Compliance Section

COMPLIANCE SECTION

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CONSULTANT TERRITORIES

Area coordinators are available to provide technical assistance to Child Nutrition Programs (CNP) personnel. Following is a list of the area coordinators, assigned counties, and telephone numbers where the coordinators may be reached.

TINA BRANSCUM **405-394-4425** Tina.Branscum@sde.ok.gov	Latimer—39 McIntosh—49 Okfuskee—54 Okmulgee—56 Pittsburg—61
JERI BUCHANAN **405-246-8342** Jeri.Buchanan@sde.ok.gov	Beckham—05 Comanche (1/2)—16 Cotton—17 Greer—28 Harmon—29 Jackson—33 Kiowa—38 Roger Mills—65 Tillman—71 Washita—75
ALBERTA BURGESS **405-213-8327** Alberta.Burgess@sde.ok.gov	Craig—18 Nowata—53 Ottawa—58 Tulsa (1/2)—72 Washington—74
TAMMY FLUTE **405-249-0964** Tammy.Flute@sde.ok.gov	Adair—01 Haskell—31 Muskogee—51 Sequoyah—68
BECKY GILBERT **405-301-7838** Becky.Gilbert@sde.ok.gov	Beaver—04 Cimarron—13 Custer—20 Dewey—22 Ellis—23 Garfield—24 Harper—30 Major—44 Texas—70 Woodward—77
VACANT **405-246-5648**	Lincoln—41 Oklahoma (1/4)—55 Pottawatomie—63
KAREN JOHN **405-301-7689** Karen.John@sde.ok.gov	Atoka—03 Bryan—07 Coal—15 Hughes—32 Murray—50 Pontotoc—62 Seminole—67
MONA KING **405-219-9015** Mona.King@sde.ok.gov	Cherokee—11 Delaware—21 Mayes—46 Wagoner—73
JILL LOWE **405-239-0598** Jill.Lowe@sde.ok.gov	Choctaw—12 LeFlore—40 McCurtain—48 Pushmataha—64
NANCY McCULLOUGH **405-834-2962** Nancy.McCullough@sde.ok.gov	Caddo—08 Comanche (1/2)—16 Grady—26 McClain—47
KATHY KUCK **405-249-7918** Kathy.Kuck@sde.ok.gov	Blaine—06 Kingfisher—37 Logan—42 Oklahoma (1/4)—55
CAROLE PETERS **405-248-8365** Carole.Peters@sde.ok.gov	Cleveland—14 Oklahoma (1/4)—55
LEIGHANN RAUSCH **405-301-5786** LeighAnn.Rausch@sde.ok.gov	Canadian—09 Oklahoma (1/4)—55
KRISTEN SCHOELING **405-249-0274** Kristen.Schoeling@sde.ok.gov	Alfalfa—02 Grant—27 Kay—36 Noble—52 Osage—57 Pawnee—59 Payne—60 Woods—76
RHONDA STEVENS **405-219-9637** Rhonda.Stevens@sde.ok.gov	Creek—19 Rogers—66 Tulsa (1/2)—72
SHARON WHEELER **405-306-0736** Sharon.Wheeler@sde.ok.gov	Carter—10 Garvin—25 Jefferson—34 Johnston—35 Love—43 Marshall—45 Stephens—69

State Agency Telephone Number: 405-521-3327

State Agency Fax Number: 405-521-2239

CARS website: https://cnp.sde.ok.gov/oknslp/

REIMBURSEMENT RATES
SCHOOL BREAKFAST PROGRAM (SBP), NATIONAL SCHOOL LUNCH PROGRAM (NSLP), SPECIAL MILK PROGRAM (SMP), AND AFTER-SCHOOL SNACK PROGRAM (ASSP)

The United States Department of Agriculture (USDA) has announced the Child Nutrition Programs' (CNP) reimbursement rates. Reimbursement rates are revised annually to account for changes in the Consumer Price Index (CPI). The following rates are effective ***July 1, 2020***.

Reimbursable Lunches Served to Students		SFAs that served 60 percent or more of their lunches free or at a reduced price in second preceding school year (2018-2019)
Free Lunches	$ 3.51	$ 3.53
Reduced-Price Lunches	3.11	3.13
Full-Price Lunches	.33	.35

Above Rates Do Not Include the Additional Incentive Payment ($.07)

Reimbursable Breakfasts Served to Students	
Free Breakfasts	$ 1.89
Reduced-Price Breakfasts	1.59
Full-Price Breakfasts	.32

Commodities Per Student Lunch	$ .2450 + .1250 = $.3700

Severe Need Breakfasts		School sites within a district that served 40 percent or more of their lunches free or at a reduced price in second preceding school year (2018-2019)
Free Breakfasts	$ 2.26	
Reduced-Price Breakfasts	1.96	
Full-Price Breakfasts	.32	

Special Milk Program		
Nonpricing Program	$ .2025	Per half-pint served
Option 1 Pricing Program	N/A	Per full-price half-pint served and average cost of free half-pint served
Option 2 Pricing Program	.2025	Per half-pint served

After-School Snack Program	
Free Snack	$ .96
Reduced-Price Snack	.48
Full-Price *Not Eligible* Snack	.08

REPORTING DATES CHECKLIST

The following reports are to be submitted electronically to the State Department of Education, hereinafter referred to as the *State Agency*, on or before the denoted date of each year.

Date Due	Report	Date Submitted
After August 3 or when available by The WAVE.	Direct Certification is accessible Online at ***https://thewave.sde.ok.gov***. SFAs must do direct certification at least 3 times annually	
Prior to Submitting First Claim for Year	Renewal Application, Agreement, Policy Statement, and changes to the Permanent Policy Statement	
Due With Renewal	Student Paid Lunch Prices by site	
Tenth of Each Month	Monthly Claim for Reimbursement	
Fifteenth of Each Month	Monthly Claim for Reimbursement—Fresh Fruit and Vegetable Program	
June 30	Community Eligibility Provision Application	
August 1 Each Year (If Applicable)	Provision 1, 2, or 3 Application (Only for sites participating) **(Call 405-521-3327 for a copy of the application)**	
Before Renewal of Application	Food Safety Inspection Report	
October 1	Verification Process to begin	
After October Claim Has Been Processed, No Later Than November 26	Low-Income Student Count Report (Must be completed prior to submission of November claim)	
November 15	Verification Process to be completed	
Before December Claim Can Be Submitted	Verification Report	
January	Registration for Summer Food Service Program training	
Before May Claim Can Be Submitted	Paid Lunch Equity Tool	
April 7, 2021	Print Direct Certification list from the WAVE	
July 1, 2020 - August 15, 2021	Application for Fresh Fruit and Vegetable Program	
April 30	Application for Summer Food Service Program	
May 15	Seamless Summer Option Application due	

The following reports must be completed and maintained in SFA files:

October 31	Civil Rights Compliance Checklist: **page C-22**	☐
February 1 of each year	On-Site Review (Only for schools with more than one eating site; a review must be completed for each lunch site and 50 percent of breakfast sites): **pages C-100 - C-107**	☐ ☐
Twice annually	On-Site Review for After-School Snacks (only for sites participating): **page C-16** (First review must be conducted in the first 4 weeks of operation)	☐
Annually	SFA must complete Food Service Management Company monitoring form, CARS & Contract Packet	

