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March 16, 2020

**M E M O R A N D U M**

**TO:** City and County Superintendents of Education

**FROM:** Eric G. Mackey
State Superintendent of Education

**RE:** Child Nutrition Program (CNP) Meal Service Guidance During COVID-19

As you continue to encounter daily COVID-19 guidance and updates, I want to thank you for your continued leadership to assist in meeting the fundamental needs of your students, especially as it relates to providing meals during this time of uncertainty. Over the last few days, I have encountered multiple examples of community collaboration across the state working to ensure students have the resources they need to support the whole child. We also understand the significance of our role at the Alabama State Department of Education (ALSDE) to support those efforts by providing ongoing updates, creating flexibility as allowed by state and federal agencies, and supporting one another throughout these unprecedented times.

The United States Department of Agriculture's (USDA) recent approval of the ALSDE waiver allows flexibility for meal services to continue in Alabama's public schools, private schools, residential childcare institutions, and other approved community organizations under the same guidance as the Summer Food Service Program (SFSP). This waiver ensures that program operators can continue to provide meals throughout the COVID-19 situation. Schools also have the option to participate in the Seamless Summer Option (SSO). Meal service providers have additional options to serve **all** children 18 and under through a variety of distribution methods. The attached documents will guide you as you continue to provide meal services to meet the needs of your community.

If you have any questions or need assistance, please contact the CNP School Program staff at 334-694-4657.

EGM/AC

cc: Select Community Organizations
Child Nutrition Directors

Attachments: COVID-19 Feeding Guidelines During School Closure
USDA SP08-2020 Memorandum
USDA SP08-2020 Questions and Answers

**FY20-1006**

**Alabama State Department of Education**
**3/16/20**

# COVID-19 Feeding Guidelines During School Closures

Alabama schools and community-based summer feeding sponsoring organizations have requested specific guidance for providing meals during the COVID-19 outbreak. We are working to allow schools and communities to feed their children during the upcoming school closures in the simplest way possible. The steps you need to take depend on your organization. Listed below are the organizations that will able to participate:

## Schools

When a school is closed related to the COVID-19, that school's meals programs may not operate. This includes the National School Lunch Program, School Breakfast Program, Fresh Fruits and Vegetables, Special Milk, and NSLP Afterschool Snack Service. **To serve meals to children during this unexpected closure, schools must utilize the Summer Food Service Program (SFSP) or Seamless Summer Option (SSO).**

A school that operated SFSP or SSO programs during the summer of 2019 can complete its online application at https://cnp.alsde.edu. If a school wants to apply to operate an SFSP for the first time, please contact Danielle Turk at dturk@alsde.edu or Kim Ruggles at kruggles@alsde.edu. If a school wants to apply for an SSO, contact Jeanne Brust at jbrust@alsde.edu.

## At-Risk Afterschool Meals Programs

At-Risk Afterschool Meals Programs may continue to be offered during an unexpected school closure; therefore, the meals and times may be adjusted.

## Existing CACFP Daycare Sponsors

Existing CACFP Daycare sponsors in good standing that will be closing during this time may also participate in the SFSP. Sponsors will need to contact the ALSDE at 334-694-4659. An online SFSP application will be created and submitted to the ALSDE for approval.

## Existing SFSP Sponsors

Sponsors that participated in an SFSP in previous years and are in good standing, will be able complete the SFSP 2020 application to serve meals during the COVID-19 closure.

## Application Process for COVID-19 Closure Meal Service

An abbreviated application process will be utilized due to the nature of this disaster response. You must complete the following items:

### For SFSP:

- FNS-80 signed SFSP Permanent Agreement (if never participated in an SFSP).
- Proof of Training Form (if never participated in an SFSP).
- Completed online application (includes sites, eligibility, meals service and times, and methods of communicating with families of low-income children) https://cnp.alsde.edu.

### For SSO:

- Completed online application (includes sites, eligibility, meals service, meal times, and methods of communicating with families of low-income children) https://cnp.alsde.edu.

