

## **School Meal Programs Questions and Answers**

### **1. What Child Nutrition Program will School Food Authorities (SFAs) operate in SY 22-23?**

The authority to operate the Seamless Summer Option (SSO) while schools are open ended June 30, 2022. Therefore, all SFAs will be operating the NSLP, SBP and the After School Snack Programs this school year.

### **2. Has FNP requested any state waivers for SFA's operating the NSLP in SY 22-23?**

Yes, FNP was approved for the following state waivers through June 30, 2023:

- Non-Congregate Meal Service\*
- Parent/Guardian Meal Pickup\*
- Meal Service Times\*
- Offer Versus Serve
- Local School Wellness Policy Triennial Assessment
- Food Service Management Company (FSMC) contract duration
- Administrative Review Onsite Requirements\*\*
  - Onsite Requirement for SFA Onsite Reviews by February 1\*\*
  - Onsite Requirement for Afterschool Care Reviews\*\*
  - Onsite Requirement for Periodic On-site Visits when Utilizing an FSMC\*\*
- Parent/Guardian Fresh Fruit and Vegetable Program (FFVP) Pickup
- FFVP Alternate Site
- Paid Lunch Equity
- Carryover Eligibility for NSLP and SBP

*\*USDA expects that program operators will use the waivers only when congregate meal service is limited by conditions related to the COVID-19 pandemic during SY 2022-23. DESE FNP will communicate with sponsors about the expiration of these waivers and programming through the remainder of SY 22-23/FY23.*

*\*\* Current nationwide waivers of onsite monitoring for NSLP, SBP, and CACFP remain in effect until 30 days after the end of the Public Health Emergency (PHE). The end of the PHE will be declared by the U.S. Department of Health and Human Services.*

### **3. Are there operational differences for School Meal Programs between School Year 2021-2022 (SY 21-22) and SY 22-23?**

Yes, see Attachment A for a comparison table.

### **4. May SFAs offer grab and go/non congregate meals through NSLP in SY 22-23?**

In the event of a temporary school closure, students quarantining or the need to facilitate socially distant meals due to the COVID-19 pandemic, non-congregate grab and go meals with parent pick up, may be allowed. USDA expects that program operators will use the waivers only when congregate meal service is limited by conditions related to the COVID-19 pandemic.

**5. Are we required to notify families that all meals will be offered at no charge to students under the NSLP for SY 22-23 in MA?**

Yes. Schools operating NSLP must provide public notification regarding the availability of school meals, the eligibility criteria, and notify households that all meals will be offered free through NSLP, at or near the beginning of the school year. Refer to the 'NSLP – Annual Renewal Documents' section of the Security Portal's Document and Reference Library for an NSLP Massachusetts specific template for the public notification.

**6. Should SFAs collect school meal applications and continue to run direct certification even though meals are being offered at no charge to students under the NSLP for SY 22–23?**

With Congress no longer extending nationwide universal free meals past June 30, 2022, income eligibility must be re-established for all students for SY 22-23 effective July 1, 2022. Even though all meals will be reimbursed at the “free” rate, the FY23 State Budget funds will only be used to pay the difference between the “free” rate and the “reduced price” and “paid” rates therefore those meals need to be identified.

Additionally, even though meals will be provided to all students at no charge for SY 22-23, the meal benefit household application will play a critical role not only in meal counting and claiming, but also qualify households for various other benefits. These benefits include:

- Summer 2022 Pandemic EBT (P-EBT) for households that are approved for free or reduced price meals on or before August 31, 2022;
- SY 22-23 P-EBT benefits if the federal Public Health Emergency is extended past this summer and MA has a state plan approved;
- District level fee waivers based on free or reduced price status;
- Federal Communications Commissioner (FCC) broadband discounts based on free or reduced price status and;
- SY 22-23 free or reduced price benefits carrying over 30 operational days into SY 23-24 if the state does not continue to fund universal free meals in SY 23-24.

Regardless of operational status, all NSLP-participating SFAs are expected to meet the provisions of 7 CFR 245.6(b)(3), which requires that at minimum all SFAs must conduct direct certification at least three times per school year.