LIST OF CHILD NUTRITION AND RELATED ACRONYMS

ADA	Average Daily Attendance
ADM	Average Daily Membership
AF	Attendance Factor
AR	Administrative Review
ASSP	After-School Snack Program
CACFP	Child and Adult Care Food Program
CEP	Community Eligibility Provision
CFDA	Catalog of Federal Domestic Assistance
CN	Child Nutrition
CNA	Child Nutrition Act
CNP	Child Nutrition Programs
CPI	Consumer Price Index
DGA	Dietary Guidelines for Americans
DHS	Department of Human Services
DoD	Department of Defense
EC	Early Childhood
EPA	Environmental Protection Agency
ESSA	Every Student Succeeds Act
FDA	Food and Drug Administration
FDPIR	Food Distribution Program on Indian Reservations
FFVP	Fresh Fruit and Vegetable Program
FNS	Food and Nutrition Service (USDA)
FSIS	Food Safety and Inspection Service (USDA)
FSMC	Food Safety Management Company
FY	Fiscal Year
HACCP	Hazard Analysis of Critical Control Points (USDA)
ICN	Institute of Child Nutrition
IEG	Income-Eligibility Guidelines
IEP	Individual Educational Plan
IFB	Invitation for Bid
LEA	Local Education Agency
LWP	Local Wellness Policy
NCLB	No Child Left Behind
NSLA	National School Lunch Act
NSLP	National School Lunch Program
OCAS	Oklahoma Cost Accounting System
OMB	Office of Management and Budget
PLE	Paid Lunch Equity
RCCI	Residential Child Care Institution
RDA	Recommended Dietary Allowance
RFP	Request for Proposal
SA	State Agency (also known as the State Department of Education)
SBP	School Breakfast Program
SDE	State Department of Education (also known as the *State Agency*)
SFA	School Food Authority
SFSA	School Food Service Account
SFSP	Summer Food Service Program for Children
SMP	Special Milk Program
SNAP	Supplemental Nutrition Assistance Program (formerly Food Stamp)
SNB	Severe Need Breakfast
SOP	Standard Operating Procedures
TANF	Temporary Assistance to Needy Families
USDA	United States Department of Agriculture
WIC	Special Supplemental Nutrition Program for Women, Infants, and Children

INTERACTIVE FORMS IN *OTHER DOCUMENTS IN CARS*

C-42	PLE Nonfederal Source Funds
C-49	OCAS Expenditure Worksheet
C-51	Average Adult Meal Cost vs Actual Adult Meal Charge
C-97	Edit Check Worksheet
C-113	CEP Calculator
E-57	Free/Reduced Application
E-61	Notice of Approval/Denial of Benefits
E-64	Direct Certification Notice
CM-65	Recipe Form
CM-66	Recipe Analysis
CM-71	Food Production Record
CM-75	Salad Bar Production Record
CM-97	Inventory Record
	PLE Tool
	Smart Snack Calculator
	Permanent Policy Statement
	Meal Pattern Certification Form

AFTER-SCHOOL SNACK PROGRAM (ASSP)

Sections 107 and 108 of Public Law 105-336 (the Child Nutrition Reauthorization Act of 1998) authorizes reimbursement for snacks served to children through the age of 18 (and to individuals, regardless of age, who are determined by the State Department of Education [the ***State Agency***] to be mentally or physically disabled) who participate in programs organized to provide after-school care. The intent is to assist sites in operating organized programs of care which include education or enrichment activities known to help reduce or prevent children's involvement in juvenile crime or other high-risk behavior. (Reference 2000-CN-04)

A. Eligible Programs

To be eligible to qualify for reimbursement under the National School Lunch Program (NSLP), after-school care programs must meet the following criteria:

1. They must be run by a site that is participating in the NSLP.

2. The purpose of these programs must be to provide care in after-school settings. This does not mean that the programs must offer formal child care as recognized by a licensing authority. There is no federal requirement for after-school care sites operating under this provision to have either federal, state, or local licensing or approval as a condition of eligibility. However, to qualify under this provision, these programs must be organized to provide children with regularly scheduled activities in a setting that is structured and supervised. By ***regularly scheduled***, it is not meant that the program must occur daily. Moreover, while eligible programs would not need to establish formal enrollment procedures, they must have a means of determining that children are present on a given day, such as a roster or sign-in sheet.

3. Eligible programs must include education or enrichment activities in organized, structured, and supervised environments. It must be stressed that any extracurricular activities such as the school choir, debate team, or drama society ***CAN*** qualify to participate under this provision ***only if*** their basic purpose is to provide after-school care as defined above.

   It must be emphasized that ***under no circumstances*** can organized athletic programs engaged in interscholastic sports be approved as after-school care programs under this provision. In the Conference Report that accompanied Public Law 105-336, the Conference Committee declared its intent that support under this provision would not be provided to members of athletic teams. However, while athletic teams participating in interscholastic sports programs may not be approved, programs which include supervised athletic activity along with education or enrichment activities may participate. ***The key would be that they are open to all and do not limit membership for reasons other than space or security considerations or, where applicable, licensing requirements.***

B. Oversite

Any site that is operating the NSLP may be reimbursed for snacks served to eligible children in eligible after-school care programs. While the ASSP must be sponsored or operated by a school food authority (SFA), this does not mean that the SFA must carry out the day-to-day management of the program. For example, the Parent-Teacher Association (PTA) or Young Men Christian's Association (YMCA) could operate the program under an arrangement with the site. However, the SFA must retain final administrative and management responsibility for the snack service. Furthermore, the SFA for the school must be the party that enters into the agreement with the State Agency and must assume full responsibility for meeting all program requirements.

C. Reimbursement

Under this provision, sites may claim reimbursement for one snack, per child, per day. Children are eligible to participate through the age of 18, and if a student's nineteenth birthday occurs during the school year, reimbursement may be claimed for snacks served to that student during the remainder of the school year. Reimbursement may also be claimed for individuals, regardless of age, who are determined by the State Agency to be mentally or physically disabled.

After-school programs operated by a school at a site in which ***at least 50 percent of the enrolled children (based on the previous October site data)*** are certified eligible for free or reduced-price meals. The school then receives reimbursement at the free rate. An after-school care program is ***area eligible*** if it is located at a school or in the attendance area of a school where at least 50 percent of the enrolled children are eligible for free or reduced-price meals. For example, if a high school with less than 50 percent free or reduced-price school enrollment is located in the attendance area of a middle school that has 50 percent or more of the enrolled children eligible for free or reduced-price meals, then the after-school care program located in the high school would be area eligible. Sites which are not in areas served by a site in which at least 50 percent of the enrolled children are certified eligible for free or reduced-price meals must count meals and claim reimbursement by type (free, reduced-price, and full-price) and must have documentation of eligibility for all meals served for free or at a reduced price. Under no circumstances may a site charge children for snacks claimed at the free reimbursement rate. Charges for reduced-price snacks may not exceed 15 cents, as stipulated in 7 CFR §210.9(c)(4). The CARS system will automatically display the After-School Snack Program (ASSP) claim for reimbursement for any SFA approved.

D. Times of Operation

1. This change in the law applies ***ONLY*** to programs that provide care for children after their school day has ended. Under no circumstances may snacks be reimbursed in programs operated before or during the child's school day except when a school site is implementing an expanded learning time program.* (Reference USDA Policy Memo SP-04-2011) Sites ***MUST*** be in session during the day for an after-school snack to be served. If a school participates in the NSLP during the school year, the site ***does not*** necessarily need to be participating in the NSLP during summer school to be able to claim snacks served in an ASSP. Sites are not eligible to receive reimbursement under this provision for snacks on weekends or holidays, including vacation periods, with one exception: If school, which is an integral part of the curriculum or an extension of the local education program, is in session, snacks may be served at the end of the school day; i.e., Saturday school is in session to make up for days missed because of inclement weather. This means snacks can be claimed only if served on educational days (after the school day has ended) that are counted as part of the accreditation requirement, whether or not the breakfast and/or lunch meals are served.

2. However, a child's eligibility is based on when ***his or her*** scheduled school day ends and not on whether or not the site continues in session. For example, if a kindergarten program ends at noon but the children remain in school under a care program, snacks served to these children may be reimbursed under this provision. The same would be true for older children enrolled in sites that have split sessions. If children enrolled in the early session remain on campus to participate in an approved after-school care program, they may receive reimbursable snacks even though the site continues to operate a later academic session.

