

Annual Updates

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Objectives

Explain changes to our School Meal Programs

"Change is the only constant in life."

~Heraclitus, Greek philosopher

Federal, State, Local Program Updates

- ✓ 21 USDA School Policy Memorandums
- ✓ 2 New State Laws
- ✓ Child Nutrition Services Updates

State Legislative Season

Two new state laws with a direct affect on School Meal Programs:

- House Bill 2610
 - Meal Shaming
- House Bill 1508
 - BAB



Which one would you like to check off the list first?

House Bill 1508

Promotes Student Health and Readiness through Meal and Nutrition Programs

Thoughtful and evidence based school food programs are associated with **improved outcomes** for students.

Improved Outcomes

Reduces

- Tardiness
- Absences
- Illnesses
- Visits to nurses office

Improves test results!

House Bill 1508 - Requirements

Beginning school year 2019-20

Public schools with 70% or more of the enrollment eligible for free or reduced-price meals will be required to expand opportunities for students to have a healthy breakfast.

Breakfast After the Bell

- Public high school, middle school, elementary school.
- October Building Data
- Must give preference to foods that are healthful and fresh, and if feasible, give preference to Washington grown food.

Breakfast After the Bell

Breakfast that is offered to students after the beginning of the school day.

May include:

- Grab-n-go
- Second chance
- Breakfast in the classroom

Breakfast After the Bell

This time may be considered **instructional hours** if students are provided the opportunity to engage in an educational activity.

Breakfast After the Bell – What CNS is Planning

- Develop and distribute best practices.
- Provide TA on items low in sugar.
- Distribute start up grants – Awarded \$1.2 million

Breakfast After the Bell – What CNS is Planning

- Procedures and guidelines for the program
- Trainings
- Technical Assistance
- Maintain and post opportunities for support

Breakfast After the Bell – Start up Grants

For SY 19-20

- Determine who is **high needs**
- Develop applications and guidelines
- Make available in iGrants

Breakfast After the Bell – Start up Grants

Covers costs associated with launching a breakfast after the bell program including:

- ✓ Equipment purchases
- ✓ Training
- ✓ Additional staff costs
- ✓ Custodial services

House Bill 2610

Hunger-free Students Bill of Rights

Hunger-Free Students Bill of Rights

Ensuring access to meals for and preventing overt identification of students not able to pay for meals.

Effective Immediately

Hunger-Free Students Bill of Rights

OSPI CNS School Meal Programs Reference Sheet	OSPI CNS School Meal Programs Reference Sheet
<p>Hunger-Free Student Bill of Rights</p> <p>The Washington State legislature passed the Hunger Free Student Bill of Rights during the 2018 legislative session. The requirements of this new state law must be implemented for the 2018-19 school year. News sections were added to RCW28A.235 and 28A.300.</p> <p>Requirements:</p> <ul style="list-style-type: none"> ✓ LEAs must continue to follow the requirements of the USDA meal charge policy, including clearly communicating their charge policy. ✓ Distribute meal applications annually. <ul style="list-style-type: none"> • Inform families about the availability of free and reduced-price meals, distribute letters to households and provide meal applications per Federal guidance in CFR 245.6 and the Eligibility Manual for School Meals. ✓ LEAs shall submit meal applications for students that are likely eligible in accordance with Federal Guidelines. <ul style="list-style-type: none"> • Applications may be completed on behalf of household that are likely eligible per Federal guidance in CFR 245.6 and the Eligibility Manual for School Meals. ✓ Conduct direct certification monthly. <ul style="list-style-type: none"> • This includes: Basic Food, Temporary Assistance for Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), Migrant, Homeless, Foster, Medicaid, Head Start, and Early Childhood Education and Assistance Program (ECEAP). ✓ Students may not be overtly identified. <ul style="list-style-type: none"> • Do not notify students under the age of 15 of negative account balances. • Do not remove trays or identify students with negative balances. • Alternate meals may be provided if the alternate meal is available to all students and students are not overtly identified. ✓ LEAs must implement measures to ensure eligible students receive meal benefits. <ul style="list-style-type: none"> • Set up internal procedures to track and monitor notification efforts. • Utilize point of service meal counting systems to track charged meals. • Check the direct certification list and exhaust all options to directly certify 	<p>Details:</p> <ul style="list-style-type: none"> • Seek counsel of your district administrative team, legal counsel, and school board. • LEA responsibility to comply = State Law • Meal charges, classified as bad debt, are an unallowable cost/can't be absorbed by the nonprofit school food service account. Such debt must be covered with non-Federal funds. • Involve District public relations staff to convey and promote meal program policies/ procedures. <p>Reference:</p> <ul style="list-style-type: none"> ✓ RCW 28A-235 and 28A-300 ✓ HB 2610 ✓ Meal Charge Policy Reference Sheet