**Operating Guidelines for ALL Meal Service During COVID-19 Closure**

- Meals may only be served to children ages 18 and under.
- Meal service sites must be 50% or greater free and reduced, or if a site does not meet the 50% or more qualification, a school or sponsor must target households of enrolled children who are eligible for free or reduced-price meals through their meal distribution indicated on the online application.
- Sites must operate in a non-congregate setting—meaning meals can be handed out and not consumed on site.
- All meals must be unitized following the SFSP meal-pattern requirements.
- Offer vs, Serve will not be allowed.
- Sponsors may serve both meals at the same time. Example: Grab-and-Go lunch and snack may be given to a child, and the sponsor will be able to receive reimbursement for both meals provided.
- Two meals per child, per day are allowed in any combination with the exception of lunch and supper.
- Multiple meals can be distributed for multiple days.

**Use of USDA Foods**

USDA Foods may be used to produce meals for non-congregate feeding of children.

USDA
United States Department of Agriculture

Food and Nutrition Service

Braddock Metro Center

1320 Braddock Place
Alexandria VA 22314

DATE: March 06, 2020

MEMO CODE: SP 08-2020, SFSP 04-2020

SUBJECT: Child Nutrition Program Meal Service during Novel Coronavirus Outbreaks

TO: Regional Directors
Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

This memorandum outlines how schools, child care institutions, and community organizations may continue to provide reimbursable meals to low-income children during school closures related to the novel coronavirus disease (COVID-19). Section 13(c)(1) of the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1761(c)(1)), codified at 7 CFR 225.6(d)(1)(iv), authorizes the provision of Summer Food Service Program (SFSP) or National School Lunch Program Seamless Summer Option (SSO) meal service to children during unanticipated school closures.

Based on the exceptional circumstances relating to the declaration of a public health emergency due to COVID-19 by the U.S. Department of Health and Human Services, effective January 27, 2020, and pursuant to the waiver authority granted at section 12(l) of the National School Lunch Act (NSLA), the Food and Nutrition Service (FNS) is providing additional flexibilities in an effort to address concerns regarding the loss of meals for low-income children.

Specifically, FNS has the ability to waive the requirements for serving meals in a congregate setting and the requirement to serve meals at a non-school site for COVID-19-related SFSP or SSO meal service operations. Please note that these waivers are being provided only for school closures related to COVID-19.

State agencies must submit to FNS an individual waiver request for statewide use prior to any COVID-19 SFSP or SSO operations. Once approved, the State agency may apply the waiver flexibilities for SFAs, institutions, and sponsors that have indicated they intend to serve meals during a COVID-19-related closure and that have satisfied any additional requirements set by the State agency.

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State agencies are not required to provide meal service during school closures. However, FNS appreciates the willingness of State agencies and Program operators to consider continuing their meal service operations to ensure children receive the meals they need during COVID-19 conditions. State and local agencies should periodically check the FNS website for updates on our efforts to address the COVID-19 situation. State agencies are reminded to distribute this memorandum to Program operators. Program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

Angela M. Kline
Director
Policy and Program Development Division
Child Nutrition Programs

Attachment

**Questions and Answers:**

**Child Nutrition Program Meal Service during COVID-19 Outbreaks**

Schools participating in the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) and institutions participating in the Child and Adult Care Food Program (CACFP) may be dismissed or closed due to Federal, State, or local public health requirements for social distancing due to COVID-19. Under these circumstances, school food authorities (SFAs) and other eligible community organizations (CO) may continue to serve meals to children affected by school or child care closures through the Summer Food Service Program (SFSP) or Seamless Summer Option (SSO).

Please note, a school closure means closing the school and sending all the students and staff home. In a school dismissal, the school may stay open for staff while the children stay home. In this guidance, the term closure or dismissal is used to refer to schools that are closed or at which all students are dismissed.

The questions and answers below provide additional information regarding how these programs may operate an SFSP or SSO under COVID-19 conditions.

1. **Which regulatory requirements for SFSP and SSO operations may be waived for COVID-19-related operations?**

FNS may waive the requirement at 7 CFR 225.6(e)(15) that meals be served and consumed in a congregate setting, in order to support any social distancing requested by Federal, State, or local authorities. FNS may also waive the requirements at 7 CFR 225.6(d)(1)(iv) limiting the operation of the SFSP or SSO during an unexpected school dismissal during the school year to non-school sites. Requests to waive other operational requirements will be considered on a case-by-case basis. Otherwise, the SFSP or SSO will generally operate as it does during the summer months.

