

## Check in with CANS

### September 17, 2021 2:30PM CT/1:30PM MT

CANS Phone: (605) 773-3413  
CANS Website: <http://doe.sd.gov/cans>  
CANS Email: [DOE.SchoolLunch@state.sd.us](mailto:DOE.SchoolLunch@state.sd.us)

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## Special Call to Discuss Supply Chain Disruptions and Staffing Shortages and Available Flexibilities

### USDA Foods in School/Food Distribution Program Reminders or Updates:

- **DoD Fresh/FFAVORS**
  - Some deliveries have been impacted by the supply chain issues.
  - If your DoD Fresh/FFAVORS delivery is missing items **report the shortage when you receipt your delivery**. Delivery receipts need to be completed within two calendar days of your shipment. Complaint forms should be completed if you are missing the same item on two or more orders. The DoD Fresh/FFAVORS complaint form is located on the CANS Food Distribution Program website (<https://doe.sd.gov/cans/fdp.aspx>) under documents: DoD FFAVORS Complaint Process (<https://doe.sd.gov/cans/documents/DoD-Complaint.pdf>)
- **USDA Food Deliveries**
  - Lots of rumors are flying around. USDA Foods are in the state contracted warehouse, we have the food. But the warehouse and trucking company are also facing staff shortages.
  - Schools must report missing product and recent reports show a missing a case or two of one item. No school has reported shipments of significant problems with the USDA ordered food.
  - Product demand and labor shortages have affected processing product. Items South Dakota ordered in the past are unavailable. The processors have said this is temporary. Two processors increased their pricing due to rising costs in the industry.
  - Please be patient everyone is struggling with the same issues. If you have a concern call (605) 773-3413 or email [Darcy.Beougher@state.sd.us](mailto:Darcy.Beougher@state.sd.us) or [Courtney.Martin@state.sd.us](mailto:Courtney.Martin@state.sd.us).

### Quick Review of Current Waivers with Updates noted in red font:

- **Wavier 87 – Allows Non-Congregate Meal Service for School Year 2021-2022 - NSLP, SBP, SSO, CACFP**  
(Andrea)
  - This waiver allows operators to provide non-congregate meals. These flexibilities provide schools and childcare operators the opportunity to provide meal pick-up options for students learning virtually and facilitate grab-and-go meals.
  - **Can be used to address supply chain issue or staffing shortages to change the standard meal service to a “grab and go” meal or to centralize/consolidate daily meal prep if you don’t have enough staff for multiple kitchens or multiple meal service.**
- **Waiver 88 – Mealtime Requirements for SY2021-2022 - NSLP, SBP, SSO, CACFP**

- Allows meal service time flexibility to ensure safe service of meals.
- Can be used to support alternative meal service models and social distancing including meal pick up with multiple meals served at one pickup.
- **Waiver 89 – Allow Parents & Guardians to Pick Up Meals for Children in SY 21-22 - NSLP, SBP, SSO, CACFP**
  - This waiver allows parents or guardians to pick up meals and snacks for eligible children
  - Sponsors need a distribution plan that ensures that no child is given a duplicate meal.
  - Sponsors must also opt into the non-congregate waiver (#87) to use this waiver.
- **Waiver 90 – Allows Specific School Meal Pattern Flexibility for SY21 –22 – NSLP, SBP, SSO**
  - This waiver allows flexibilities to the meal requirements for these specific areas due to COVID:
    - Sodium requirements (can be yearlong)
    - 100% Whole grain requirements
    - Vegetable subgroups
    - Milk variety
    - Low-fat flavored milk
    - Age/grade groups (if offering “to go” meals all year, this can be a yearlong approval)
  - **Preschool ages were added to this waiver. Includes afterschool snack.**
  - Schools must apply on a case-by-case basis for any meal pattern flexibilities requested.
  - Reasons must be COVID related (examples of COVID related issues could be caused by food distribution contract termination, supplier notified food shortages, staff shortages, etc.)
  - **Most** of these requests cannot be approved for the entire school year.
  - **Please tell us what is driving your request and we can discuss approving your request for a time for longer than one individual issue. For example, if your food distributor notified you of a contract or agreement termination in 30-days – we can discuss your specific concerns and work with you on the timeframe that may be more than a month or two.**
- **Waiver 91 – Allows Specific Meal Pattern Flexibility in the CACFP for SY 2021-2022 – CACFP**
  - This waiver allows flexibilities to the meal requirements for these specific areas due to COVID:
    - Requirement that at least one serving of grain per day must be Whole Grain Rich
    - Crediting of grains by oz eq that was to be implemented by 10/1/21
    - Low-fat unflavored milk
  - All CACFP Operators must apply on a case-by-case basis for any meal pattern flexibilities requested.
  - Reasons must be COVID related (examples of COVID related issues could be caused by food distribution contract termination, supplier notified food shortages, staff shortages, etc.)
  - **Most** of these requests cannot be approved for the entire school year.
  - **Please tell us what is driving your request and we can discuss approving your request for a time for longer than one individual issue. For example, if your food distributor notified you of a contract or agreement termination in 30-days – we can discuss your specific concerns and work with you on the timeframe that may be more than a month or two.**
- **Waiver 92 – Allow OVS Flexibility for Senior High Schools in School Year 2021-2022 - NSLP, SSO**
  - This waiver allows NSLP and SSO Sponsors to serve HS students lunch without the OVS requirement. This waiver is helpful for schools serving individually plated or pre-packaged meals.
    - This is typically to be used for non-congregate meal service
  - The expectation is that everyone does the best they can to try to serve meals that meet the meal pattern requirements.
  - **If you were approved to use this waiver, but would like to end your use of this flexibility due to the supply chain issues please send an email to the Program Specialist assigned to your iCAN application or send an email to [DOE.SchoolLunch@state.sd.us](mailto:DOE.SchoolLunch@state.sd.us)**

