Risk as well as SFSP or SSO may operate both concurrently, at the same or different sites, as long as different meals are served through each program and daily meals per child maximums in each program are followed.

Notes that states are still expected to provide public notification of all sites and to make accommodations who have limited English proficiency, need language assistance, or have other special needs.

RESPONSE

#14, #32, #48, #52

SSO only

Nationwide Waiver to
Allow Area Eligibility for
Closed Enrolled Sites in
the SSO



Applicable to SSO

Expires December 31, 2020



Allows closed enrolled sites to determine site eligibility through area eligibility (instead of collecting income eligibility applications).

RESPONSE
#17, #50 SSO

Nationwide Waiver Of Meal
Service Time Restrictions in
the SSO

EXPIRES DECEMBER 31, 2020



Waives Federal rules on the amount of time that must elapse between the beginning of one meal and the beginning of the next, and the duration of a meal service.



Waives meal service time parameters for SSO.



Sponsors are still required to establish meal service times for each site.

SP 15-2020

Questions & Answers
Related to the Child
Nutrition Program Meal
Service During Novel
Coronavirus Outbreaks:

Q&A #4

Allows Head Start programs to deliver meals to enrolled children previously receiving CACFP or NSLP meals.

Confirms that new sites may be approved if all aspects of the process are completed; pre-approval reviews may be off-site.

The non-discrimination statement must still appear on informational materials.

Operators must still make meal accommodations for participants with disabilities.

RESPONSE # 18

Nationwide Waiver of
Local School Wellness
Policy Triennial
Assessments in the NSLP
and SBP

Extends the
deadline to
complete the
triennial
assessment of
compliance with
school wellness
policies from June
30, 2020 to
June 30, 2021.

In states that elect to
be subject to this
waiver, LEAs taking
advantage of the new
deadline must notify
their state agency by
June 30, 2020.

LEAs that take
advantage of the new
deadline, the second
triennial assessment
must be completed
by
June 30, 2024.

RESPONSE # 19

Nationwide Waiver of Food Service Management Contract Duration in the NSLP and SFSP

Expired September 30, 2020

Waives FSMC contract duration and extension limits.

Allows FSMC contracts that may expire on or around June 30, 2020 to be extended through SY2020-2021 (to June 30, 2021) using emergency non-competitive procurement.

Contracts negotiated or extended through emergency procurement may not be renewed.

SP 18-2020

Questions & Answers Related to the Child Nutrition Program



Provides clarification and guidance related to nationwide waivers COVID-19: Child Nutrition Response #14 to #17.



Confirms that the meal service time waiver, combined with the non-congregate waiver, allows for multiple meals to be distributed at the same time.



The non-discrimination statement must still appear on informational materials.

SP 20-2020

Questions & Answers
Related to the
Child Nutrition Program
Response #21 to extend
Unanticipated School
Closures THROUGH
JUNE 30, 2020

Reviews the
requirements and
elements of the law
addressed by the waiver.

Confirms that other waivers and
flexibilities that have not yet expired still
apply to SFSP and SSO operators after
they transition to summer operations.

SSO sponsors delivering meals to homes should not
treat each home as a site (in the same way that
stops along a mobile route are). They should comply
with the guidelines in the meal delivery Q&A.

SP 21-2020

Questions & Answers
Related to:

FSMC Contract Extensions
and Allowable Costs During
the Pandemic

PROVIDES
GUIDANCE ON:

Maintenance fees charged by a FSMC

Implications of additional costs to fixed-price contracts

Paying staff who are not currently working and providing hazard pay

Non-refundable costs for cancelled events & activities

Documentation needed regarding health inspections

Confirms that PPE, bottled water, and packaging and delivery costs are allowable

For guidance on extending contracts other than FSMC contracts, consult state and local procurement standards.

Although meal packaging and delivery costs are allowable, there is no additional funding available for these costs.

State administrative expense (SAE) funds may not be used for local-level costs.

RESPONSE # 37

NSLP

Nationwide Waiver to Allow
OVS Flexibility for Senior
High Schools in the NSLP for
SY 2020–2021

EXPIRES JUNE 30, 2021



Eliminates the requirement for senior high schools participating in the NSLP to implement OVS



This is intended to make it easier for schools to serve pre-plated meals in the classroom if needed or to offer multi-day meal kits to students engaged in distance learning

SP 23-2020 FFVP

Fresh Fruit and Vegetable
Program Operations for
SY 2020-21
During COVID-19



Confirms that serving produce through FFVP is permitted, without a waiver, outside of the school day, along with other meals, in a non-congregate setting, and without an educational component.