   * The ASSP was established to support afternoon programs with educational and enrichment activities for children in the late afternoon or evening when they might otherwise be unsupervised and engage in risky behaviors. USDA regulations define after-school care programs as those *providing organized care to enrolled school-age children after school hours for the purpose of care and supervision of children* (7 CFR 210.2). Recently, educational programs aimed at serving at-risk children have evolved to include schools operating expanded learning times longer than the traditional school day. *Expanded learning time* is a common term used in the educational area to describe schools or school districts that add significantly more school time for academic and enrichment opportunities to improve student achievement.

Therefore, a school operating longer than the traditional school day may be eligible for after-school snack reimbursement through NSLP, provided that it operates a school day that is at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency (LEA) in which the school is located.

3. A residential child care institution (RCCI) may participate in the ASSP in the same manner as a regular school district. The snack service would not be in place of the evening meal, but in addition to the evening meal. The snack can be served either before or after the supper meal.

E. Content of Snacks

Snacks served under this provision must meet the meal pattern for snacks set forth in 7 CFR §210.10(a)(ii) and §210.10(n). Both snack components in the quantities required must be served to each student. ***Snacks cannot be taken off-site for consumption.*** (Reference 7 CFR §210.7[d]) Portions for children aged 13 through 18 shall be not less than the portions stipulated for children aged 6 through 12. In fact, it is recommended that sites offer larger portions for older children (aged 13 through 18), based on their greater food energy requirements. ***This means that Offer versus Serve (OvS) is not an allowable option.***

F. Record Keeping

It is the intention of the law to keep any record-keeping burden to the minimum necessary to ensure that federal reimbursement is properly paid. At a minimum, SFAs participating under this provision must maintain the following records for the time periods required in 7 CFR§210.23(c):

1. Documentation that the site is located in an area served by a site in which at least 50 percent of the enrolled students are certified eligible for free or reduced-price meals (if all snacks are claimed free).

2. Documentation of free and reduced-price eligibility for all children for whom free and reduced-price snacks are claimed (for all other sites).

3. Documentation of an individual child's attendance/participation on a daily basis.

   a. For school sites that must claim categorical counts (sites that are less than 50 percent free and reduced-price):

      (1) The snack attendance/meal count record must show each child in attendance and whether a meal was served.

      (2) Each child in attendance who was served a meal must then be placed in the proper category.

   b. For school sites that are not required to claim categorical counts (sites that are more than 50 percent free and reduced-price): The record must indicate when a child in attendance received a meal.

4. Food production records indicating components and quantities of food prepared.

5. On-Site Reviews: Review each ASSP two times a year; the first review shall be made during the first four weeks that the school is in operation each school year, except that an ASSP operating year-round shall be reviewed during the first four weeks of its initial year of operation, once more during its first year of operation, and twice each school year thereafter. (Reference 7 CFR §210.9[c][7]) This includes RCCI's that operate on a year round basis.

MINIMUM MEAL REQUIREMENTS FOR SNACKS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM (NSLP)

When the meal pattern is properly used, the meals will include foods which supply needed nutrients and energy. The nutritional goal for meals and snacks is to furnish high-quality meals to all students in accordance with the Recommended Daily Dietary Allowance of the National Research Council/National Academy of Sciences.

SNACK (Choose two of the following components)	**CHILDREN** Ages 1 Through 2 Years	**CHILDREN** Ages 3 Through 5 Years	**CHILDREN** Ages 6 Through 18 Years
Milk[1]			
Milk, fluid	1/2 cup	1/2 cup	1 cup
Vegetables and Fruits[2]			
Vegetable(s), fruit(s), full-strength juice[9]	1/2 cup	1/2 cup	3/4 cup
Grains/Breads[3]			
Enriched or whole-grain bread	1/2 serving	1/2 serving	1 serving
Cereal (cold, dry)	1/4 cup or 1/3 oz[4]	1/3 cup or 1/2 oz[4]	3/4 cup or 1 oz[4]
Cooked pasta or noodle products	1/4 cup	1/4 cup	1/2 cup
Cooked cereal or cereal grains	1/4 cup	1/4 cup	1/2 cup
Nonsweet snack products[11]	1/2 serving	1/2 serving	1 serving
Meat and Meat Alternate[5]			
Lean meat, poultry, or fish[6]	1/2 oz	1/2 oz	1 oz
Cheese	1/2 oz	1/2 oz	1 oz
Eggs	1/2 egg	1/2 egg	1/2 egg
Cooked dry beans or peas[7]	1/8 cup	1/8 cup	1/4 cup
Peanut butter, soynut butter, or other nut or seed butters	1 Tbsp	1 Tbsp	2 Tbsp
Peanuts, soynuts, or tree nuts or seeds[8]	1/2 oz	1/2 oz	1 oz
Yogurt, plain or flavored, unsweetened or sweetened[10]	2 oz or 1/4 cup	2 oz or 1/4 cup	4 oz or 1/2 cup

1 If milk is one of the two snack components, one of the following must be offered: fat-free milk, unflavored or flavored; lowfat (1%) milk, unflavored; fat-free or lowfat lactose-reduced milk; fat-free or lowfat lactose-free milk; fat-free or lowfat buttermilk; and fat-free or lowfat acidified milk. Such products must be pasteurized fluid milk that meets state and local standards.

2 Or an equivalent quantity of any combination of vegetable(s), fruit(s), and juice.

3 Or an equivalent quantity of any combination of bread/bread alternate.

4 Either volume (cup) or weight (ounce), whichever is less.

5 Or an equivalent quantity of any combination of meat/meat alternate.

6 Cooked lean meat without bone.

7 May be used as the meat alternate or as part of the vegetable/fruit component, but not as both components in the same meal.

8 Tree nuts and seeds that may be used as meat alternates are listed in program guidance.

9 Juice may not be served when milk is served as the only other component.

10 Applies to commercially prepared yogurt, lowfat yogurt, and nonfat yogurt. It does not apply to nonstandardized yogurt products such as frozen yogurt, yogurt-flavored products, yogurt bars, or yogurt-covered fruit or nuts. Commercial flavorings may be added, such as fruit, fruit juice, nuts, seeds, or granola, but they shall not be credited toward meeting the second food component requirement in the supplement.

11 Includes such products as hard pretzels or chips made of whole-grain or enriched meal or flour. Sweet snacks should not be served more than two times per week.

BASIC DAILY ATTENDANCE/MEAL COUNT RECORD

Name of After-School Snack Site:_____Month:_____Year_____

Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

INSTRUCTIONS

1. Record the name of the After-School Snack Program (ASSP) site.
2. Record the month and year.
3. List each child's first and last name.
4. Daily, check each child who is in attendance.
5. As a reimbursable snack is served to each individual child, CIRCLE the check mark indicated for attendance. At the end of the month, obtain the point-of-service count by counting all checks that are circled.

AFTER-SCHOOL SNACK PROGRAM
MEAL COUNT WORKSHEET

Name of After-School Snack Site: _____

Month: _____ **Year:** _____

DATE	CATEGORICAL COUNT SITES ONLY				50% ELIGIBLE SITES ONLY
	FREE	REDUCED-PRICE	FULL-PRICE	TOTAL	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
TOTALS					

MENUS AS SERVED/FOOD PRODUCTION RECORD

SNACK	MENU	QTY SERVED: MEAT/MEAT ALTERNATE	QTY SERVED: GRAINS/ BREADS	QTY SERVED: VEGETABLE/ JUICE	QTY SERVED: FRUIT/JUICE	QTY SERVED: MILK
Date: _____ Total children served _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served: _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served: _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served: _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						

AFTER-SCHOOL SNACK
MENUS AS SERVED/FOOD PRODUCTION RECORD

INSTRUCTIONS

1. The snack menus are recorded on the menu-planning pages under the *Menu* column.

2. Each meal component being credited must be recorded in the proper component box.

3. Total quantities of food served from each meal component must be recorded. Remember to indicate package size, poundage, ounces, fresh, frozen, etc.