**7. Are SFAs required to conduct verification even though meals are being offered at no cost to students under the NSLP for SY 22–23?**

Yes. SFAs that collect household applications in SY 22– 23 are required to conduct verification, regardless of the reason the applications were collected. The sample size used to conduct verification activities must be based on the number of approved applications on file as of October 1, 2022. *All SFAs are required to complete the 742 Verification Collection Report.*

**8. Can the 30-day carryover of student income eligibility include free and reduced price determinations made since SY 19-20?**

Yes. Even though student eligibility must be established effective July 1, 2022, DESE FNP was approved through a state waiver to allow free and reduced price determinations since SY 19-20 to carryover for 30 operational days into SY 22-23.

**9. Can we offer non-congregate grab and go meals for children attending school on half days?**

No. Non congregate grab and go meals may be allowed only in the event of a temporary school closure, students quarantining and learning remotely or the need to facilitate socially distant meals due to the COVID-19 pandemic. USDA expects that program operators will use the waivers only when congregate meal service is limited by conditions related to the COVID-19 pandemic during SY 22-23.

**10. Will a school participating in Community Eligibility Provision (CEP) , with an Identified Student Percentage (ISP) that yields a claiming percentage that is not 100% free be eligible for the additional state funds?**

Yes. All meals this school year will be reimbursed at the “free” rate, including CEP schools. CEP schools with claiming percentages less than 100% will receive additional state funds to achieve a claiming percentage of 100%. CEP schools already claiming at 100% free will not receive additional funds.

**11. What are the reimbursement rates for SY 22-23?**

[DESE FNP released the annual reimbursement rate memo on August 9, 2022.](#) Federal reimbursement for free and reduced price lunches are inclusive of temporary allocations provided through the KKFA 2022 (additional 40 cents per lunch and 15 cents per breakfast).

As a reminder, while all school meals will be served free of charge to all students and reimbursed at the "free" rate this upcoming school year, student income eligibility must be reestablished, and all meals must be recorded and claimed by student eligibility category effective July 1, 2022

**12. Are SFAs exempted from the Paid Lunch Equity (PLE) requirements for SY 22-23?**

Yes. On May 24, 2022, USDA approved DESE FNP’s state request to waive PLE requirements for SY 22-23.

**13. Given meals are being offered at no cost to students for SY 22 – 23, should we be charging for second meals, a la carte and adult meals?**

Yes. While DESE FNP has been approved for PLE waiver for the upcoming SY, prices for adult meals, a la carte, and second meals must be established.

**14. Now that we returned to the NSLP, what should I do with student accounts that still have unpaid meal charges?**

The total amount of unpaid meal charges in the Non-Profit School Food Service Account should have been paid off using non-federal funds (such as the general fund) on June 30, 2020 (the last month of SY 19-20). Any existing unpaid meal charges must be offset using non-federal funds at the end of each school year. Since any outstanding bad debt is the district's receivable, it is the district's choice whether to continue to pursue collection of the unpaid meal charges or deem it "uncollectable" and write it off. Regardless, bad debt is an unallowable cost to the school food service and cannot be carried from one year to the next.

**15. How should schools be claiming during SY 22-23?**

All public, private and residential schools in the state will continue to not charge households for school meals for SY 22-23. In the FY23 State Budget, the legislature has committed \$110 million of state funds which will be used to supplement federal USDA reimbursements to allow for all meals claimed through the NSLP next school year to be reimbursed at the federal "free rate."

*Schools with traditional counting and claiming procedures*

Claiming has returned to the pre-pandemic process. SFAs must count and track meals according to student eligibility (free, reduced price and paid). A separate calculation will be made for determining the difference between the "reduced price" and "paid" meals reimbursements and the "free" rate. This difference will be paid out of state funds to ensure all meals will be reimbursed at the "free" rate.

*Schools participating in a special provision (CEP & Provision 2 non-base year for **both** breakfast and lunch)*

While all CEP schools must enter meals in the "total" category in the school claim per the pre-pandemic process, all meals no matter the CEP claiming percentage, will be paid at the "free" rate. For an ISP that does not yield 100% free claiming, the difference will be paid out of state funds to ensure all meals will be reimbursed at the "free" rate.

**16. Are there free tools available to track compliance with Transitional Standards?**

Yes, [Certification of Compliance Worksheets](#) are available to ensure, and document planned menus are offering at least 80% of the grains offered over the week as whole grain rich and that target 1 weekly sodium limit for school lunch and breakfast. SFA's using menu planning software should ensure they have been updated to reflect these standards.