Hunger-Free Students Bill of Rights

What can you do?

- Meet with your administrative team/ School Board/ legal counsel.
 - Keep district administrative team informed
- Train staff on overt identification.

Hunger-Free Students Bill of Rights

What can you do?

- Track meal charge debt pre- HB 2610 and in SY 18-19
- Track total numbers of F/R meal applications
- Present to your representatives as applicable

Federal Program Updates

SP 42-2017

Beginning Verification before October 1:
Guidance to Local Education Agencies

Beginning Verification Before October 1

- You may begin verification with the application approval process at the **start** of the school year.
- **Time saver-** distributes tasks over longer period of time.
- Best for LEAs with large verification sample sizes

Beginning Verification Before October 1

When beginning verification **prior** to October 1, LEAs must:

- ✓ Decide **how often** to sample applications.
- ✓ Include only applications **approved since the last sample was selected.**
- ✓ **Be organized and have a process in place.**

Beginning Verification Before October 1

<http://www.k12.wa.us/ChildNutrition/Programs/NSLBP/ReferenceGuide.aspx>

OSPI CN School Nutrition Programs Reference Sheets	
<p>Verification</p> <p>Verification is the confirmation of current eligibility for free meals under the NSLP and SBP. Verification is only required if not approved through the application process (not direct enrollment).</p> <p>Requirements</p> <ul style="list-style-type: none"> ✓ LEAs must annually verify eligibility of children from household applications approved for free and reduced-price meals. ✓ LEAs must complete the annual verification process by February 1st. ✓ The Verification Summary Report must be submitted to OSPI by February 1st. <p>Process:</p> <p>Step 1. Count sorted applications on October 1st</p> <ul style="list-style-type: none"> -Number of applications approved as free and reduced-price <p>Step 2. Determine sampling method (based on previous year's response rate)</p> <ul style="list-style-type: none"> -LEAs with ≥ 20% non-response rate = use 3% Focused Method -LEAs with < 20% non-response rate = choose 3% Focused Method OR 1% - 1.5% Focused Method 	<p style="text-align: center;">OSPI CNS School Nutrition Programs Reference Sheet</p> <p>Beginning Verification before October 1st</p> <p>Local Education Agencies (LEAs) may begin verification once they start the application approval process for the current school year and have approved applications on file. Conducting verification on a rolling basis helps LEAs mitigate receiving a large amount of documents to process at one time. Starting verification early allows for a longer window to complete the process and may be especially helpful for LEAs with a large number of applications to verify. All regulatory requirements apply and verification <u>must be completed</u> by November 15 each year.</p> <p>Requirements</p> <ul style="list-style-type: none"> ✓ LEAs must decide how often to sample applications. ✓ LEAs must include in each sample pool only applications approved since the last sample was <u>selected</u>. ✓ LEAs must select either 3 percent or 1.5 percent of approved applications, as required by the sampling method, each time they process verification.

