

Check in with CANS - Agenda
Conference Call with DOE-Child and Adult Nutrition Services
September 17, 2020
After Crash Course with CANS At 3:15PM CT/2:15PM MT

****NEW** Fresh Fruit & Vegetable Program (FFVP) Waiver approved for Parent/Guardian Pick-Up**

- Schools participating in FFVP may distribute the FFVP offering to a parent or guardian to take home to their children. This is allowed alongside the SNP, SSO, or SFSP.
- We are working on a waiver form if you are interested in allowing this flexibility.

Waivers: SY20-21 SNP and CACFP Updates and Clarifications:

- **Claims:** Please pay careful attention to the **program** and **month** when submitting a claim for reimbursement. Only one reimbursement can be claimed for each meal. Please do not claim the same meals in both SNP/CACFP and SSO/SFSP. We are running some extra edit checks, so you may receive a follow up from DOE to confirm correct claims were submitted.
- **A la Carte/Second Entrees:**
 - SSO and SFSP operators can provide seconds and a la carte available for purchase with the SSO or SFSP meal offering if the following rules are followed:
 - **For SNP**, the nonprogram food rules apply. Foods must be appropriately priced, and a la carte/seconds must be paid for from a source other than the food service account.
 - **For SFSP**, the sale of à la carte items by SFSP sponsors or sites during a meal service is allowed. However, non-program food rules apply – just like in the SSO. This means that reimbursement for SFSP meals cannot be used to fund the sales of items that are not a part of a reimbursable meal. These items must be tracked separately, and the agency must be able to clearly show that the sales of the non-program food items are covering the cost to purchase them. The State agency must also ensure during the review process that all SFSP reimbursements are used solely for conducting SFSP food service operations.
 - Be aware that when families don't have to pay for meals, they often do not put money in their children's accounts for them to purchase items outside of the reimbursable meal

Waivers: SSO and SFSP Extension to December (#56) Updates and Clarifications:

- ****NEW**** [Memo SP 25-2020, CACFP 14-2020, SFSP 14-2020 Q&A Relating to the Nationwide Waiver to Allow SFSP and SSO through December 2020](#). A couple of highlights are copy/pasted below.

2. Can the at-risk afterschool meals component of the CACFP operate simultaneously with SFSP/SSO?

Yes. The at-risk afterschool meals component of the CACFP, which operates during the regular school year, may operate simultaneously with the SFSP/SSO during implementation of Waiver #56. As noted in *SP 13, CACFP 07, SFSP 06-2020, Child Nutrition Program Nationwide Waivers: Questions and Answers*, 2020, April 11, 2020, <https://www.fns.usda.gov/cn/covid-19/nationwide-waivers-qas>, Program operators may participate in multiple Programs. However, under no circumstance may children receive more than the number of reimbursable meals allowed in each Program for which they are eligible.

For more information on the operation of the at-risk afterschool meals component of the CACFP, see Question 15 in *SP 14, CACFP 08, SFSP 07-2020: Child Nutrition Program Meal Service during Novel Coronavirus Outbreaks: Questions and Answers #3*, issued April 11, 2020, <https://www.fns.usda.gov/cn/covid-19/meal-service-during-novel-coronavirus-outbreaks-qas>.

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- Yes – At risk afterschool meals (suppers and snacks) may be served under the CACFP if SSO and SFSP are served during the day. This is like how CACFP at risk afterschool meals would work during normal school year operations.

3. Which SFSP/SSO sponsor types should State agencies prioritize when approving new sponsors?

State agencies must avoid duplication of services in particular areas. Under section 13 of the Richard B. Russell National School Lunch Act at 42 U.S.C. 1761(a)(4)(A) and 7 CFR 225.6(b)(5), State agencies must use the following priority system in approving applicants that propose to serve the same area or the same children:

1. SFAs;
2. Public agencies and private nonprofit organizations that have participated in SFSP previously;
3. Public agencies and private nonprofit organizations that have participated in SSO previously;
4. New private nonprofit organizations.

If two or more sponsors apply to serve the same area, 7 CFR 225.6(b)(v) requires State agencies to make a determination on a case-by-case basis and consider the resources and capabilities of each applicant. Additionally, when approving sites, 7 CFR 225.6(d)(ii) requires State agencies to ensure that sites are not duplicating services within the SFSP and SSO programs.