**17. The Transitional Standards now allow 1% flavored milk to be served as part of a reimbursable meal, can I also sell this milk a la carte?**

No, per 105 CMR 225.00 [MA Competitive Food and Beverage Standards](#) 1% flavored milk cannot be sold in schools.

**18. I have not completed an assessment on my Local Wellness Policy (LWP) assessment since 2018, where can I go for resources to assist me in this process?**

The wellness committee is required to complete an assessment of the LWP to determine compliance, alignment with model policies, and progress towards goals. During an administrative review, districts

must provide documentation on the most recent assessment of implementation of the local wellness policy. This assessment must also be made available to the public. To learn more about the assessment process and the Local Wellness Policy (LWP), including state and federal requirements, please visit [MassSchoolWellness.org](https://massschoolwellness.org).

## **Child and Adult Care Food Program Questions and Answers**

### **19. Has DESE FNP requested that any regulatory requirements be waived for SFA's operating the NSLP operating in MA?**

Yes, DESE FNP has been approved for the following waivers as through June 30, 2023.

- Non-Congregate Meal Service\*
- Parent/Guardian Meal Pick-Up\*
- Meal Service Times\*
- State Agency Onsite Monitoring Visits\*\*
- Sponsoring Organization Onsite Monitoring Visits\*\*

*\*USDA expects that program operators will use the waivers only when congregate meal service is limited by conditions related to the COVID-19 pandemic during SY 2022-23. DESE FNP will communicate with sponsors about the expiration of these waivers and programming through the remainder of SY 22-23/FY23.*

*\*\* Current nationwide waivers of onsite monitoring for NSLP, SBP, and CACFP remain in effect until 30 days after the end of the Public Health Emergency (PHE). The end of the PHE will be declared by the U.S. Department of Health and Human Services.*

### **20. How does the passage of universal free meals under NSLP through the FY 23 State budget impact the CACFP?**

It doesn't. The Universal Free Meals bill that passed in Massachusetts is just for schools operating the NSLP. For the CACFP, all meals will continue to be provided to participants for free, and programs are reimbursed based on the eligibility status of enrolled participants.

Institutions will still need to collect eligibility information for all enrolled participants; for programs serving school aged children, they may still reach out to the School Food Authority of the districts in which children are enrolled to determine their eligibility or identified status.

### **21. Are there operational differences for CACFP between SY 21-22 and SY 22-23?**

Yes, see Attachment B for a comparison table.

### **22. Can CACFP At-Risk sites that are operating on a school day implement the non-congregate and meal time nationwide waivers?**

No. FNS expects CACFP sites to use the non-congregate and meal time waivers only for the duration and extent they are needed. If children have returned to in-person learning and afterschool programming, the school would no longer need the non-congregate meal service waiver.

### **23. May CACFP At-Risk sites provide non-congregate weekend, holiday, and school vacation day meals with virtual enrichment?**

No. Unless programs are unable to operate because of COVID-19 they are expected to provide in person programming and serve meals in a congregate setting.

## **Procurement Questions and Answers**

### **24. May an SFA use noncompetitive procurements when experiencing certain supplychain disruptions?**

Yes, the noncompetitive procurement method in 2 CFR 200.320(c) may be used when a “public exigency or emergency” prevents an SFA from undertaking a competitive procurement. Circumstances, such as the unanticipated cancellation of food and supply contracts, have the effect of creating an emergency for an SFA participating in the ChildNutrition Programs.

SFAs do not need to request a waiver or receive State agency approval to utilize the emergency noncompetitive procurement method and may use this procurement method as long as the supply chain disruption occurs.

Consistent with procurement regulations at 2 CFR 200.318(i), SFAs should document their justification for using noncompetitive procurement, comply with other procurement requirements, and ensure that costs are necessary, reasonable, and allocable.

Use of the emergency noncompetitive procurement method is only allowable during the actual public exigency or emergency circumstance.

### **25. Do micro-threshold purchase thresholds apply when an SFA uses the emergency noncompetitive procurement method?**

No, micro-purchase thresholds outlined in 2 CFR 200(a)(1) do not apply to the emergency noncompetitive procurement method, and there is no limit to the number of times an SFA may use this procurement method for the duration of the supply chain disruption.