Verification Tool Kit



United State Department of Agriculture

Strategies to Improve
Response Rates in Verification

<https://www.fns.usda.gov/school-meals/verification-toolkit>

Federal Program Updates

SP 40-2017

Accommodating Students with Special Dietary Needs

Special Dietary Needs

Section 504 of the Rehabilitation Act of 1973

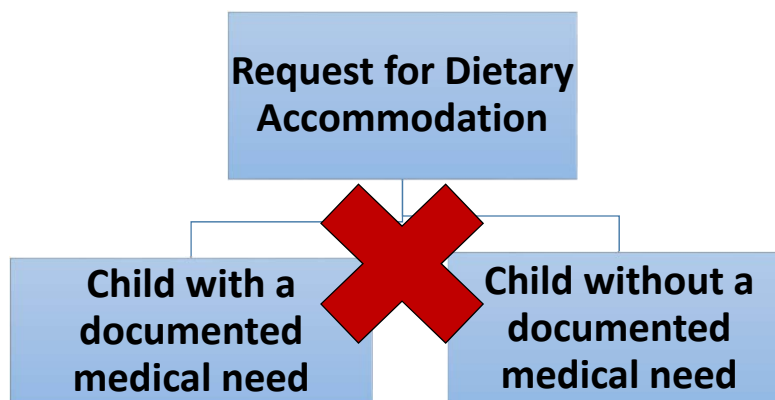
- Federal law that protects students from discrimination based on disability
- Ensure equal opportunity to participate in or benefit from the program

Special Dietary Needs

ADA Amendments Act of 2008

- Expanded and Clarified the definition of Disability
- Emphasis on providing the reasonable modification (not proving there is a disability)

Special Dietary Needs



Special Dietary Needs

Request for Dietary Accommodations

Process to collaboratively work with families, to ensure students have an equal opportunity to participate in School Meal Programs and receive program benefits.

Special Dietary Needs

Requirements

- ✓ Make reasonable modifications to meal(s) on a case-by-case basis to accommodate disabilities which restrict a child's diet
 - Meals must be provided at no extra charge
 - It is not necessary to offer specific brands or fundamental alterations to the program

Special Dietary Needs

What is reasonable?

- Reviewed by team (rather than an individual)
- **Consistently** applied to all students
- Duty to **review and negotiate request**
 - (simply saying “no” is almost never appropriate)
- Primary objective is **to provide appropriate modifications.**

Special Dietary Needs

What is reasonable?

- The modification requested should be related to the students limitations and needs.
- The modification requested does not have to be the modification provided.
- You must still accommodate even when the parent/guardian believes more should be done.

Exception: Modifications are not required that would fundamentally alter the nature of the program

Special Dietary Needs

What is reasonable?

- Consider costs / resources and age of child.
- “Stereotypes” regarding certain conditions or individuals can not drive decisions.
 - Decisions must be based on facts
- Meal accommodations do not need to mirror the meal or meal item substituted.

Special Dietary Needs

Accessibility and Integrated Environment

- Ensure food service areas are accessible
- Provide auxiliary aids and services if needed
- Accommodate in the least restrictive and most integrated setting possible
- Balance safety vs stigma
 - Consider age of child and severity of allergy

Special Dietary Needs

Seek clarification if inadequate or unclear

- Clarification should not **unnecessarily delay** modification
- Cannot request medical records / charts
- No expiration date – follow until **new guidance** is provided.
 - ✓ Best practice is to ensure information is up to date.
 - ✓ Do not need to update past years completed forms.
 - ✓ Start the school year with an updated form.

Special Dietary Needs

“Recognized Medical Authority” in WA

- ✓ Medical Doctor
- ✓ Doctor of Osteopathy
- ✓ Licensed Physician's Assistance (with prescriptive authority)
- ✓ Licensed Advanced Registered Nurse Practitioner (with prescriptive authority)
- ✓ Licensed Naturopathic Physician

Special Dietary Needs

Requirements:

- ✓ Develop a process for Request for Dietary Accommodations
- ✓ Notify Families of the Process
- ✓ Train all Food Service Staff on procedures

Special Dietary Needs

1. Build a team

- School Food Service staff / Section 504 Coordinator / School Nurse / School Principal/ Parents or Guardians/ School Counselor
- Procedures consistently applied across district
- Parent's / guardians receive consistent information from all school staff

2. Coordinate with 504 Coordinator

Special Dietary Needs

3. Ensure parents / guardians are provided:

- How to request a modification
- The process for resolving disputes about meal modifications.