Therefore, if an SFA meeting program requirements seeks approval to provide meals through the SFSP or SSO, the State agency should only consider approval of other applicants if there is a clear gap in service that the non-SFA applicant proposes to cover, and that services will not be overlapping. As a result of these requirements, some sponsors, even those that were operating during summer 2020, may be required to discontinue operations. As State agencies move forward in the school year with SFSP and SSO operations, it is critical that the State agency recognize the importance of maintaining integrity in all of the Programs and target resources appropriately.

- There is slightly more to this Q&A, but was shortened for space, click waiver hyperlink above to see the full Q&A.
- In order to maintain integrity of all Programs and target resources appropriately, the state agency will approve applications in such a way as to avoid duplication of services in areas. If two or more sponsors apply to serve meals under SSO/SFSP in the same area, we will decide for approval on a case-by-case. Duplication of services must be avoided. There would need to be shown a clear gap in service in the area the non-SFA applicant proposes to cover and that services will not be overlapping. Due to this requirement, there may be sponsors that operated during summer of 2020 that will be required to discontinue.

6. If an SFA that opts to participate under Waiver #56 served meals through NSLP/SBP between the beginning of school year 2020–2021 and December 31, 2020, may they claim those meals under SFSP/SSO instead?

Yes. When submitting their claim for meals served between the beginning of school year 2020–2021 and December 31, 2020, SFAs which have been approved to participate in SSO/SFSP pursuant to Waiver #56 may claim meals served under SFSP or SSO rather than through NSLP/SBP. States may reimburse SFAs for these meals at the free rate through SFSP or SSO. However, any student who paid for their meals must receive a refund for their meal payments.

- SSO and SFSP claims: the effective date of SSO/SFSP reimbursement may go back to the beginning of the month of when the approval takes place. For example, if the application is approval on September 20, the effective date can be September 1. Except, if the claim has already been processed for payment.

- All students that pay for meals (paid or reduced) must be refunded anytime meals are claimed at the free reimbursement rate.

10. Can SFAs operating SFSP/SSO under Waiver #56 serve weekend meals, and serve all children through age 18, regardless of whether the children are enrolled in the SFA?

If the SFA's sites are approved as open sites, they must serve all children who request a meal from those sites. However, States, SFAs, and sponsors are encouraged to tailor their operations to the needs of the community, and State agencies should review sponsor plans with this in mind. SFAs also may elect to operate closed enrolled sites that serve only enrolled students. Additionally, meals may be offered on weekends and holidays, consistent with SFSP/SSO regulations. As a reminder, the continuation of Waiver #56 is contingent on the availability of funds.

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- Weekend and holiday meals must be added to your iCAN app for SSO or SFSP.

14. What does “FNS reserves the right to withdraw this approval subject to the availability of funds” mean?

The Antideficiency Act (ADA) (Pub.L. 97–258, 96 Stat. 923) prevents Federal agencies from incurring obligations or making expenditures (outlays) in excess of amounts available in appropriations or funds. Thus, this language establishes a condition on the waivers approved by FNS, which likely will increase program costs, can be rescinded if the Agency anticipates that the total cost of Program operations will exceed the funds available to support it. FNS estimates that existing resources are likely sufficient to support the extension of the waiver expanding SFSP/SSO sites to areas not area-eligible through December 31, 2020, but impacts from waivers, flexibilities, and changes in program operations due to the COVID-19 public health emergency on Federal Child Nutrition Program costs are not yet known. Timely monitoring of program activity is essential to ensure both the continuity of program operations for our partners and the adequacy of funds. In the event FNS projects a shortage of funds prior to the expiration date of this waiver, FNS will notify all State agencies at that time that SFSP/SSO sites in non-area eligible areas will no longer be able to serve meals for Federal reimbursement. FNS will reimburse all claims for qualified meals served prior to the projected date of inadequate funds. FNS will provide advanced notice, to the extent possible, in order to minimize out-of-pocket expenses for program operators.

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- If funds run out prior to December 31st, 2020, meals can no longer be claimed under the SSO/SFSP waiver. If FNS projects a shortage of funds early, State agencies will be notified that SFSP/SSO sites in non-area eligible areas will no longer be able to serve meals for Federal reimbursement. FNS will reimburse all claims for qualified meals served prior to the projected date of inadequate funds.
- We encourage you to get those claims in by the 10th of the month. We are not sure what will happen if a claim is submitted after we are told the funding runs out.