### **26. What documentation should an SFA develop and maintain to support the use of the emergency noncompetitive procurement method?**

Consistent with procurement regulations at 2 CFR 200.318(i), SFAs should retain information, data, and documents which qualify specific conditions and emergency circumstances which resulted in the decision to use the emergency noncompetitive procurement method and the procurement process, itself. Failure to plan for transition to competitive procurement cannot be the basis for continued use of noncompetitive procurement based on exigency or emergency circumstances. Documentation must include an explanation of the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

The following items are examples that would support the documentation requirements:

- Documentation showing that the distributor, processor, or other supplier cancelled food or supply contracts, deliveries, or orders;
- Documentation showing that the distributor, processor, or other supplier is no longer able to provide food as ordered, or failed to consistently deliver goods.

In addition, SFAs should retain documentation providing information on the food and supplies

being procured, including the estimated quantity and dollar value of the emergency procurement; and how the emergency procurement was handled.

**27. Can SFAs piggyback onto existing contracts in exigent or emergency circumstances?**

Yes, SFAs may piggyback onto existing contracts during an exigency or emergency. SFAs should determine whether the existing contract has a provision allowing “piggybacking” to avoid a material change. For more information on contract piggybacking please see [SP05-2017; CACFP03-2017; SFSP02-2017](#).

**28. Can SFAs use emergency noncompetitive procurement if they operate CACFP at-risk supper Program?**

Yes, SFAs may use emergency procurement when making purchases for any Child Nutrition Program including, the CACFP at-risk supper Program.



## Attachment A: Operational Differences in School Meals Between SY 21-22 and SY 22-23

Topic	SY 21–22 Seamless Summer Option (SSO)	SY 22–23 National School Lunch Program (NSLP)
<b>Meal Access</b>		
<b>Eligibility Carryover</b>	Schools that implemented SSO during SY 21-22 under the Nationwide Waiver to Allow the SSO through SY 21-22 were able to provide free meals to all students. Carryover of a student’s eligibility status was only needed for Pandemic EBT (P-EBT) benefits and was paused until resuming the NSLP.	DESE FNP was approved to use SY 2019-2020 data to establish student eligibility for the first 30 operating days of SY 22-23, or until a new eligibility determination is made, whichever comes first. The waiver is effective for the 30-day carryover period during SY 22-23.
<b>Household Applications and Direct Certification</b>	Not needed for counting and claiming	Needed for counting and claiming as new FY23 state funding will be used to reimburse the difference between the “free” rate and the “reduced price” and “paid” rates.
<b>Household Income Applications</b>	Nationwide Waiver to Allow the Seamless Summer Option through SY 21-22 allowed school food authorities (SFAs) to participate in the SSO during the regular school year. SSO participation eliminated the need to determine eligibility and enabled schools to provide free meals to all children.	Schools must return to standard NSLP and SBP operations. For schools not operating under a special provision (such as the CEP or provision 2), schools will be required to determine student eligibility through household applications and direct certification, and to return to counting and claiming meals by type (free, reduced price, or paid). Schools operating under a special provision will return to following the requirements of that provision.
<b>Student Eligibility</b>	Carry forward SY 19-20 eligibility	Establish new student eligibility.
<b>Meal Service Operations</b>		
<b>Non-congregate Meal Service</b>	Nationwide Waiver to Allow Non-Congregate Meal Service for SY 21-22 allowed non-congregate meal service for NSLP, SBP, and SSO, allowing children to eat meals outside of school settings.	NSLP and SBP congregate meal service is required (children must be served and eat each meal at school).  In the event of needing a non-congregate meal service to facilitate socially distant grab and go meals, DESE FNP has been approved for a meal service waiver*.
<b>Meal Pattern Standards</b>	Nationwide Waiver to Allow Specific School Meal Pattern Flexibility for SY 21-22 allowed states agencies to approve the use of specific meal pattern flexibilities for program operators to serve school meals	Meals must meet the meal pattern requirements as specified under program regulations. Effective July 1, 2022 Transitional Standards for Milk, Whole