4. Develop impartial hearing process to address grievances

- Opportunity for parent/guardian to attend and be represented
- Notify parent/guardian of final decision and procedure for review

Federal Updates

SP 01-2018

Infant and Preschool Meal Patterns in
the NSLP

Pre-school

New Meal Pattern

- Sugar Restriction: Yogurt & Cereal
- Offer Versus Serve
- Co-mingled Preschool
- Non-Co-Mingled Preschool
- Production Records

Pre-school

Yogurt

Must not contain
≥ 23 grams of sugar / 6 ounces

Cereal

No more than 6 grams of sugar
per dry ounce



Pre-school

Offer Vs Serve

CACFP - Pre-school (ages 3 – 5)	NSLP K-5
Not Allowed	Allowed

Co-Mingled Preschool

- When preschoolers and grade K-5 students are in the same service area at the same time
- May follow K-5 NSLP meal pattern for all students
- Encouraged to serve age / grade appropriate meal pattern

Donated Food Storage and Product Dating

- Product dates on retail and donated foods is not Federally regulated
- Proper ordering, inventory management, and storage practices are important.

Donated Food Storage and Product Dating

- ✓ Time
- ✓ Temperature
- ✓ Characteristics of the Food
- ✓ Food Packaging



- ✓ Demand
- ✓ Current Inventory
- ✓ First in First Out
- ✓ Size of Storage Areas
- ✓ Time of Year

Donated Food Storage and Product Dating

Product End Dates

- Best if used by, best if used before = best flavor or quality
- Use by = Peak Quality
- Sell by = sell date for food product and inventory management purposes

Donated Food Storage and Product Dating

Pack Codes, Date of Pack, and Manufacturing Dates

Series of letters and/or numbers that indicate when a product was packaged, processed, or manufactured.

Donated Food Storage and Product Dating

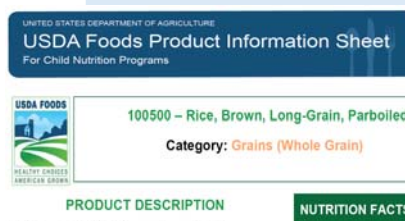
Out of condition foods = No longer fit for human consumption.

Donated Food Storage and Product Dating

Foods with Special Handling Requirements-

If handled improperly, susceptible to spoilage

<https://www.fns.usda.gov/fdd/nsfp-usda-foods-fact-sheets>



STORAGE GUIDELINES

- Product should be stored in a cool, dry place. Recommend storing in a refrigerator or freezer when possible to maximize the shelf life of this product.

Federal Updates

SP 04-2018

Market Basket Analysis when Procuring Program Goods and Modifying Contracts for Product Lists

Procurement – Market Basket

A Market Basket Analysis is a procurement practice used to evaluate bids/proposals for a solicitation based on an **evaluation of the lowest price** a vendor can offer for a **representative sample of goods**.

Procurement – Market Basket

- ✓ Procedures on how the analysis will be done.
- ✓ Must include that you are using this type of evaluation in the solicitation.
- ✓ Estimate value of the contract by reviewing purchase history / forecasting (velocity reports).

Procurement – Market Basket

- ✓ Select a “Representative Sample” ($\geq 75\%$ of contract value)
- ✓ List ALL goods
- ✓ Obtain pricing for remaining listed goods that were not included in the Market Basket analysis
- ✓ Maintain Records

Federal Updates

SP 12-2018

Paid Lunch Equity Flexibility for School Year
2018-19

Paid Lunch Equity

Weighted average less than \$2.92, action required:

- Increase prices
- Contribute Non-federal funds
- Combo- increase prices/contribute non-Federal funds

Paid Lunch Equity Flexibility

Special Flexibility for SY 18-19

LEAs with a positive or zero balance in the nonprofit school food service account as of January 31, 2018 are exempt from the PLE requirement.

