Updates from School Support

Gerardo Padilla

Director of School Support

mdek12.org









Policy

Updates from USDA



2024 Final Rule Requirements for School Meal Programs



Date	Code	SILP	3232	Trie	Notice
				Second Allocation of SCA funds to Allaviate Supply Chain.	
1/1/2022	SP 25-2022	1	1 3	Disruptions in the SMPs	payment has already been dispersed to SFAs.
1/9/2022	SP 14-2022	1		FY 2022 NSLF EAGs for SFAs	
				Final Rule: Streamlining Program Requirements and	
	FRAL RULE		V	Improving Integrity in the SFSP	FRME RULE - mode major changes to the SFSP
		١		Third Allocation of SCA Funds to Alleviate Supply Chain	
	2P 16/3022	4		Disruptions in the SMP	payment has already been dispersed to SFAs
10/4/3023		4	4	Q&A on Alternate Protein Products	
	57-05-2023	4		Notice of Additional Funding for FY 2002 EAGs for SFAs	
1/4/3029	Rates		4	SFSP Reimbursement Rates	effective for calendar year 2023
				Determining Eligibility for Severa fixed Raimbursement	
				Rates for the SBF and the Two Cent Differential	will inform which districts/sites are eligible for these additional
N33/5933	SF-02-2923	4		Raimbursement for the NSLP in SY 2023-2024	payments in the spcoming SY
				Comment Request on Proposed Rule: CNPs - Revisions to	originally set for April 13, 2023, the public connects period as
3/7/2024	Proproted Nule	4	\perp	Meal Patterns Concident with the 2020 DGAs	later extended to May 10, 2015
	9 33 3121		-3	Offsight Manitoring of the CACIF and SMPs after the Public	
5/15/2013	CACFF 82-2023	4		Health Emergency Ends	Public Health Emergency ended on May 11, 2023.
	SF-54-2023			PY 3023 Realiscation of SAE Funds in CNPs	5.5 15.
5/11/2021	CACHP 94-3001 SP-05-3003	4	_		only affects the SA
				Implementation Guidence: Summer 2023 Non-Congregate	
57.286.200.9	5757-01-2023	1	1	Meel Service in Rural Areas-REVISED	
					This memp includes information reperting:
					Starchy Vegetables at Breakfast,
	97-06-2023			Concolidated Appropriations Art, 2023: Effect on CVPs	P(4,
	CACFF 05-2023				Non-Congregate SFSP, and the
M20268	SFSP-02-2023	1	1		establishment of a Permanent Summer EST program
				Guidance on Performance Standards, Budgets, and	
3/7/2023	59797-03-3023		✓	Management Plans in the SPSP	
			1.50	Free or Love-Cost Internet Services Available to All	
1/14/2021	52-08-2023	4	4	Households with Eids at Schools Participating in the CEF	
		l	177	CEP: Statutory Annual Notification and Publication	
1/21/3003	9-09-2023	4	-	Requirements and SY 2023-24 Election Deadline	
	CN(TP 06-3023		1		
is then makely in	SFSP-04-2023	2	1	UEI Trenation	
PARAMA	3131-91-2022	4	4	1,777,78,727	
					CEP districts may with to conduct a "local survey" to obtain
				Updated Title 1 Guidance for Making Within District	additional income data on enrolled students for Title 3 purpose
			100	Affacations	Hits local survey would not be considered a "ment application"
NAJAMAN	SP 10-2023	1			and the cost could not be incurred by the CN department
N.C. COLL	2.00.000	-	-		Proposes to expend the CEF by Losenby the entirespecTEF
					participation threshold from 40% to 25%. The proposed rule
					down not increase payments or provide additional funding, so
			1 3	CNPs: 12F - Increasing Options for Schools	IEAc interested in participating is the CEP with a lower SF mu
					still consider financial stability. Public comment period ended.
MEMORES	Proposed Rule	0			May 8, 2023.
	100			Extension of Command Period - CNP Revisions to Meal	The State Indiana and In
1/33/3023	Proposed Rule	1		Patterns Consistent with 2020 DGAs	communit period closed on May 39, 2023
				SFSP Best Fractices for Meal Claim Varification and Ensuring	
6/5/2029	WW-05-2003		1	Properly Payable Claims	
-				Charles Charles and the control of t	UNION granted an exception only SFAs that had a regative
				PLE: Guidence for SY 2023-2004	Sellance as of how 30, 2022 draff for required to establish price
4/5/2023	59-31-3023	1			In accordance with the PLE regulation.
				Oversight and Monitoring of the SMPs - Information	
4/16/791213	25 15 5051	4		Regarding Oncits and Offsite Strategies and Options	
				Oversight and Monitoring of the SPSP - Guidance on On-Site	
4/5/7023	1975 266-2023		V	And Off-Site Strategies and Options	