Topic	SY 21–22 Seamless Summer Option (SSO)	SY 22–23 National School Lunch Program (NSLP)
	that did not meet meal pattern requirements, when needed.	Grains and Sodium update existing meal pattern standards.  <a href="#">Transitional Standards</a> allow for 1% flavored milk to be served to students K-12, requires that 80% of grains offered over the week be whole grain-rich and maintains sodium at target 1 for SY 22-23.
<b>Meal Times</b>	Nationwide Waiver of Meal Times Requirements for SY 21-22 waived federal meal time requirements for NSLP, SBP, and SSO meals served at school during SY 21-22, supporting a socially distant meal service options.	NSLP and SBP meals must follow meal service time requirements.  In the event of needing a meal service time flexibility to facilitate socially distant grab and go meal, DESE FNP has been approved for a meal service waiver*.
<b>Offer Versus Serve</b>	Nationwide Waiver to Allow Offer Versus Serve Flexibility for Senior High Schools in SY 21-22 waived the requirement for senior high schools to use Offer Versus Serve at lunch.	Local operators of senior high schools (as defined by the state education agency) must use Offer Versus Serve at lunch.  In the event of needing a meal service flexibility, DESE FNP has been approved for a meal service waiver*.
<b>Parent/Guardian Pick-Up</b>	Nationwide Waiver to Allow Parents and Guardians to Pick Up Meals for Children for SY 21-22 allowed parents/guardians to pick up school meals on behalf of their children to take home.	Meals must be served directly to eligible children.  In the event of needing a meal service flexibility to facilitate socially distant grab and go meal, DESE FNP has been approved for a meal service waiver*.
<b>Financial Management</b>		
<b>Counting and Claiming</b>	All meals recorded as “free,” claimed as “free,” and all meals reimbursed at the “free” rate.	All meals recorded by student eligibility category, claimed by student eligibility category (except for Special Provision Schools) and all meals reimbursed at the “free” rate.
<b>Food Service Management Company (FSMC) Contracts</b>	Nationwide Waiver of Food Service Management Contract Duration in the NSLP and SFSP Extension, allowed program operators to extend existing food service management company contracts that would not have otherwise been eligible for an extension.	Under program regulations, food service management company contracts must be for a duration of no longer than one year with the option for yearly extensions of a contract that does not exceed four additional years.

Topic	SY 21–22 Seamless Summer Option (SSO)	SY 22–23 National School Lunch Program (NSLP)
		<i>DESE FNP has been approved for a waiver for SY 22-23.</i>
<b>Funding for Universal Free School Meals</b>	Fully funded through federal USDA funds	Federal USDA funds supplemented with new state funding made available in the FY23 State Budget to allow all meals at all schools to be reimbursed at the federal “free” rate.
<b>Paid Lunch Equity (PLE)</b>	Because SFAs had the option to serve all lunches for free in SY 20-21 and SY 21-22, nationwide flexibility for PLE was not needed.	SFAs are required to establish a price for paid lunches that must be greater or equal to the difference between the free and paid reimbursement rates.  <i>While DESE FNP has been approved for a waiver for SY 22-23, prices should be established for a la carte, second meals, and adult meals.</i>
<b>Reimbursement Rates</b>	Nationwide Waiver to Allow Summer Food Service Program Reimbursement Rates in SY 21-22 established the reimbursement rates for SSO meals and snacks at the Summer Food Service Program (SFSP) reimbursement rates.	In SY 22-23 schools will receive standard NSLP/SBP reimbursement rates for school meals and snacks. For this school year, the standard rates will include an additional 40 cents per school lunch and 15 cents per school breakfast, as authorized by the Keep Kids Fed Act.
<b>Compliance Monitoring</b>		
<b>Fiscal Action due to Supply Chain Challenges</b>	Nationwide Waiver to Allow Fiscal Action Flexibility for Meal Pattern Violations Related to COVID-19 Supply Chain Disruptions Impacting School Meals in SY 21-22 provided state agencies with the discretion to not apply fiscal action for missing food components or missing production records and for repeated violations involving milk type and vegetable subgroups when there is a supply chain disruption due to COVID–19.	FNP has opted into the Nationwide Waiver to Allow Fiscal Action Flexibility for Meal Pattern Violations Related to COVID-19 Supply Chain Disruptions Impacting School Meals. This nationwide waiver provides state agencies with the discretion to not apply fiscal action for missing food components or missing production records and for repeated violations involving milk type and vegetable subgroups when there is a supply chain disruption due to COVID–19.
<b>NSLP Administrative Review State Agency Onsite Monitoring Requirements</b>	Nationwide Waiver of Onsite Monitoring Requirements in the School Meal Programs allowed SFAs and state agencies to complete required monitoring offsite until 30 days after the Public Health Emergency ends and provided the flexibility to complete the onsite portion of the administrative review outside of the school year in which the review began.	In line with program regulations some aspects of the school meal program administrative review must occur onsite. In addition, the onsite portion of the administrative review must be completed the same school year the review began.