4. Remember to always record the following daily:

   a. Date, including year
   b. Total number of children served
   c. Number of children served in each age group
   d. Number of adults served
   e. Number of contract snacks served

5. The menu-planning pages must be kept on-site at all times.

6. Maintain the menu-planning pages on a fiscal year basis beginning July 1 and ending on June 30 of each fiscal year.

7. Keep the menu-planning pages on file with all other CNP records at the close of the fiscal year.

Example:

SNACK	MENU	QTY SERVED: MEAT/MEAT ALTERNATE	QTY SERVED: GRAINS/ BREADS	QTY SERVED: VEGETABLE/ JUICE	QTY SERVED: FRUIT/JUICE	QTY SERVED: MILK
Date: 8/25/XX Total children served: 41 Number of children served: _____ 3-5: ____ 6-18: 41 Adults: 0 Contract: 0	Cheese Saltine Crackers Water	Cheddar Cheese 5.5 lbs	Saltine Crackers .5 lb			
Date: _____ Total children served: ___ Number of children served: _____ 3-5: ____ 6-18: ____ Adults: ____ Contract: _____						
Date: _____ Total children served: ___ Number of children served: _____ 3-5: ____ 6-18: ____ Adults: ____ Contract: ____						

AFTER-SCHOOL SNACKS MENU EXAMPLE

SWEET SNACKS CAN ONLY BE SERVED TWO TIMES PER WEEK

Monday	Tuesday	Wednesday	Thursday	Friday
Sausage (1 oz) Biscuit (0.9 oz) Water	Fresh Vegetables (3/4 cup) Ranch Dressing, Fat-Free* Milk (8 oz) Chocolate FF	Chocolate Chip Granola Bar (2.2 oz) Milk (8 oz) White 1%	Peanut Butter* Crackers (0.7 oz) 100% Fruit Juice (3/4 cup)	Bran Muffin (1.8 oz) Milk (8 oz) Chocolate FF
Breakfast Cereal (1 oz) Milk (8 oz) White 1%	Tortilla Chips (0.9 oz) Salsa* Cheese (1 oz) Water	Grapes (21 large) Milk (8 oz) Chocolate FF	Oatmeal Raisin Cookie (2.2 oz) 100% Fruit Juice (3/4 cup)	Fish-Shaped Crackers (0.7 oz) Milk (8 oz) Chocolate FF
Graham Cracker (0.9 oz) Milk (8 oz) Chocolate FF	Corn Dog (4 Oz - 2 oz. Meat/ meat alternate & 2 oz. grain) CN#: 121212 Water	Apple, Sliced (Medium) Yogurt (4 oz) Water	Animal Crackers (0.9 oz) 100% Fruit Juice (3/4 cup)	Carrot Sticks (9 1/2" x 4") Ranch Dip, Fat-Free* Milk (8 oz) Chocolate FF
Bread Stick (0.9 oz) Pizza Sauce* String Cheese (1 oz) Water	Cereal Bar (2.2 oz) Milk (8 oz) White 1%	Applesauce (3/4 cup) Toaster Pastry, Unfrosted (1.8 oz) Water	Cheese (1 oz) Saltine Crackers (0.7 oz) Water	Brownie (4 oz) Milk (8 oz) White 1%
Orange 1 1/2 (Medium) Milk (8 oz) Chocolate FF	Soft Pretzel (0.9 oz) 100% Fruit Juice (3/4 cup)	Peaches, Canned (3/4 cup) Milk (8 oz) Chocolate FF	Peanut Butter* Jelly* Bread (0.9 oz) Milk (8 oz) White 1%	Pineapple Chunks (3/4 cup) Blueberry Muffin Square (1.8 oz) Water

***Extra Food**

.

AFTER-SCHOOL SNACK PROGRAM (ASSP)
ON-SITE REVIEW
Area-Eligibility Based on _____ Site

SITE: _____	YES	NO	NA*
A. ATTENDANCE			
1. Is an attendance list used in the meal count system?	☐	☐	☐
2. Is attendance list updated as needed (at least daily)?	☐	☐	☐
3. Is there an educational or enrichment component offered?	☐	☐	☐
B. MEAL COUNT RECORDING AND EDIT CHECKS			
1. Are snacks served after the students' school day has ended?	☐	☐	☐
2. Are all snacks consumed in their entirety on-site?	☐	☐	☐
3. Does the site use proper procedures for counting and recording snacks?	☐	☐	☐
4. For any day during the review month, does the number of snacks claimed exceed the daily allowance?	☐	☐	☐
5. Does the site have proper procedures to manage and safeguard cash (reconciliation, extra item sales, adult meals, etc.)?	☐	☐	☐
C. MENU MEAL PATTERN REQUIREMENTS			
1. Do all snacks served include the required components (two of the four)?	☐	☐	☐
2. Do all snacks served meet the quantity requirements for the age groups served?	☐	☐	☐
3. Do all students receive both the required components in the correct quantities before the snacks are claimed?	☐	☐	☐
4. Are adequate food production records being maintained?	☐	☐	☐
5. Is milk offered from the following?	☐	☐	☐
• Unflavored or flavored fat-free • Unflavored lowfat (1%) • Lactose-reduced lowfat (1%) or fat-free • Cultured buttermilk lowfat (1%) or fat-free • Acidified milk lowfat (1%) or fat-free • Lactose-free lowfat (1%) or fat-free			

FOR SITES NOT MEETING 50 PERCENT ELIGIBILITY ONLY	YES	NO	NA*
D. APPLICATION APPROVAL			
1. Are applications approved at the school? Responsible Party: _____	☐	☐	☐
2. Are applications on file correctly approved?	☐	☐	☐
3. Do names on the attendance list match approved applications on file?	☐	☐	☐
4. Are snacks made available free or at a reduced price to all students who are determined by the school food authority (SFA) to be eligible for such benefits?	☐	☐	☐
E. MEAL COUNT SYSTEM			
1. Does the meal count system produce an accurate count of reimbursable snacks (free, reduced-price, full-price) served to eligible children?	☐	☐	☐
a. If students are charged for snacks, do the collection procedures in use match the approved collection procedures in the Policy Statement?	☐	☐	☐
b. If the meal count is not taken at the time the snack is served, does the school have a system to account for reimbursable snacks?	☐	☐	☐
2. Does the meal count system prevent overt identification?	☐	☐	☐
a. Is the medium of exchange made available to all students at the same location?	☐	☐	☐
b. Does the medium of exchange used prohibit codes for identifying students as free, reduced-price, or full-price?	☐	☐	☐

Comments (List any problems that need corrective action):

Signature of Reviewer: _____ Date: _____

*Not applicable

CHARTER SCHOOL PROCEDURES FOR CHILD NUTRITION PROGRAMS (CNP)

A. A charter school is treated as its own LEA or school district for all federal programs, including Child Nutrition. ***NOTE: If the charter is operating as an RCCI, all requirements must continue to be met on pages C-128 through C-137.***

1. The charter school is assigned a county/district code. The charter school completes its own application/ agreement policy statement with the CNP Section of the State Agency.

2. The charter school is responsible for the distribution and collection of the free/reduced-price applications, the approval of these applications, Direct Certification activity, and any issuance of benefits for the charter school students. ***NOTE: If the charter is also operating as an RCCI, the* Statement of Facts *form will suffice as documentation of eligibility (see page C-131).***

3. The charter school can operate its own child nutrition program (self-operating) or it can contract for its meal services:

   a. Every meal claimed for reimbursement must meet minimum meal pattern requirements.
   b. A charter school may contract its meals with a school district participating in the National School Lunch Program (NSLP)/School Breakfast Program (SBP) that is ***NOT*** under any food service management company (FSMC) contract—in this case, a simple contract (***National School Lunch/ School Breakfast Programs Agreement to Furnish Food Service***) (see **page C-110-111**) can be used. The charter school is not obligated to bid this service competitively as long as the service is provided by a school district that is self-operating.
   c. A charter school is not allowed to contract its meals/food services with a school district that is ***NOT*** participating in the NSLP/SBP unless these services are bid competitively. Further, a charter school is not allowed to contract its meals/food services with a school district that ***IS*** participating in the NSLP/ SBP that ***IS*** under an FSMC contract. This would cause a ***SUBSTANTIVE*** change to the FSMC contract that would require the school district to have to rebid its FSMC contract.
   d. A charter school may contract it food service operations with an FSMC—in this case, the ***Food Service Management Company (FSMC) Request for Proposal (RFP)/Contract*** prototype must be used.
   e. A charter school may contract for food delivery only (not preparation) with an outside entity—in this case, the National School Lunch/School Breakfast Programs Agreements to Furnish Food Service may be used. This service must be procured under federal procurement regulations.