2. **How must a State agency obtain FNS approval to allow an SFA or CO to operate during COVID-19 conditions using policy waivers?**

Each State agency must submit an individual State waiver to FNS for review and approval before initiating an SFSP or SSO response that includes policy waivers. Once FNS has approved the State's waiver, the State may initiate program operations at any location in the State and at any time in the approval period specified in the waiver response. FNS encourages State agencies to submit their individual waivers well in advance of any anticipated operations so that they are ready to begin working with eligible service providers right away when COVID-19 conditions arise.

3. **How does an SFA or CO receive approval to operate during COVID-19 conditions?**

The SFA or CO must submit an application to the State agency for the State's approval. It is at the State agency's discretion what information to require in SFA or CO applications. However,

FNS suggests that a waiver request address the specifics of how the SFA or CO will operate the SFSP or SSO during a COVID-19-related dismissal, including:

- Name of school(s) covered by waiver request;
- At what point following school dismissal the meal service would start;
- What meal distribution method(s) the institution will use and how the waiver will target the children in the dismissed schools;
- How the meal distribution will target low-income children, if the school does not have 50 percent or more free or reduced price children enrolled;
- Methods for communicating with families; and
- How the SFA or CO will ensure proper operation of the program including meal content, meal counts, food safety, oversight, etc.

In order to assure a prompt response to school dismissals, SFAs and COs are encouraged to work with their State agency to approve their application in advance of a COVID-19 related school dismissal. It is important to note that while multiple organizations in a community may work to respond to COVID-19 related dismissals, a State agency may not approve waiver requests that would duplicate coverage. Therefore, it is critical that State agencies communicate with SFAs and COs to develop these waiver requests as soon as possible, and that communities identify the institution most able to respond to a dismissal at a particular school.

**4. Is it mandatory that meals be provided during a school dismissal?**

No. However, SFAs and COs are encouraged to ensure that the needs of low-income children are met during extended school dismissals.

**5. Who is eligible to receive meals when school is dismissed due to COVID-19?**

The SFSP/SSO COVID-19 waiver is targeted to children who attend schools that have been dismissed due to COVID-19. However, in eligible areas, meals may be served to all children 18 and under in the household if at least one child attends the dismissed school. If a child care center that participates in the CACFP is located in a dismissed school, students enrolled in that center are eligible for meals provided to children attending the dismissed school.

**6. How do SFSP/SSO site eligibility requirements apply to COVID-19 meal service? Must all schools served be in low-income areas?**

For dismissed schools with 50 percent or more of their enrolled students certified eligible for free or reduced price meals, SFAs 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 dismissed schools with less than 50 percent free or reduced price enrollment, 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 necessary, depending on the timing of the school dismissals, immediate prior year eligibility certifications.

**7. How many meals per child may be offered each day? May supper be provided? Can meals be distributed for more than one day?**

The maximum number of meals that may be offered remains the same as under SFSP or SSO: up to two meals, or one meal and one snack, per child, per day, in any combination except lunch and supper. As discussed below, the State agency may approve a distribution approach that includes meals for multiple days. The State agency should consider the capacity of the SFA or CO to execute such an approach effectively, including meeting food safety requirements.

**8. Will there be any separate reporting requirements for meals served to children under the SFSP/SSO COVID-19 waiver or will the standard meal count reporting procedures apply?**

Separate meal counts and records must be maintained for meals served under a COVID-19 waiver. To receive reimbursement, total meals must be reported to the State agency for submission to FNS.

**9. How can a school with less than 50 percent free and reduced price eligibility target low-income children without overtly identifying those children as eligible for free or reduced price meals?**

This will depend in large part on how the SFA or CO intends to provide meals. The waiver request should describe their method of meal distribution. For example, meal distribution sites might be located in areas that are easily accessible to low-income children while avoiding identification of individual children as low income.

**10. What are the requirements for the meals?**

The meals must meet the regular menu planning requirements of the SFSP or SSO. 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. If availability of milk or other meal components becomes an issue, FNS will work with the State agency to provide the needed waivers or flexibility.

**11. Are we required to accommodate documented special needs?**

Yes. This should be addressed in the SFA or CO's waiver request.