Equipment Assistance Grants

USDA FNS 2018 Equipment Assistance Grants

- ✓ Funds allow schools to purchase equipment that are needed to serve healthier school meals, improve safety, and expand access to school meals.
- ✓ Competitive – priority to schools 50% or more F/R
- ✓ Washington state received \$471,620.00

Equipment Assistance Grants

Other grant opportunities:

- Meals for Kids Breakfast Grants – Application released December 2018
- Healthy Kids, Healthy Schools Grant – September 27, 2018 by 4 pm

Flexibilities – Interim Final Rule

Interim Final Rule released

SP 18-2017 Child Nutrition Flexibilities for 2018-19

- Milk
- Sodium
- Whole Grains

Proposed Rule – Professional Standards

Proposed Rule: Hiring Flexibility Under Professional Standards

- Enrollment 2,499 or less
- Current: “relevant **school nutrition program experience**”
- Proposed: “relevant **food service experience**”

Proposed Rule – Professional Standards

Proposed Rule: Hiring Flexibility Under Professional Standards

- Enrollment 500 or less
- **Current:** AA and at least 1 year of relevant school nutrition program experience. HS Diploma and at least 3 years of relevant school nutrition program experience.
- **Proposed:** Accept less than the required years of food service experience when a new director has minimum required education.

Area Eligible Afterschool Snack Programs

Area Eligible Sites= A site located in the **attendance area** of a school where at least 50 percent of the children are eligible for free or reduced-price meals.

Sites qualify for a period of 5 years.

Area Eligible Afterschool Snack Programs

Attendance Area: Boundaries a school district establishes around a school site.

Schools qualified in the past may no longer qualify!

Schools currently qualified as area eligible under the CACFP At-Risk Afterschool Meal Program are considered area eligible for the snack program as well.

Direct Certification System

Best Practices for Student Search:

- Basic Food or TANF Number
- State Student ID
- Last Name and First Letter of First Name i.e. Doe, J.

Update!

DC = Every Month



What is DCM?

- Authorized under the HHFKA and Section 18 (c) of the NSLA.
- Direct Certification for free and reduced price meals using Medicaid data began in 2016-17 school year.
- Washington state selected for 2017-18.
- Child Nutrition Services partnered with DSHS Health Care Authority.

Key Factors

- Direct Certification Medicaid certifies students for both free and reduced-price meals.
- Households are not required to submit a meal application.
- Students are not subject to verification.
- Households directly certified for reduced price meals must be notified of the income level used.
- Applications with Medicaid case numbers cannot be accepted/approved.

Education Data System - EDS

WASHINGTON STATE
OSPI Office of Superintendent of Public Instruction

Direct Certification Free Lunch

eds Home

Dashboard District List Student Search Reports Admin

All Matches for Free/Reduced by Medicaid

Include Potentially Enrolled Students

Number of matching definitely enrolled students: 1

CSV (Text) ▼

Student Name	Birth Date	Gender	Date Eligible	Medicaid ID	Address	City	State	Zip Code	Reason Qualified	Cedars Code
		2	12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06
			12/12/2017						Free via Medicaid	06

3 4

Common Questions

What if there is an application on file already?

Must we notify households?

Will students change from DCM free to DCM reduced during the year?

Can eligibility be extended?

Common Questions

What is the difference between DCM and Direct Verification?

How do I know if the student is DCM Free or DCM Reduced?

Are there CEDARS Codes?

Will there be 30 day carryover?