4. The charter school will collect all of its own meal counts and eligible counts each month to report on its own claim for reimbursement. The federal reimbursement from its claim will be deposited into whatever bank account the charter school has set up with the State Agency. However, all State Match funds will be deposited into the sponsor's account.

5. The charter school is responsible for establishing and implementing the following policies and plans:

   a. Wellness Policy
   b. Hazard Analysis Critical Control Point (HACCP) Plan
   c. Procurement Plan

6. The charter school is responsible for the submission of all CNP reports:

   a. Claim for reimbursement
   b. Food safety inspection report
   c. Low-income report
   d. Verification report

B. Additional Two-Cent Reimbursement

An LEA, in the second preceding year, that served 60 percent of its lunches to students who qualified for free or reduced-price meals will automatically receive an additional $.02 for each lunch claimed. This means that a new charter LEA must be in its third year of participation before the additional reimbursement is paid.

C. Severe Need Breakfast (SNB)

Each site under a charter LEA ***MAY*** receive additional reimbursement for breakfast. A site, in the second preceding year, that served 40 percent of its lunches to students who qualified for free or reduced-price meals will receive additional funding for each breakfast claimed. This means a new charter school site must be in its third year of participation before it would qualify for the additional breakfast funding.

D. USDA Foods

Once a charter school LEA has been approved to participate in CNP for a full school year, the meal counts from that LEA will be sent to the Department of Human Services (DHS) to determine the USDA Foods allocation for the ***FOLLOWING*** school year. This means that the charter LEA will participate in CNP for one year before USDA Foods are received. Once the charter school begins to receive USDA Foods, if it is contracting its meals with another school district, the charter school should allow the district to have the USDA Foods and the rate per ***LUNCH*** that the charter school is paying the district should be reduced by the USDA Foods rate.

E. Procurement

Because CNP funds are federal, charter schools must follow federal procurement regulations when purchasing anything acquired with CNP funds.

F. Child Nutrition staff from the State Agency will conduct a review of each SFA once every 5 years.

G. Record Maintenance

1. All records pertaining to CNP must be maintained for a period of three years after the fiscal year has ended.

2. Records involved in a state or federal review or audit must be maintained until the review/audit issues are resolved.

CIVIL RIGHTS

United States Department of Agriculture (USDA)/Food and Nutrition Service (FNS) Instruction 113-1 (dated 11/8/05) delineates the civil rights requirements for participants in Child Nutrition Programs (CNP). The following is required at the local school food authority (SFA) level.

A. Public Information Responsibilities

1. Ensure that all forms of communication and printed program information that are disseminated include the following ***nondiscrimination statement.***

> In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
>
> Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.
>
> To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:
>
> 1. mail: U.S. Department of Agriculture
> Office of the Assistant Secretary for Civil Rights
> 1400 Independence Avenue, SW
> Washington, D.C. 20250-9410;
>
> 2. fax: (202) 690-7442; or
>
> 3. email: program.intake@usda.gov.
>
> This institution is an equal opportunity provider.

NOTE: If material is too small to permit the full statement, **this institution is an equal opportunity provider** ***will be included at a minimum in print size*** **no smaller than the text.**

2. Inform parents or guardians of students in sites participating in the CNP, as well as local minority and grassroots organizations, of the availability of program benefits and services, the nondiscrimination policy, and all significant changes in existing requirements that pertain to program eligibility and benefits.

3. Display in a prominent place, where meals are served, the nondiscrimination poster developed by USDA. The poster is required to measure 11 inches x 17 inches.

4. Make available to the public, and to participants and potential participants upon request, information about program requirements and the procedures for filing a complaint in English and/or in the appropriate translation to non-English-speaking persons.

B. Data Collection

1. Develop a method for collection of data. Methods include a determination of the information by a school official through observation, personal knowledge, or voluntary self-identification by an applicant on the Application for Free and Reduced-Price School Meals or the Application for Free Milk forms.

2. Maintain information on file for three years.

3. Establish procedures to ensure that the information is made available only to authorized state and federal personnel during reviews or as a part of federal- or state-approved surveys.

   a. The nondiscrimination statement must be included on all of the forms that sites send to parents. The public release will satisfy the provisions of Item A2 (previous).
   b. A Civil Rights Compliance Checklist is included on **page C-22**. This checklist, which is to be completed by each school site by October 31 of each year and maintained by each SFA, furnishes an overview of the requirements.

C. Civil Rights Complaints

1. All written or verbal complaints alleging discrimination on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by USDA, shall be processed within 90 days upon receipt in the manner prescribed by this instruction.

2. The Office of Minority Affairs (OMA) has been delegated the authority to determine the manner in which all civil rights complaints, investigations, preliminary inquiries, and compliance reviews are to be handled. Regardless of the administrative or operational level of the CNP where a civil rights complaint is filed, it must be forwarded in accordance with Item D2 (below) to the Office of the Assistant Secretary for Civil Rights (CR) Division, for submission to the OMA. The OMA will prepare and issue letters of acknowledgement to the complainant(s).

3. A preliminary inquiry or an investigation will be conducted on all valid complaints to substantiate or refute the allegations.

D. Procedure for Filing Complaints of Discrimination

1. ***Right to File a Complaint***: Any person alleging discrimination based on race, color, national origin, age, disability, sex, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by USDA, has a right to file a complaint ***within 180 days*** of the alleged discriminatory action. Under special circumstances, this time limit may be extended by OMA.

2. ***Acceptance***: All complaints must be in writing and signed by the complainant. All complaints shall be accepted by the SFA, the State Agency, or Food and Nutrition Service Regional Office (FNSRO). The complaints will be forwarded at once to the to the CR Division. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed and to indicate the possibility of a violation. Please see a Civil Rights Complaint Form on **page C-24**. The person who has allegedly been discriminated against must complete and sign the form

   Complaints based on age (or a combination of age and other bases) must ALL be forwarded to FNS Civil Rights Division within 5 working days of receipt regardless of the complaint procedure. Civil Rights complaints must be maintained in a log separate from other program complaints. Confidentially is extremely important.

E. Required Staff Training

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1. Annual training on civil rights is required for all SFA employees. Online training can be accessed through CARS.

2. Documentation with names of participants must be maintained at the SFA to validate all staff training.
   - Sign-In Sheets
   - Training Certificates
   - Professional Development Tracking Tool

F. Civil Rights Compliance Checklist

Each site must have one completed annually by October 31st. The form is located on page **C-22**.

G. Complaint Filing Form

If someone has a Civil Rights compliant. The Civil Rights Complaint Filing form needs to be filled out and sent sent to USDA. The form is located on page **C-23-24**.

CIVIL RIGHTS COMPLIANCE CHECKLIST
SCHOOL YEAR _____

United States Department of Agriculture (USDA) regulations outline each site's responsibility with regard to civil rights compliance in the Child Nutrition Programs (CNP). The following checklist furnishes a quick overview of requirements.

	YES	NO	NA*
1. Does the letter to households include: a. The required nondiscrimination statement?			
b. Where a complaint may be filed?			
2. Is a USDA/Food and Nutrition Service (FNS)-approved poster displayed in a prominent place and visible to recipients?			
3. Is the correct nondiscrimination statement included on appropriate program materials?			
4. Has the school food authority (SFA) sent out a public release to community/ grassroots organizations?			
5. Are foreign language translations available when a significant number of persons speaking only a foreign language are in the population?			
6. Are procedures established to receive complaints alleging discrimination? a. Have there been any written or verbal complaints alleging discrimination?			
b. If ***YES***, have these complaints been reported to the State Department of Education (the ***State Agency***)?			
7. Do admission procedures used restrict enrollment by minority persons?			
8. Are incorrectly denied Applications for Free and Reduced-Price Meals disproportionately composed of minority applications?			
9. Are disabled students provided program benefits as prescribed by regulations (including special dietary needs), as appropriate?			