Policy Memos Issued by USDA

Key Highlights



- **Sodium Reduction**: Implement a 15% sodium reduction for lunches and 10% for breakfasts by 2027.
- Added Sugars: Introduce limits on added sugars in key products like cereals and flavored milk by 2025, with an overall cap of less than 10% of total calories per meal by 2027.
- Milk Standards: Continue to permit fat-free and low-fat flavored milk in schools, adhering to new sugar limits by the 2025-26 school year.
- Whole Grains: Maintain the requirement for 80% of grains to be whole grain-rich, allowing occasional non-whole grains to meet diverse preferences.
- **Meal Component Flexibility**: Enhance breakfast options by allowing the inclusion of proteins like eggs and yogurt, promoting nutritional balance and cultural relevance.
- **Cultural Inclusivity:** Support the integration of traditional Indigenous foods in schools predominantly serving American Indian and Alaska Native students.
- Local Sourcing and Buy American: Strengthen requirements to ensure a maximum of 5% of food purchases are non-domestic, boosting local economies and simplifying procurement.



Vegetable - Grain

• Finalizes the proposal to allow school food authorities and schools that are tribally operated, operated by the Bureau of Indian Education, and that serve primarily American Indian or Alaska Native children to serve vegetables to meet the grains requirement with an implementation date of July 1, 2024.



Local Sourcing

• Expansion of the geographic preference option, which now permits child nutrition program (CNP) operators to use "locally grown", "locally raised", or "locally caught" as a specification when procuring unprocessed agricultural products.

The expanded option is effective July 1, 2024.



Phased-in approach

• Finalizes Buy American proposal but adopts a phased-in approach to implementation of the non-domestic food purchases limit. While the overall implementation date for the Buy American changes is July 1, 2024, the non-domestic food purchases limit will be phased in as follows:

- 10% beginning in SY 2025-26.
- 8% beginning in SY 2028-29.
- 5% beginning in SY 2031-32.



Applications

Updates & Reminders



Annual Contract in MARS



- Complete your NSLP / SBP / ASCP in MARS.
- Submission is particularly critical if operations start in July.
- Applications must be submitted at least 30 days before the first day of operations.
- Maintain patience and ensure ongoing communication with your Program Specialist (PS).

What to upload with annual application

Checklist for Success!



- Update your Permanent Agreement if there have been any recent changes in personnel.
- Confirm all Designated Administrative Titles are current.
- Ensure Public Notifications are up-to-date.
- Submit two Health Inspections from the previous year.
- Conduct a Single Audit for organizations receiving more than \$750K in federal funds.
- Complete a 2-page Agreement to Furnish Foods to CACFP Org if applicable.
- Process FSMC annual renewals if required.
- For RCCIs only ensure a valid license to operate from the cognizant agency is in place.
- Confirm your website includes a current non-discrimination statement and attach a screenshot to the application.

New Labeling System in MARS

Affects Site Names



- NES (No Enrolled Students): These sites do not have permanently enrolled students. Instead, students visit these sites temporarily during the day, and their MSIS number remains assigned to their primary school. Examples include magnet schools for gifted students or students enrolled in community college dual enrollment programs.
- ALT (Alternative School): This designation is used for students who are enrolled at their regular school but spend a portion of their time at an alternative school.
- MAS (Multiple Academic Sites): A single cafeteria serves two or more academic sites, catering to students from multiple institutions. For example, a cafeteria where both middle school and high school students dine, though they are registered separately with MDE and MSIS for academic tracking.
- Purpose of MARS Listing: The categorization in MARS (cafeteria sites) may not always match the academic site listings in MSIS, as MARS focuses on operational aspects like cafeteria services rather than academic enrollment. This helps in managing and coordinating cafeteria services across different educational settings more effectively.