**\*\*New\*\* Waiver Released Sept. 15, 2021:**

- **Waiver 100 – Waives Fiscal Action for Meal Pattern Violations Related to COVID-19 Supply Chain Disruptions Impacting School Meals in SY 2021-2022 - NSLP, SSO**
  - This waiver removes fiscal action in the Administrative Review for meal pattern violations and incomplete production records if the cause is related to COVID supply chain issues.

**Emergency Purchases:**

- Emergency purchases (including contracts) are allowed. Noncompetitive procurement allowed by 2 CFR 200.320(c)(3) during a public emergency. Does **not** require a waiver or approval from CANS.
- Keep documentation to explain why it done, file with your procurement documents. Prices of emergency purchases must be reasonable.
  - Allows you to find new food or supply vendors without doing “three bids and a buy” (competitive procurement)
  - Documentation to explain why it was necessary, proof of why it was unavailable, and a brief description of goods or services purchased (including quantity and price) is needed.
  - Due to COVID, schools can also:
    - Amend active contracts to allow changes outside of the normal contract.
    - Sign a new one-year contract without competition (no formal bidding).

**Share Your Challenges With CANS:**

- Add your challenges in the comments, specific details really help.
- We are collecting stories and examples of what South Dakota schools and CACFP operators are going through and we are passing them along to state and USDA leadership.
- Department of Education Secretary Tiffany Sanderson sent a letter requesting additional flexibility in the meal pattern waivers (90 & 91) to USDA Secretary Tom Vilsack.
- Some examples of the challenges or decisions shared by schools:
  - Orders are not filled or partially filled
  - Orders coming in hours or days late
  - Ordering or shopping at multiple distributors/stores to assemble enough entrees or other food for a meal
  - Price Increases for common/popular products (some chicken products a 5-49% price increase)
  - Cancelled common/popular products
  - Reducing variety or choices in your daily meals
  - Prioritize staff time to prepare and serve lunch and breakfast, and not offering snack, supper, Fresh Fruit and Vegetable Program, potentially not serving breakfast or lunch occasionally
  - Reducing cycle menus to one or two weeks, to order larger quantities of available foods
  - Staff shortages causing kitchens (the whole meal program) to shut down

**Keep Communicating!**

- Tell your school administrators, teachers, and your families when you are facing challenges to head off complaints and maybe someone has helpful suggestions.
- The more people hear about these challenges, the better prepared they are for any changes that happen.

**Look to Different Vendors and Local Vendors or Producers:**

- Commercial food distributors are all facing the same issues. If you cannot find a willing food vendor/distributor talk to restaurants, convenience stores, other schools, hospitals, grocery stores, local farmers, or any place that food is served or sold.
- **Look Locally:** Nationwide distributors and vendors are having bigger issues with supply chain and labor shortages. This may be an opportunity to look for food that is closer to home. There may be local beef,

fruit, and vegetables in or near your community that can help supplement food that is not available through commercial vendors. There are a lot of Farm to School resources that can help.

- A directory of local foods in SD: <https://www.dakotarural.org/localfoods/local-foods-directory/>.  
Contact SDSU Extension: [Anna.Barr@sdstate.edu](mailto:Anna.Barr@sdstate.edu) or 605-995-7378 ext.: 7384 with questions.

**Creative & Flexible Menus:**

- Adjust menus based on food availability. Shorten your cycle menu to order fewer products (SKUs) but in larger quantities. Identify available foods that can be used for more than one menu.
- Use “cooks’ choice” or a “special of the day” to add flexibility on the menu.
- Menu planning resources like the Child Nutrition Recipe Box <https://theicn.org/cnrb/recipes-for-schools/> to search standardized recipes by specific ingredients. Team Nutrition’s Back to School Kit has resources to help <https://www.fns.usda.gov/tn/back-school>.