*Not Applicable

	ENROLLMENT	NUMBER APPROVED FOR FREE AND REDUCED-PRICE MEALS/ FREE MILK	NUMBER DENIED
ETHNICITY:			
• Hispanic or Latino			
• Not Hispanic or Latino			
TOTAL STUDENTS BY ETHNICITY			
RACE:			
• American Indian or Alaska Native			
• Asian			
• Black or African American			
• Native Hawaiian or Other Pacific Islander			
• White			
TOTAL STUDENTS BY RACE			

This form should be duplicated and completed by October 31 of each year by each site within the SFA and retained in your CNP files. The completed form will be reviewed during the AR.

PROGRAM DISCRIMINATION COMPLAINT FORM

First Name: _____ Middle Initial: _____ Last Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

E-Mail Address (If You Have One): _____

Telephone Number, Starting With Area Code: _____

Alternate Telephone Number, Starting With Area Code: _____

Best Time of Day to Reach You: _____

Best Way to Reach You (Check One): Mail _____ Phone _____ E-Mail _____ Other: _____

Do you have a representative (lawyer or other advocate) for this complaint? Yes _____ No _____

If ***Yes***, please provide the following information about your representative:

First Name: _____ Last Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Telephone Number: _____ E-Mail: _____

1. Who do you believe discriminated against you? Use additional pages, if necessary. Name(s) of person(s) involved in the alleged discrimination (if known):

   Please name the program you applied for (if known/if applicable): _____

   Please check (√) the United States Department of Agriculture (USDA) agency below that conducts the program or provides federal financial assistance for the program (if known):

   ☐ Farm Service Agency ☐ Food and Nutrition Service
   ☐ Rural Development ☐ Natural Resource Conservation Service
   ☐ Forest Service ☐ Other: _____

2. What happened to you? Use additional pages, if necessary, and please include any supporting documents that would help show what happened.

3. When did the discrimination occur?

   Date: _____
   Month Day Year

   If the discrimination occurred more than once, please provide the other dates:

4. Where did the discrimination occur?

   Address of location where incidence occurred:

   _____
   Number and Street, P O Box, or RD Number

   _____
   City State Zip Code

5. It is a violation of the law to discriminate against you based on the following: race, color, national origin, religion, sex, disability, age, marital status, sexual orientation, family/parental status, income derived from a public assistance program, and political beliefs. (Not all bases apply to all programs.) Reprisal is prohibited based on prior civil rights activity.

   I believe I was discriminated against based on my:

6. Remedies: How would you like to see this complaint resolved?

7. Have you filed a complaint about the incident(s) with another federal, state, or local agency or with a court?
   Yes _____ No _____
   If ***Yes***, with what agency or court did you file? _____

   When did you file? _____
   Month Day Year

Signature: _____ Date: _____

Mail Completed Form to:

USDA
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW, Stop 9410
Washington, D.C. 20250-9410

E-Mail Address:
program.intake@usda.gov

Telephone Numbers:
Local Area: 202-260-1026
Toll-Free: 866-632-9992
Local or Federal Relay: 800-877-8339
Spanish Relay: 800-845-6136
Fax: 202-690-7442

United States Department of Agriculture (USDA)
Program Discrimination Complaint Form
Instructions

PURPOSE: The purpose of this form is to assist you in filing a USDA program discrimination complaint. For help filling out the form, you may call any of the telephone numbers listed at the bottom of the complaint form. You are not required to use the complaint form. You may write a letter instead. If you write a letter, it must contain all of the information requested in the form and be signed by you or your authorized representative. Incomplete information will delay the processing of your complaint.

You may also send a complaint by fax or e-mail. We must have a signed copy of your complaint, so if you send your complaint by e-mail, be sure to attach the signed copy to your e-mail. Incomplete information or an unsigned form will delay the processing of your complaint.

FILING DEADLINE: A program discrimination complaint must be filed no later than 180 days of the date you knew or should have known of the alleged discrimination, unless the time for filing is extended by USDA. Complaints sent by mail are considered filed on the date the complaint was signed, unless the date on the complaint letter differs by seven days or more from the postmark date, in which case the postmark date will be used as the filing date. Complaints sent by fax or e-mail will be considered filed on the day the complaint is faxed or e-mailed. Complaints filed after the 180-day deadline must include a ***good cause*** explanation for the delay. For example, you may have ***good cause*** if:

1. You could not reasonably have been expected to know of the discriminatory act within the 180-day period.
2. You were seriously ill or incapacitated.
3. The same complaint was filed with another federal, state, or local agency and that agency failed to act on your complaint.

USDA POLICY: Federal law and policy prohibits discrimination against you based on the following: race, color, national origin, religion, sex, disability, age, marital status, sexual orientation, family/parental status, income derived from a public assistance program, and political beliefs. (Not all bases apply to all programs.)

USDA will determine if it has jurisdiction under the law to process the complaint on the bases identified and in the programs involved. Reprisal that is based on prior civil rights activity is prohibited.

PROPERTY ADDRESS: If this complaint involves a farm or other real estate property that is not your current address, write in the address for that farm or real estate property. Otherwise, this part of the form can be left blank.

PLEASE READ IMPORTANT LEGAL INFORMATION BELOW CONSENT
This USDA Program Discrimination Complaint Form is provided in accordance with the Privacy Act of 1974, 5 U.S.C. §552a, and concerns the information requested in the form to which this Notice is attached. The USDA's Office of the Assistant Secretary for Civil Rights requests this information pursuant to 7 CFR Part 15.

If the completed form is accepted as a complaint case, the information collected during the investigation will be used to process your program discrimination complaint.

Disclosure is voluntary. However, failure to supply the requested information or to sign the form may result in dismissal of your complaint. If your complaint is dismissed, you will be notified. The information you provide in this complaint may be disclosed to outside parties where USDA determines that disclosure is:

1. Relevant and necessary to the Department of Justice, the court or other tribunal, or the other party before such tribunal for purposes of litigation.
2. Necessary for enforcement proceedings against a program that USDA finds to have violated laws or regulations.
3. In response to a Congressional office if you have requested that the Congressional office inquire about your complaint.
4. To the United States Civil Rights Commission in response to its request for information.

REPRISAL (RETALIATION) PROHIBITED
No agency, officer, employee, or agent of the USDA, including persons representing the USDA or its programs, shall intimidate, threaten, harass, coerce, discriminate against, or otherwise retaliate against anyone who has filed a complaint of alleged discrimination or who participates in any manner in any investigation or other proceeding raising claims of discrimination.

PAPERWORK REDUCTION ACT AND PUBLIC BURDEN STATEMENTS
The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) requires us to inform you that this information is being collected to ensure that your complaint contains all of the information required to file a complaint. The Office of the Assistant Secretary for Civil Rights will use the information to process your complaint of program discrimination.

Response to this request is voluntary. The information you provide on this form will only be shared with persons who have an official need to know and will be protected from public disclosure pursuant to the provisions of the Privacy Act, 5 U.S.C. §552a(b).

The estimated time required to complete this form is 60 minutes. You may send comments regarding the accuracy of this estimate and any suggestions for reducing the time for completion of the form to USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410.

An agency may not conduct or sponsor, nor is a person required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The OMB Control Number for this form is 0508-0002.

FINANCIAL MANAGEMENT

A. Cash Management Improvement Act—Electronic Funds Transfer

The Office of the State Treasurer and the Legislature have established provisions to comply with the Cash Management Improvement Act (CMIA), Public Law 101-453. An electronic system for fund transfer of federal assistance program payments and State Match payments to each school food authority (SFA) was implemented, effective July 1, 1993. Therefore, no paper warrants can be issued for Child Nutrition Programs (CNP) reimbursement.