Satellite Sites in NSLP

Must have permission to operate from Health Department



- Contact Serena Johnson from MSDH Food Protection for guidance related to food transportation and service.
- Phone: 601-576-7689
- Email: serena.johnson@msdh.ms.gov
- - Ensure that all operational plans are clearly detailed and submitted for approval.
- - It is crucial to adhere strictly to the approved plans. Any deviations from the approved plans will result in the loss of Health Department approval.



Lower or Eliminate the Reduced Meal Charge

SP 17-2014



- You are not required to collect payments from children eligible for reduced-price meals.
- Your operations must be financially viable without additional reimbursement when not collecting these payments.
- The State Agency (SA) provides a form that you can fill out if you wish to eliminate or reduce payment collection for these meals.
- Any changes made using this form must be approved by your board.



Can request to carry an excess balance from SA







Operations

Updates & Reminders



Stay ahead with key dates for compliance and reporting.

- NSLP Applications: Due 30 days before operations begin.
- MARS Financial Report: Due by December 15, 2024.
- MARS Verification Report: Due by January 15.
 - Verification Collection Report (FNS 742)

Note: Failure to meet these deadlines means that the state cannot report to USDA. MDE OCN will reach out to relevant parties within a school district—be that a Superintendent, Business Manager, or CND Secretary—to ensure timely completion of the reports/applications



As CND, you should be checking regularly for completion and accuracy



- The State Agency (SA) advises scheduling monthly meetings or check-ins with managers.
- It is also recommended to conduct unannounced visits, as they are found to be very effective.
- Ensure that column 8 in your records correctly matches the contribution specified in the standardized recipe.
- Managers must monitor and ensure there are no deviations from the planned menu. Any deviations should be documented in the comments section.
- Additionally, it's important that managers are diligent in recording the numbers of the recipes used, specifying whether they are from the Meal Recipe System (MRS) or are local recipes.



Sack Lunches on the Last Day of School

Might be convenient; might not be allowable!



- Students may receive a sack lunch but are not allowed to leave campus.
- Congregate feeding rules apply for the National School Lunch Program, even on the last day of school.
- Non-congregate feeding, such as students taking food home, requires a USDA waiver.
- Field trips are considered congregate feeding because students eat together, whether on the bus, in a park, or at a museum. This aligns with NSLP's congregate meal requirements.



In Kind Meals

Staff who are paid out of CN funds are eligible for in-kind meals

Typically, the following personnel do not receive in-kind meals as part of school meal programs:



- Janitors
- School Resource Officers
- Superintendents
- Board Members
- Principals
- Teachers

If a district chooses to offer free meals to these individuals as a courtesy, it must reimburse the Child Nutrition (CN) program for the cost of these meals. All related invoices or payments will be subject to review during financial audits.



Food as a Punishment

Not Allowed



- Meals cannot be withheld from students.
- While there is no requirement to provide meals to students who are suspended at home,
- Students in In-School Suspension (ISS) must have the same access to meals as other students.



Meal Charge Policy



- Non-Provision (Pricing) Districts MUST have a local meal charge policy
- Implementation and enforcement of policy is left to district
- When drafting the policy, the district should balance competing goals of:
 - Maintaining access to meals
 - Decreasing accrual of bad debt
- May Consider Eliminating the Reduced Price Meal Charge (apply through SA)
- May consider limiting the number of meals a student can charge
- May Consider serving alternate meals
 - If alt meal is served at no additional cost to student, the cost is allowable for the NPSFSA, but the meal served must be reimbursable. If not reimbursable, must find non-federal source of funds for "no-cost-to-student" provision.
 - Cost of provision of alt meals can be added to student debt to decrease strain on NPSFSA



Bringing In Outside Food

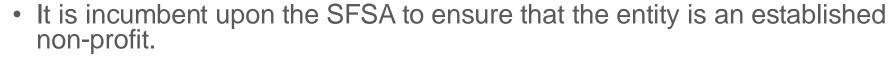
Policy is left to Local Control



- Every fall, we receive numerous inquiries from Child Nutrition Directors (CNDs) and Local Education Agency (LEA) administrators regarding the regulation of outside food.
- It's important to note that there are no USDA regulations that specifically prohibit or restrict the inclusion of outside food.
- However, many districts opt to include rules against outside food in their Wellness Policies or Student Handbooks.
- The implementation and enforcement of these policies are determined at the local level, allowing each district to handle it according to their specific needs and preferences.