Topic	SY 21–22 Seamless Summer Option (SSO)	SY 22–23 National School Lunch Program (NSLP)
	The Public Health Emergency was recently extended through October 13, 2022, and the nationwide waiver will remain in effect until 30 days after the Public Health Emergency expires.	To date, DESE FNP plans to conduct reviews onsite for SY 22-23 but has been approved for a State Agency Onsite Monitoring Waiver in the event of needing a change in operations.
<b>NSLP Sponsor Onsite Monitoring Requirements</b> (Accuclaim)	Nationwide Waiver of Onsite Monitoring Requirements in the School Meal Programs allowed SFAs to complete required monitoring offsite until 30 days after the Public Health Emergency ends.	SFAs with more than one school must also conduct one onsite review of a school annually prior to February 1.  DESE FNP has been approved for a Sponsoring Organization Onsite Monitoring Visits. Sponsors may conduct required site monitoring to be completed virtually or offsite.  <i>Please note that DESE FNP encourages onsite monitoring.</i>
<b>Miscellaneous &amp; Additional Programs</b>		
<b>Afterschool Snack Service (NSLP Snack)</b>	Nationwide Waiver of Area Eligibility in the Afterschool Programs and for Family Day Care Home Providers in SY 21-22 allowed schools, regardless of their location, to claim all afterschool snacks at the free rate.	Per the FY23 State Budget, universal free school meals shall be made available to all students free of charge.  Participating schools with Afterschool Snack programming must count and claim snacks by type (free, reduced price, or paid).  In the event of needing a non-congregate meal service to facilitate socially distant grab and go meals, DESE FNP has been approved for a meal service waiver*.
<b>FFVP Service at Alternate Sites</b>	Nationwide waiver authority was not applicable to FFVP. During SY 21-22, interested state agencies requested individual 12(l) FFVP alternate site waivers to allow alternative sites to serve FFVP foods from elementary schools operating during school building closures.	Standard FFVP operations limit FFVP to approved elementary schools. In SY 22-23, FFVP operators must limit the availability of FFVP foods to approved elementary schools.  In the event of needing a meal service flexibility, FNP has been approved for a meal service waiver*.
<b>Parent/Guardian Pick-Up for the Fresh Fruit and Vegetable Program (FFVP)</b>	Nationwide waiver authority was not applicable to FFVP. Therefore, to allow a parent/guardian to pick up FFVP foods to take home to children during SY 21-22, interested state agencies requested	FFVP elementary schools must serve FFVP foods directly to eligible children.  In the event of needing a meal service flexibility to facilitate socially distant

Topic	SY 21–22 Seamless Summer Option (SSO)	SY 22–23 National School Lunch Program (NSLP)
	individual 12(l) FFVP parent pickup waivers.	grab and go meal, DESE FNP has been approved for a meal service waiver*.
<b>Local School Wellness Policy Triennial Assessments for NSLP and SBP</b>	<p>Nationwide Waiver of Local School Wellness Policy Triennial Assessments in the NSLP and SBP provided a new first triennial assessment deadline of June 30, 2022.</p> <p>Local Educational Authorities (LEAs) that were required to complete a triennial assessment of their local school wellness policy by June 30, 2021, were able to accept the new deadline and complete their first assessment by June 30, 2022.</p>	<p>NSLP and SBP operators must complete a triennial assessment of their local school wellness policy in accordance with program requirements or the previously extended deadlines provided via nationwide waiver authorities.</p> <p><b><i>DESE FNP has been approved for a waiver for SY 22-23.</i></b></p> <p>Note: <a href="#">105 CMR 215.00</a>: Standards for School Wellness Advisory Committees also requires the review of wellness policies so use of the federal waiver is available on a limited basis.</p>
<b>Professional Standards</b>	Professional Standards training required under 7 CFR 210.30(b)(3), (c), and (d) are not applicable to SFAs that operate SSO during SY 2021-2022 pursuant to Child Nutrition Response #85: Nationwide Waiver to Allow the Seamless Summer Option through School Year 2021-2022	All Professional Standards requirements apply.