B. Oklahoma Cost Accounting System (OCAS)

1. CNP funds are to be deposited into a separate appropriated fund (Fund 22) or into the General Fund account (Fund 11). Fund 22 is a special revenue fund reserved exclusively for the receipt of CNP funds, including state revenue, federal revenue, and local collections. This fund is under the auspice of the SFA treasurer. CNP funds shall be used only for the benefit of the CNPs. ***NOTE: The Activity Fund (Fund 60) can be used to deposit CNP revenues. These revenues can then be transferred to Fund 22 or Fund 11 at the end of the school year.***

2. The beginning fund balance each year, combined with all actual revenues, including collected and estimated revenues, must be appropriated before being expended. Purchase orders shall be issued against available appropriations; and once goods and services have been received, either payable or nonpayable warrants shall be issued in payment of all purchase orders. Fund 22 shall be reported as a separate appropriated fund in all the financial reports of the SFA, including the Estimate of Needs and Financial Statement.

3. Federal, state, and local funds may be appropriated on temporary appropriations based on 100 percent collections from last year. The budget for September will give the SFA full authority to spend these funds. A supplemental appropriation for cash collections will need to be filed on Form 150. If state and federal reimbursements exceed the estimated amount, a supplemental appropriation may be filed under Form 307.

4. ***The amount that may be appropriated by such temporary appropriations shall in no event exceed the entire amount that the governing board making the application estimates will be available for the entire fiscal year for each purpose for which a temporary appropriation is requested.***

5. Nonpayable warrants may be written, and blanket purchase orders for supplies, etc., may be established.

6. SFAs may elect to have a single bank account for all their funds, tracking them through fund codes; or they may elect to have a separate bank account for CNP funds. The State Agency only requires the CNP Fund account to be appropriated and warrants issued through the SFA treasurer, whether using Fund 22 or Fund 11.

7. By resolution of the District School Board, an SFA may opt to establish a bank account in the local area for local collections ***ONLY***. The only checks issued will be to deposit those funds with the SFA treasurer. At the end of the fiscal year, the balance in that account will be closed. ***No other checks may be issued from this account except refunds for students who leave the district.*** This will ease the problem of districts utilizing the services of a county treasurer and daily district travel for deposits (62 O.S. 1991, §516.5 requires that all funds received are deposited daily). It will also allow sites to clear checks written to their district and process insufficient checks back through the system before the funds are deposited into the appropriated account. This will be done as a school activity subaccount, and the custodian will need to be bonded for this subaccount.

8. This will be presented to the Board, along with other school activity fund subaccounts, listing income as local collections and ***expenses as checks written to the treasurer*** for payment of obligations. Even if SFAs elect this option, state and federal reimbursements will still be electronically transferred to the local or county SFA treasurer.

9. OCAS regulations prohibit the use of appropriated funds to pay for services not yet rendered.

10. School laws of Oklahoma only allow for one encumbrance clerk and one treasurer. A district may elect to have an assistant treasurer who could have the full capability of the SFA treasurer. One person may not be the encumbrance clerk and the treasurer. Those offices must be held by two separate individuals.

11. Auditors require a segregation of duties by two separate individuals whenever money is collected and deposited. Therefore, the CNP needs to have a minimum of two people counting and depositing the monies for CNP.

12. The CNP Fund custodian can become the SFA's CNP Fund specialist, acting in the same capacity as the Title I coordinator or any special area administrator. They can complete requisitions, balance their budgets, make local collection deposits if the district elects to establish a local account for local collections only, and fulfill all duties as the coordinator of this project. The only difference will be that the purchase orders must be completed by the encumbrance clerk and the SFA treasurer must register the warrants and pay for them.

13. SFAs may appropriate funds from the General Fund to cover some expenses of the CNPs if special revenue funds are not sufficient to cover the cost of the program.

14. ***Even though Oklahoma statutes do not allow sites to loan funds (Article 10 of the Constitution)***, USDA does allow ***transfer of funds as long as a bona fide loan agreement exists at the time the funds are transferred***. A bona fide loan agreement ***MAY*** be made between a General Fund and the CNP Fund July 1 or prior to the funds being transferred if CNP operations cannot begin without this loan. USDA prohibits SFAs from retroactively designating a transfer of local funds as a loan to the school food service account. A loan agreement must be board-approved for the exact amount that is borrowed and must be repaid on or before June 30 of each year. Prior years' obligations must not be paid with current year funds. Do not borrow more money than can be paid back. If CNP costs exceed revenues, then those costs become a General Fund expense. Refer to **page C-47** for a copy of the Loan Agreement for Food Service Deficits.

15. All warrants on CNP funds must be issued in order of sequence, beginning with No. 1, during each fiscal year.

C. Revenues and Expenditures

1. Federal Child Nutrition (CN) funds must only be used for the operation and/or improvement of the school food service operations. Expenditures should never exceed revenues reported by each project reporting code.

2. CN expenditures:

   a. CN expenses must meet the requirements of 2 CFR §200.
   b. Expenses must be reasonable, necessary, and allowable.
   c. Costs must be treated as direct or indirect.
   d. Allowable costs
      - Salaries and wages/benefits
      - Travel
      - Training and staff development
      - Meetings and conferences
      - Printing and publications
      - Food service or business supplies
   e. Allowable costs with prior State Agency approval
      - Capital expenditures (equipment purchases, etc.)—Any item with an acquisition cost of $5,000 or more
      - State Agency must give approval for any capital expenditures ***NOTE: A list of equipment that has been preapproved can be found on the CARS Web site under*** **Other Documents.**

— There have been some questions concerning when a school district must gain approval from the State Agency for the purchase of equipment versus when approval is not necessary. The regulations state any piece of equipment with an acquisition cost of $5,000 or more must have prior approval before an SFA can use its nonprofit school food service account for its purchase.
— This means that when ***ONE*** piece of equipment (i.e., oven, mixer) costs $5,000 or more, prior approval is required. It does not mean that if the total amount of the invoice or purchase order (PO) is $5,000 or more that the SFA needs approval. Further, it does not mean SFAs must gain approval for kitchen equipment ***REPAIRS*** that cost $5,000 or more.
— ***EXAMPLE:*** An SFA wants to purchase ***TWO*** ovens, and each oven costs $4,999.99; so the total invoice is $9,999.98. In this case, ***NO*** approval from the State Agency is required (because each oven costs less than $5,000). However, if each oven costs $5,000 and the total invoice was $10,000, the SFA would be required to gain approval from the State Agency prior to the purchase being made.

f. Unallowable costs

- Alcoholic beverages
- Entertainment
- Costs of general government lobbying
- Contribution to contingency funds
- Uncollectable meal charges

g. SFAs must document expenditures in OCAS accurately.

h. All expenditures must be supported with source documents; i.e., canceled checks, paid bills.

3. CN Revenue

a. Revenue for all Child Nutrition will consist of meal count reimbursement, State Match, local collections, and funds generated by fundraisers or interest.

b. SFAs must document revenues in OCAS accurately.

4. By September 1 of each year, each school district must report total expenditures/revenues to the OCAS office. The figures reported for Child Nutrition activity will be used by the State Agency to verify compliance that CN funds were used and coded in accordance with CN regulations. For RCCIs and boarding schools, a Year-End Expenditure Report is in the RCCI section (**page C-136-137**).

EXPENDITURES VERSUS REVENUES FORMULA

A.	B.	C.	D.	E.
County/District Code	SFA Name	Total CNP Revenue (Program Code: 700; PR Code 763, 764, 765, 385, 331, 332, 334, 335, 800, 000-299)	Total CNP Expen-ditures (Program Code: 700; PR Code 000-299, 331, 332, 334, 335, 385, 591*, 763, 764, 765, 800)	Revenues Exceed Expenditures **YES/NO** (C is = to or greater than D **YES** = Compliance)

* Project Reporting Code 591 represents impact aid funds which are unrestricted, and schools may use them at their discretion.