Donating Food

May Donate but only under specific conditions



- Only perishable foods that cannot reasonably be expected to be used by the CN program before their expiration date can be donated
- The SFA may not buy additional foods to serve so that certain foods may be donated (i.e. make sure you or managers aren't over-ordering)
- Should the district decide to donate food, the flowing steps must be taken:
 - Notify the SA of the items and quantities to be donated
 - Provide a reason these foods cannot be used by the program
 - Verify the non-profit's status (Active 501(c)(3); Registration with the SOS)
 - Receive a receipt on letterhead detailing all items and quantities donated
 - Keep records of all purchase, dates, etc. in the event of a review





Food Service Management Companies

FSMC



- RFPs should be pre-approved by SA
- Contracts MUST be pre-approved by SA

Remind your districts, especially if you are seeking a "cost reimbursable contract", that there is a high degree of self-monitoring. We will check during AR/PR to make sure all reimbursed costs are allowable.



Local School Wellness Policy

Don't forget to Convene Your Health Councils or Assess your LSWP!

- Federal Requirement: must assess LSWP triennially (SP 24-2017)
- State Requirement: must assess LSWP annually (MS Code 37-13-134)



LSWP Template:

- https://www.mdek12.org/sites/default/files/documents/OCN/wellness-policyguide_nov_2021_updated_sd_1.pdf
- SFAs that are not accredited by MDE should ask their PS for a simplified LSWP template that includes only federal (not state) requirements.
- LSWP Assessment Template
 - https://www.mdek12.org/sites/default/files/documents/OHS/Home/Resource s/mississippi-healthy-school-selfassessment 20151019093438 594915%20(1).doc



Meal Apps & Verification

Updates & Reminders



Meal Application Distribution

We know you get a lot of pressure from your district, but....



- Applications for the upcoming school year cannot be distributed before July 1.
- Any applications received prior to July 1 will be considered for the current school year, not the upcoming one.

SNAP numbers on Apps / Verification for Cause

Pg. 34 & 99 of Eligibility Manual



- Must Provide meal free meal benefits based on SNAP number on application
- Review the case number to see if it appears legitimate and has the correct number of digits. (ex. 123456789 is suspicious)
- Try your best to locate the child on the DC list (this removes them from Verification pool)
- If you can't find them on the DC list, you have the option to verify them for cause (separate from the formal Verification process)



Households that Fail to Apply

7 CFR 245.6 (d); pg. 42 of Eligibility Manual



- Local School official may complete an app for a child known to be eligible for meal benefits, if the family has not applied.
- Intended for LIMITED USE IN INDIVIDUAL
 SITUATIONS must NOT be used to make eligibility determinations for categories or groups of children
- These apps are excluded from Verification; but total number must be reported on 3-3 of Verification Report ("Non Applicant but approved by Local Officials")



SOPs for obtaining Categorical Eligibility Documentation

Came up during Several ARs this past year



- Should have internal procedure for obtaining foster and homeless documentation from your designated district representative (Typically the McKinney Vento Coordinator)
- Should not be scrambling to find this information during an AR; it should already be on file



Household Notification of Verification (Letter)

Required Element (pg. 106 of Eligibility Manual)



- A telephone number the household can call at no cost for assistance
 - The LEA may establish a toll free number or allow the household to reverse the charges if any households in the LEA are outside the local calling area
 - The LEA may also provide different telephone numbers for each local calling area within the LEA

Procurement

Updates & Reminders



Notes from the State Auditor



- District MUST document due diligence when it comes to checking for debarment and suspension of vendors.
- Talk with your Business Manager about this
- If a private vendor wants to do business with a school district, they are going to have to register in SAM.gov