• Non-Area Eligible Site Participation – Nationwide Waiver #52: Some clarification

- If all sites meet the area eligible requirements, that SFA does not use this waiver. That school/agency is normally eligible for SSO/SFSP.
- If some sites meet the area eligible requirements, those eligible sites do not use this waiver. The non-eligible sites can apply to use this waiver to apply for SSO/SFSP eligibility.
- If no sites meet the area eligible requirements, those sites can apply to use this waiver to apply for SSO/SFSP eligibility.
- To show increase in need in your local community, examples of common documentation submitted to date:

- SD Dept. of Labor and Regulations (DLR): historical unemployment data by county
<https://dlr.sd.gov/lmic/lbtables/countylf.aspx>
 - Compare current Free/Reduced student eligibility, including directly certified students, to last year's eligibility.
 - Press releases or news articles of business closures or impact to your local community.
 - Data should be current.
- ****NEW**** [Nationwide Waiver to Allow Reimbursement for Meals Served Prior to Notification of Approval and Provide Flexibility for Pre-Approval Visits in the SFSP](#), waiver 57, issued Sept. 11, 2020
 - Allows the SFA or sponsor agency to begin serving meals back to the first day of the month of iCAN application approval. For example, an SFSP iCAN application was approved on Sept. 20. A claim for SFSP meals can start Sept. 1. Any reduced price or paid meals must be refunded.
 - This also waives the SA requirement of pre-approval visits of SFSP sponsors and sites for SFAs and sponsor agencies are in good standing with the program.

Food Distribution in Schools:

- Reminder if your USDA Foods order is short, over, or damaged, an OS&D report needs to be completed in iCAN within 5 days of your delivery. Do not accept extra product.

Parent Meal Agreement Slip aka "Permission Slip"

- The CANS office has developed an optional template "permission slip" for agencies to send to families to avoid duplication of meals. The "permission slip" asks for a parent/guardian signature to certify/promise that they will not pick up meals from another child nutrition program if their students are in a childcare setting.
- This document is on the CANS webpage under the COVID section under "information" and can also be found here: <https://doe.sd.gov/cans/documents/ParentMealAgreement.docx>

CACFP Reminders:

- **Annual Training Requirements:** Please be diligent on completing training hours if you have received an email about this from our office. Training hours are due to be completed by September 30, 2020. If they are not completed by this date your agency will be declared Seriously Deficient.
- **CACFP iCAN application** is still not open yet. WE continue to work with the system developer and hope to open it in the next couple of weeks. Thank you for your patience as we work out the issues we discovered in the application.

Crash Course with CANS Reminder with Updates: <https://doe.sd.gov/cans/documents/20-CrashCourses.pdf>

211 has gone statewide!

- Please pass this information along to help students and families who may need assistance during this time. The handout is for counselors or teachers and administrators to use. A flyer in English and Spanish is imbedded in this document and posted on the Mental Health website link below.
- **As of July 1, the 211 Helpline Center, which offers resources and support, is now accessible to all South Dakota residents.** Through 211 the Helpline Center staff provide referrals when they are needed most, from basic human needs to disaster support and mental health resources. Simply call 211, 24 hours a day, 7 days a week and you will speak to a professionally trained support specialist. Their specialists are also standing by to answer text messages if you simply text your zip code to 898211, or you can email us at help@helplinecenter.org. You are not alone. Every day people turn to 211 for information and support – whether financial, family, health, or disaster-related. Your call or text is free and confidential.
- SD DOE has a new webpage dealing with Mental Health: <https://doe.sd.gov/mentalhealth/>



211 HelpLine
Handout(002).pdf



211-HelpLine-Spani
sh.pdf

Census:

- The Governor’s Census task force has asked SD DOE to encourage schools and agencies to help remind families to complete the 2020 Census. Nationally, over 90% of households have been counted in the 2020 Census. **SD is only at about 67%**. Census takers are visiting every household that has not already responded to make sure all households are counted. If families haven’t responded yet, it’s not too late. They can respond online at 2020census.gov, by phone, or by mail. If a census taker comes to your home, please cooperate. Your community needs your response.

Professional Standards Reminder: Any learning or training you receive about any aspect of the School Nutrition Programs can be counted as training time towards the professional standards annual training requirement.

Please retain documentation to show what topics were trained. For example, agenda, topics, handbook, certificate, etc. And record training on a Tracking Tool – we suggest using the [SD Tracker Tool](#) posted on the CANS NSLP website.

This Conference call was 30 minutes long and can credit for 30 minutes of training.

Learning Topics discussed during this call were:

- 3000 Administration: 3200 Program Management - 30 minutes