Reiterates that parent or guardian pick-up of FFVP produce and serving FFVP produce at sites other than the approved elementary school(s) do require waivers.

Reminds state agencies that they can provide flexibility on reporting deadlines as long as all federal reporting and fund recovery deadlines are met.

Schools that participated in FFVP during SY 19-20 that do not participate in SY 20-21 cannot use SY 19-20 funds after July 1, 2020. Unexpended funds must be returned to the state.

State agencies and SFAs must still obligate all FY20 funds by September 30, 2020.

SP 24-2020

Questions and Answers for
the Child Nutrition Programs
During School Year 2020-21
Q&A #5

PROVIDES GUIDANCE
RELATED TO:

School reopening, including virtual schools and remote learning

Four-day school weeks

Meal distribution locations

Displaying the Justice For All civil rights poster

Meal patterns and meal pattern waivers

Potable water availability at breakfast & lunch and for remote learners

Afterschool enrichment activities

Meals for distance learners in child-care

Reiterates that planned building closures or remote learning do not qualify as unanticipated school closures, nor does delaying the start of the school year.

RESPONSE # 56

Nationwide Waiver to Allow SFSP and SSO Operations through December 2020



Nationwide Waiver to Allow SFSP and SSO Operations through December 2020



Operators must get advance approval from their state agency.



This waiver does not require SFAs to transition to SFSP or SSO operations.

SP 25-2020

Questions and Answers Relating to the Nationwide Waiver to Allow SFSP and SSO Operations Through December 2020

PROVIDES GUIDANCE RELATED TO:

Reiterates the guidelines for state agencies prioritizing applications to avoid duplication of services.

Allows meals served through NSLP/SBP this school year before August 31 to be reimbursed through SFSP or SSO.

Allows SFAs to operate NSLP/SBP at some schools and SFSP or SSO at other schools.

Allows states agencies to amend their area eligibility waiver plan to include new areas that were not previously identified as being in need

Sponsors must update site and operating information.

As noted in prior guidance, SFAs may choose to operate through NSLP/SBP instead of the summer meals programs.

As noted in prior guidance, schools that utilize the non-congregate waiver must make meals available to all enrolled students, not just those present in the building for fully in-person instruction or hybrid models.



Schools may utilize the non-congregate waiver for one meal but not another.

Meals must only be made available to all students if the non-congregate waiver is utilized for that meal.

States may approve new sponsors and/or sites to operate in areas eligible under the area eligibility waiver if previously approved sponsors or sites cannot continue through December.



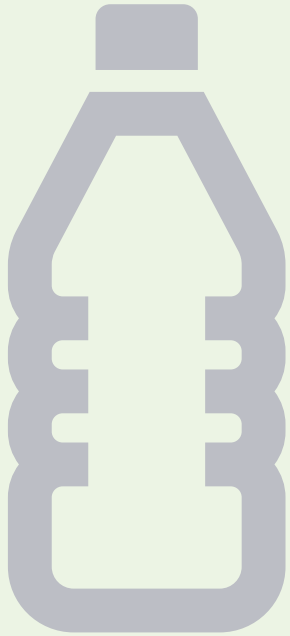
ALSDE
PROVIDED
ANSWERS TO
SPONSOR'S
QUESTIONS

Can SFAs provide free meals to Headstart programs with contracts?

SSO Answer:

- If both parties agree and amend their contract.
 - Only one of the parties can claim the meals.
- The SFA would claim meals under SSO.
 - Headstart program would not be allowed to claim meals under CACFP.
 - Headstart would need to revise their CACFP online application to remove meal service.

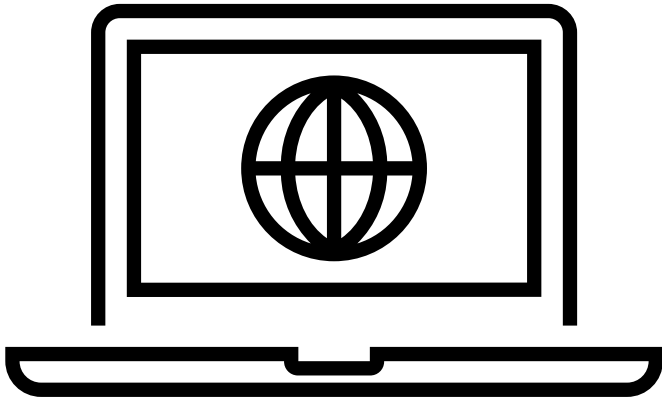
WATER REQUIREMENTS



According to Memo SP 24-2020, CACFP 13-2020, SFSP 13-2020:

- **Are schools required to provide potable water to students eating lunch at school when lunch is served in the classroom?** Yes. When lunch is served in the classroom, schools are required to make water available during the meal service. Schools are generally required to make potable water available to students where meals are served during the meal service
- **Are schools required to provide potable water to students eating breakfast at school when breakfast is served in the classroom?** No. Consistent with SBP regulations for potable water (7 CFR 220.8(a)(1)) while water must be made available when breakfast is served in the cafeteria schools are not required to make water available when breakfast is served outside of the cafeteria.
- **Are schools required to provide potable water to students who are doing virtual learning and who are not eating lunch at school?** No. The requirement that schools make potable water available to students where lunch is served during the meal service assumes that lunch will be consumed onsite. During the COVID-19 pandemic, when lunch is consumed outside of the school (i.e., lunches are provided via meal delivery, picked up by parents or guardians, etc.), students would not be able to consume the potable water at the onsite location even if it were offered.

Are Sponsors required to feed virtual students?



This is a sponsor decision.

However, when sponsors opt to use the Nationwide Waiver to Allow Non-congregate Feeding in the Child Nutrition Programs – EXTENSION #2 waiver for SY 2020-2021, it is required to feed virtual students.

May teachers be provided a meal with lunch in the classroom like breakfast in the classroom?



- FNS Instruction 782-5 “Meals served to adults who are directly involved in the operation and administration of the school nutrition programs may at the discretion of the SFA be furnished at no charge.”
- SP 17-2017 SSO/SSFP Under SSO -“Program Adults work directly with the meal service at the site as either volunteers or paid employees. Meals may be served free to adults who meet this definition.

○ .

FLUID MILK REQUIREMENTS

- Requirement is waived that schools must offer a variety (at least 2 different options) of fluid milk for SSO and SFSP.
- If the SFA is continuing the NSLP, schools must offer students at least 2 different options of fluid milk.
- Response # 53, Dated 8/31/20

○ .



ALSDE QUESTIONS ANSWERED BY USDA SOUTHEAST REGION

Do the previous COVID-19 Q&As apply for all guidance released from March through current day regarding COVID-19 Responses?

- Yes, unless otherwise stated or expired

Are bulk meals allowed for SSO and SFSP?

- Yes, Policy Memo COVID-19: Child Nutrition Response #50 – Nationwide Waiver of Meal Service Time Restrictions in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option extends the waiver on meal times until December 31, 2020.

May SFAs operating SSO or SFSP for breakfast and lunch operate NSLP Afterschool Snack Program without operating NSLP?

- Yes, Policy Memo SP:25-2020, CACFP 14-2020, SFSP 14_2020 Q&A Related to the National Waiver to Allow Summer Food Service Program and Seamless Summer Option Operations through December 2020,# page 3 clarifies and provides guidance on how multiple programs may operate simultaneously.
- ALSDE allows NSLP snack to be served with sponsors operating SFSP.

USDA ANSWERS CONT.

COVID-19: Child Nutrition Response #53 - Nationwide Waiver to Allow Meal Pattern Flexibility in the SFSP and the NSLP-SSO – EXTENSION

Waives the requirement that schools must offer students a variety (at least two different options) of fluid milk.

Is this only applicable to SFSP and SSO (Waiver #53) or can this now be applied to NSLP (Waiver #36)?

- We are awaiting on additional guidance from the NO. We will contact once more information is provided

Can elementary schools that currently participate in FFVP provide fruits and vegetables to any child attending an open site at that school?

- Refer to question #1, the guidance provided in Policy Memo SPI2-2020 Fresh Fruit and Vegetable Program during COVID 191 still is applicable.

Will Verification begin on October 1st (the date required for the sample pool)?

Do districts complete verification based on the meal applications received by October 1?



Guidance for Verification, Eligibility Manual for School Meals Determining and Verifying Eligibility, page 98:

We are awaiting on additional guidance from the NO.
We will contact once more information is provided

USDA ANSWERS
CONT.



QUESTIONS

Nondiscrimination Statement

In accordance with Federal civil rights law and US. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

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- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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