Aggregate Procurement Thresholds

Aggregate totals matter – not per transaction amount



- If you are only looking at per transaction amount, it is easy to make a mistake
- Need to do accurate forecasting at the beginning of the year to see if you anticipate exceeding the threshold
- What is an emergency and what requires quotes?
 Must know what is written in your Procurement Plan

Purchasing Thresholds

Illustrates difference between Federal, State & Local regulations

Descriptor	Federal	State	Local
Micro-purchases	Up to \$10,000.00	Up to \$5,000.00	Whatever your board approves
Small purchases	From 10,000.01 – 250,000.00	From \$5,000.01 – to \$75,000.00	Whatever your board approves
Formal purchases	\$250,000+	\$75,000+	Whatever your board approves

INFORMAL

- Micro-purchasing (no bids)
- Small purchase (bids)

FORMAL

- Competitive Sealed Bid
- Invitation for Bid (IFB)
- Request for Proposal (RFP)



Aggregate Procurement Thresholds

For Example....



Vendor	Date	Amount	YTD Total or "Aggregate"
L & M Equipment	Aug 5, 2023	\$2,467.24	\$2,467.24
L & M Equipment	Sep 8, 2023	\$1,628.24	\$4,095.48
L & M Equipment	Oct 6, 2023	\$1,054.67	*\$5,150.15
L & M Equipment	Nov 14, 2023	\$251.61	\$5,401.76
L & M Equipment	Dec 2, 2023	\$45,478.02	\$50,879.78
L & M Equipment	Jan 4, 2024	\$28,162.05	**\$79,041.83
L & M Equipment	Feb 18, 2024	\$4,615.84	\$83,657.67

*By October they had exceeded the small purchase threshold

**By January, they had exceeded the formal purchase threshold



Finances

Updates & Reminders



Severe Need Reimbursement & 2 Cent Differential

What's up with the difference in the rates?



SEVERE NEED: Schools are eligible for severe need **breakfast** reimbursement rates if 40% or more of NSLP lunches served to students during the second preceding SY were at the F/R rate.

TWO CENT DIFFERENTIAL: Schools are eligible for two cent differential lunch reimbursement if 60% or more of NSLP lunches served in the second preceding SY at the F/R rate.



Loaning Funds to the District

Strict limitations on loaning money from NPSFSA to other funds

There are strict limitations on transferring funds from the National Public School Food Service Account (NPSFSA) to other funds. These transfers must meet specific criteria:



- Pre-Approval Required: Any transfers must be pre-approved by the State Agency (SA).
- Short Duration: Transfers should be for a short duration, not exceeding one year.
- Reasonable Interest: If there is any interest involved in the transfer, it must be reasonable.

This ensures that funds meant for school food services are managed responsibly and within regulatory guidelines.



Purchasing bottled water

Can be Problematic depending on the Program and Purpose



- The purchase of water bottles for either adult or student consumption outside of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) settings does not qualify as an allowable expense under these programs. If such purchases are occurring:
- Districts should ensure they are managing and funding these purchases separately from NSLP/SBP budgets.
- Water bottles should not be supplied for classroom use or by the school nurse as part of these programs.
- Child Nutrition (CN) staff are entitled to in-kind meals under the NSLP, but water does not constitute part of these meal patterns. However, providing accessible, free potable water during meal services is a requirement under the NSLP. Conversely, for the Summer Food Service Program (SFSP), providing free water bottles is not mandated and such expenses are considered unallowable.



Disposing of Old Equipment

Subtitle



- **Equipment with Remaining Useful Life**: If the equipment still has useful life and is listed in the Child Nutrition (CN) inventory, it can be repurposed for other federal programs without complications. Simply remove the equipment from CN inventory.
- **Using Equipment for Non-Federal Purposes**: If the district wishes to use the equipment for non-federal purposes and it still has useful life, the district must compensate CN by paying the fair market value or price equivalent to the remaining useful life of the equipment.
- **Equipment with No Usable Life**: Check the district's salvage policy for equipment that no longer has usable life.
- Need for Approvals and Documentation:
- If you plan to sell the equipment, obtain board approval and keep receipts associated with the sale.
- If the equipment is to be disposed of, also secure board approval and document the disposal process.

Questions: For any specific inquiries, contact the State Agency (SA) for guidance.