*\*FNS expects that flexibilities under the state approved waiver will only be implemented by program operators when congregate meal service is limited by the COVID-19 pandemic.*

## Attachment B – Operational Differences in CACFP for SY 21-22 and SY22-23

Topic	SY 21–22 Child and Adult Care Food Program	SY 22–23 Child and Adult Care Food Program
<b>Meal Access</b>		
<b>Area Eligibility for At-Risk Afterschool Care Centers</b>	Nationwide Waiver of Area Eligibility in the Afterschool Programs and for Family Day Care Home Providers in SY 21-22 allowed at-risk afterschool centers, regardless of location, to participate in CACFP.	At-risk afterschool centers may participate in CACFP if they are located in areas where at least 50% of the children are eligible for free and reduced-price meals, based on school data. Area eligibility can be established using the <a href="#">2020 “50% list”</a> or from the <a href="#">SY21-22 CEP list of schools</a> .
<b>Area Eligibility for Family Day Care Homes</b>	Nationwide Waiver of Area Eligibility in the Afterschool Programs and for Family Day Care Home Providers in SY 21-22 allowed all day care homes to receive tier I reimbursement for meals and snacks.	All day care home providers will be reimbursed at the Tier I rate, regardless of area or provider eligibility through June 30, 2023. Providers will receive Tier I rates with the additional 10 cents available from the KKFA.
<b>Meal Service</b>		
<b>Meal Pattern Flexibility</b>	Nationwide Waiver to Allow Specific Meal Pattern Flexibility in the CACFP for SY 21-22 allowed state agencies to waive whole grain-rich requirements, crediting grains by ounce equivalents, and unflavored low-fat milk requirements.	Institutions and facilities must follow all the updated CACFP meal pattern requirements.
<b>Meal Service Times</b>	Nationwide Waiver of Mealtimes Requirements for SY 21-22 allowed meals to be served to children outside of traditional times to maximize flexibility for meal pick-up. This waiver allowed state agencies to approve more than one meal to be served at a time; allowed CACFP institutions to distribute meals for multiple days at one time, generally up to one week; and required CACFP institutions to establish meal distribution or delivery times.	DESE FNP has been approved for a Meal Service Times Waiver.  In the event of needing a meal service time flexibility to facilitate socially distant grab and go meal, FNP has been approved for a meal service waiver*.
<b>Non-Congregate Meals</b>	Nationwide Waiver to Allow Non-Congregate Meal Service for SY 21-22 allowed meals to be served in a non-group setting so that children and adult participants could eat meals offsite.	DESE FNP has been approved for a Non-Congregate Meal Service Waiver.  In the event of needing a non-congregate meal service to facilitate socially distant grab and go meals, FNP has been approved for a meal service waiver*.

Topic	SY 21–22 Child and Adult Care Food Program	SY 22–23 Child and Adult Care Food Program
<b>Parent or Guardian Pick-Up</b>	Nationwide Waiver to Allow Parents and Guardians to Pick Up Meals for Children for SY 21-22 allowed CACFP institutions to distribute meals to parents or guardians to take home.	DESE FNP has been approved for a Parent/Guardian Meal Pick-Up Waiver.  In the event of needing a meal service flexibility to facilitate socially distant grab and go meal, DESE FNP has been approved for a meal service waiver*.
<b>Compliance Reviews</b>		
<b>CACFP Sponsoring Organizations Onsite Monitoring Requirements</b>	Nationwide Waiver of Onsite Monitoring Requirements for Sponsors in the Child and Adult Care Food Program provided flexibilities for certain monitoring and review requirements for sponsors participating in CACFP.	DESE FNP has been approved for a waiver of the Sponsoring Organization Onsite Monitoring Visits requirement. Sponsors may conduct required site monitoring to be completed virtually or offsite.  <i>Please note that DESE FNP encourages onsite monitoring.</i>
<b>CACFP State Agency Onsite Monitoring Requirements</b>	Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Child and Adult Care Food Program provided flexibilities for certain monitoring and review requirements for state agencies.	To date, DESE FNP plans to conduct reviews onsite for SY 22–23 but has been approved for a State Agency Onsite Monitoring Waiver in the event of needing a change in operations.

*\*FNS expects that flexibilities under the state approved waiver will only be implemented by program operators when congregate meal service is limited by the COVID-19 pandemic.*