Resources



State of Washington
OSPI
 Office of Superintendent of Public Instruction

Resources

[Home](#) | [Certification](#) | [Offices & Programs](#) | [Learning & Teaching](#) | [Assessment](#) | [Finance & Grants](#) | [Data & Reports](#) | [Website Accessibility](#)

<http://k12.wa.us/ChildNutrition/Programs/NSLBP/FreeReduced.aspx>

Child Nutrition

WINS

Reports

Grants

Programs

National School Lunch & Breakfast Program

Child & Adult Care Food Program

Summer Food Service Program

Special Milk Program

Food Distribution

Fresh Fruit and Vegetable Program

Claims, Fiscal Information and Resources

Food Service Management Companies

Child Nutrition

National School Lunch/School Breakfast Program - Free and Reduced-Pri

Eligibility Manual

- [Eligibility Manual for School Meals \(USDA\)](#)

Free and Reduced-Price Information

- [Free and Reduced-Price Applications - Processing](#)
- [Free and Reduced-Price Applications - Parts](#)
- [Limited English Proficiency \(LEP\) Reference Sheet](#)

Application Materials

- Application for Free and Reduced-Price Meals
- [Version 1 | Version 1 - Spanish](#)
- [Version 2 | Version 2 - Spanish](#)
- Letter to Households
- [Public School Districts | Spanish](#)
- [Non-Pricing/Provision | Spanish](#)
- [Private Schools/RCC | Spanish](#)
- [Consent to Share Eligibility | Spanish](#)
- [2017-18 Income Guidelines](#)
- [Notice of Eligibility | Spanish](#)
- [Notice of Eligibility - Direct Certification | Spanish](#)
- [Notice of Denied Eligibility | Spanish](#)
- [Notice of Approval/Denial of Benefits | Spanish](#)
- [Sample Public Release](#)

Program Training

- [Verification Training](#)
- [Completing the Verification Summary Report](#)
- [Free and Reduced-Price Meal Applications Training](#)
- [Direct Certification](#)
- [Direct Certification - Medicaid](#)
- [Meal Patterns](#)
- [Smart Snacks](#)

<http://k12.wa.us/ChildNutrition/Programs/NSLBP/TrainingMaterials.aspx>

DC and DC-M

Save your DC and DC-M lists!

Printed copy

OR

Electronic copy on your computer

Include date system was accessed and list saved

Administrative Review/Procurement Review

New Process at Child Nutrition Services

- ✓ Bundle Administrative Review and Procurement Review together.
- ✓ Due September 14, 2018 Offsite Assessment Tool **AND** Procurement Tool, Code of Conduct, Procurement Plan, Vendor Paid List
- ✓ Combined Notification Letter

Administrative Review Changes

Benefit Issuance Errors Adjustment Factor Change

- Adjustment factor set for specific types of errors

F → R

F → P

R P

R F

Administrative Review Changes

Resource Management Review Changes

- Clearer questions
- Resource Management Review Period

Administrative Review Changes

Benefit Issuance Errors

- 3% or greater error rate – fiscal action applied LEA-wide

Procurement Review

No changes

Thank you for your patience as we implement this new review.

Buy American Provision

Applies to all meal components served in NSLP and SBP.

- Procurement Plan
- Solicitations/Specifications
- Contract
- Monitoring
- Limited exceptions to Buy American

Buy American Provision

Sponsors must purchase, to the maximum extent practicable, domestic commodities and products.

Applies to all meal components served in NSLP and SBP.

A Domestic commodity or product is:

- ✓ An agricultural commodity produced in the United States (U.S.)
- and***
- ✓ A food product that is processed in the United States using **substantial** agricultural commodities. (51%)

Buy American Provision

Procurement Review

Focus on solicitations and contracts

Administrative Review

Focus on food onsite and contract monitoring

Buy American Provision

- DoD Fresh Program Participants
- DoD solicitation and contracts include the Buy American Provision. Participants must monitor contracts.
- Return produce that does not comply
- When foreign produce arrives on site.....

Purchasing Thresholds



Increased! Effective immediately!

Purchasing Thresholds



Micro Purchase
\$3500 to **\$10,000**

**Federal Small Purchase
Threshold**
\$100,000 to **\$250,000**

**Washington State Small
Purchase Threshold**
\$40,000 to \$74,999

<https://www.whitehouse.gov/wp-content/uploads/2018/06/M-18-18.pdf>

Child Nutrition Updates

Leanne Eko – Interim Director

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Mayahuel Weisser – School Meal Programs Administrative Asst.

We are here to help you!

Annual Updates

Questions?





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