Resources

Available to You



Resources Available on MDE OCN Web Page

Can Be Accessed at any time



Child Nutrition Resources

To assist you with information related to operating a Child Nutrition Program, please select from the list of resource information listed below. This information includes manuals and materials available on-line as well as links to other web sites with additional resources.

New Administrator Orientation (NAO) 2023

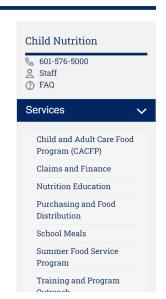
- NAO Part I
- NAO Part II

State Conferences:

- July 2023
- July 2022

Child Nutrition Resource Information:

- Administrative Reviews
- Adult Meal Pricing Tool SY 23/24
- ASCP Monitoring Form
- Capital Expenditure Request
- CEP Sample Letter to Households (Rev 5/2023)
- Child Mutrition 101 What LEA Administrators Meed to Know (Undated 10/10/2023)





Resources Available in "Download Forms"

Can Access at any time in MARS

Open MARS > SNP > Applications > Download Forms







Team Nutrition

Examples in the Back



- Utilizing Free Materials
- Team Nutrition Home: <u>Team Nutrition</u> | <u>Food and Nutrition Service (usda.gov)</u>
- Order Materials: <u>USDA Team Nutrition (gpo.gov)</u>

AR Updates

Common Findings; Upcoming Schedule



Districts Receiving an AR in SY 23/24

- Biloxi Public School District
- Carroll County School District
- Clarksdale Collegiate
- Columbia School District
- Enterprise Consolidated School District
- Hattiesburg School District
- Hinds County School District
- Itawamba County School District
- Lafayette County School District
- Madison County School District
- McComb School District
- MS Schools for Blind/Deaf
- Pearl Public School District
- Petal School District
- Pontotoc City School
- Republic School Inc
- South Panola School District
- Tupelo Public School District
- West Tallahatchie School District
- Wilkinson County Christian School District



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This institution is an equal opportunity provider.

Full Non-Discrimination Statement link:





for prior civil rights activity. Not all prohibits if beaus apply to all Program information may be made available in languages other

than English. Parsons with disabilities who require alternative reasons of communication for program information (e.g., Direkte, large paint, auditation, and American Sign Long and should normal the approach to Base or hard Agreement Sign Long angular should normal the responsible Date or hard Agreemy that administration and TTP, or context USCAN TARKET Cards or (2005) (900-900) processed UTP, or context USCAN through the finisher libery Service at

To file a program discrimination complete, a completent should complete a Form AD-9007, USDA Program Discrimination Compilers Form, which can be obtained orders, at https://axios.com/discrimination/discr mor and a professor behalf black DDA-DA-DA-DB-DB-Complete.
Form 0006-0001-038-11-28-11 Fau Mal put, from any USDA
office, by calling \$440,602-0006, or by writing a latter action and to USDA. The latter must contain the complement's name. ackfress, takephone regular, and a written description of the alleged discriminatory action in audicine dated to inform the Assertant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil eights violation. The completed AD-9000 form or letter reset be estimated to USOA by:

U.S. Department of Agriculture Office of the Assistant Decretory for Civil Rights 1800 Independence Avenue, SW Westington, D.C. 20200-8410; or

(NO)) 200-1015 or (200) 530-7443.

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This instruction is an argual opportunity provider

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Para presenter una quaja por discriminación en el programa, el escitamente deba complete un harmaleto (IO.5027 Ferrodore de quaja por discriminación del programa del UEDA, que se puede debarre en lises, en jugar/en no associado, por los puedes debarres en lises, en jugar/en no associado, por libera debarrillado. FEEA, CASE Freight Completed on otton some does to an 600-000E, o secritivando una carta dirigida al USICA. La carta date content of now tree, is direction y of normer de balliness dat redirector, years description social redirector, years description socials da sequestra socials de la equantia socials descriptions con addicional durate para intervene of Socializant autorità de Description Civilia (MCCI), por eus sigles en inglés) sottes la naturalism y la facilio de la presunte violeción de los derechos siviles. La certe o el formalerio AD-2007 completade debe envierse al USDA por medio de

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