5. Carryover Funds

   a. Carryover funds from one fiscal year to another—Because CNP funds are now coded by the various federal, state, or local project reporting codes, if there are any carryover funds at the end of the year (June 30), each must be coded to the specific project reporting code originally assigned. ***Example: If there are carryover funds in Project Reporting Code 763, then these funds must be coded specifically to Project Reporting Code 763 as cash forward. This coding would be Project Recording Code 763/ Source of Revenue Code 6110.***
   b. The total of all CNP funds (federal, state, and local) that are carried over from one fiscal year to the next is what is used to ensure the SFA has not exceeded its three-month operating balance.
   c. ***NOTE: The operating balance as of June 30 for any fiscal year must be carried over into the next fiscal year (Revenue Code 6110) and is counted toward the operating balance of the following fiscal year. The carryover funds must be coded to the specific Project Reporting Code (i.e., 763, 764, 765, 385).***

D. Nonprofit School Food Service Account

1. SFAs shall maintain a nonprofit school food service. (7 CFR §210.14[a])

2. Unlike other federal programs, CNP can have a carryover as of June 30 of each year. This carryover could be used for food for the new school year. Three-month operating balance: USDA regulation §210.14(b) requires an SFA to limit its net cash resources to an amount that does not exceed three months average expenditures for its nonprofit school food service. The State Agency uses OCAS records to determine if an SFA has exceeded its three-month operating balance requirement. Total Child Nutrition (Program Code 700/Project Reporting Codes 763, 764, 765, 385, 331, 332, 334, 335, 800, and 000-299) expenses are divided by 9 (months) and multiplied by 3 (months) to obtain an average 3-month operating balance. If the SFA's operating balance as of June 30 exceeds the 3-month operating balance, the SFA is out of compliance. The formula is on page **C-30**

3. If the district has any sites that are nonpricing or Provision, the district MUST pay back the nonprofit school food service account for the paid meals. The district will need to keep track of Paid meals ONLY and pay back accordingly. The formula for paying back is taking the FREE rate minus the PAID rate. A form to keep track of meals served to Paid students can be found in CARS.

FORMULA FOR CALCULATING AVERAGE THREE-MONTH OPERATING BALANCE

A.	B.	C.	D.	E.	F.	G.	H.
County/District Code	SFA Name	Total CNP Revenue (Program Code: 700; PR Code: 763, 764, 765, 385, 331, 332, 334, 335, 791,800, 000-299)	Total CNP Expenditures (Program Code: 700; PR Code: 000-299, 331, 332,334, 335, 385, 591* 763, 764, 765, 791, 800)	Total Expenditures Divided by 9 Multiplied by 3 = Average 3-Month Operating Balance	Child Nutrition Revenue Minus Child Nutrition Expenditures = Operating Balance as of June 30 (C - D = Operating Balance)	District Exceeds 3-Month Operating Balance—**YES/NO** (F is greater than E)	Amount Exceeded, If Any

* Project Reporting Code 591 represents impact aid funds which are unrestricted, and schools may use them at their discretion.

E. Nonprogram Food Expenditures/Revenues Report—Healthy, Hunger-Free Act of 2010, Section 206 (Reference USDA Policy Memo SP-39-2011)

1. The purpose of the revenue from the nonprogram foods provision is to ensure that revenues from the sale of nonprogram foods generate at least the same proportion of SFA revenues as they contribute to SFA food costs.

2. For the purposes of this provision, a nonprogram food is a food (including beverages) that is sold in a participating school other than a reimbursable meal and is purchased using funds from the school food service account of the school.

   These include, but are not limited to:

   - À la carte items sold in competition with school meals.
   - Adult meals.
   - Contract meals.
   - Items purchased for fundraisers, vending machines, school stores, etc.
   - Items purchased for catering and vended meals.

3. Revenue is all money that is provided to the nonprofit school food service account. This includes, but is not limited to:

   - Federal reimbursement.
   - State or local funds such as per meal subsidies and state revenue matching funds.
   - Children's payments for reimbursable meals and à la carte sales.
   - Payments for items purchased for fundraisers, vending machines, etc.
   - Income from contract, catering, adult meals, vended meals, etc.

4. The cost to obtain a nonprogram food includes only the cost of the food. If a nonprogram food is made from scratch, the SFA would determine the price of ingredients to calculate the food cost. The SFA should not include labor or other costs in this calculation.

   This same principle applies to calculating program food costs for the purpose of this provision.

5. The SFA ***MUST*** determine its total food cost and the proportion of that total that is nonprogram food. The SFA would then calculate the share of total revenue generated from nonprogram food sales over the same period. If the second figure is at least as great as the first figure, then the SFA is generating sufficient revenue from nonprogram food costs. The State Agency tracks the nonprogram food costs and revenues through OCAS using the following formula.

NONPROGRAM FOOD REPORT FORMULA

A.	B.	C.	D.	E.	F.	G.	H.	I.
County/ District Code	SFA Name	All Food Expenditures (Program Code: 700; PR Code 000-299, 385, 591, 763, 764, 765, and 800; Function Code: 3110, 3150, and 3155; Object Code 570 and 630)	Nonprogram Food Expenditures (Program Code: 700; PR Code: 001-299, 591*,and 800; Function Code: 3110 and 3155; Object Code: 570 and 630)	% Of Nonprogram Food to All Food Expenditures	All Food Revenue (Program Code: 700; PR Code: 000-299, 385, 763, 764, 765, and 800; Revenue Source Code: 1710, 1720, 1730, 1760, 1790, 3720, 4710, 4720, 4730, 6110, 6130, and 6140)	Nonprogram Food Revenue (Program Code: 700; PR Code: 000-299 and 800; Revenue Source Code: 1720, 1730, and 1760)	% Of Nonprogram Food Revenue to All Revenues	Meets USDA Require-ments—E is Equal to or Less Than H **YES/NO** **YES** = Compliance

* Project Reporting Code 591 represents impact aid funds which are unrestricted, and schools may use them at their discretion.

6. An SFA can price some nonprogram foods lower than their actual cost as long as the total revenue generated from all nonprogram food sales meets the proportional requirement described above.

7. The SFA uses the revenue and costs for a school year to calculate revenue targets. For the current school year, the revenue and costs for the previous school year are used.

8. The Nonprogram Food Report for each SFA is received by the CNP state office through OCAS each year. If the proportion of revenue is equal to or greater than the proportion of the food costs, no additional action is needed. If not, the SFA must review the prices charged for nonprogram foods and make necessary adjustments.

9. If a district is not charging enough for the adult meals or à la carte and the district does not want to raise prices, then the district ***MUST*** charge some of its ***FOOD*** purchases to the General Fund (Project Reporting Code 000, Function Codes 3110 and 3155).

10. If a district is paying for all Child Nutrition ***UTILITIES*** from the General Fund in an effort to show it is paying for ***ADULT*** meals, this will ***NOT*** work with OCAS coding. The district needs to pay for the ***adult/à la carte food*** from the General Fund (Project Reporting Code 000/Function Code 3155/Object Code 630). The Child Nutrition Fund could then be coded to pay the ***UTILITIES*** up to that amount. This way, the General Fund is not paying ***any more*** than it was to begin with, but the Nonprogram Food Report would be in compliance. (Reference **page C-51** for the Chart on Adult Meal Costs)

11. Child Nutrition OCAS Code Expenditure Worksheet—To assist districts in knowing how to break down invoices of food/beverage purchases, this worksheet can be used. See **page C-49** for a copy of this worksheet.

F. Direct Costs/Indirect Costs

1. **Direct Costs—**Incurred ***SPECIFICALLY*** for a program or other cost objective; clearly identifiable.

   Examples:
   - Wages and salaries of food service workers
   - Cost of food purchased
   - Food service supplies
   - Food service equipment purchases
   - Prorated Direct Costs that would usually be charged as Indirect Costs; i.e., prorated utility costs

2. **Indirect Costs—**Incurred for the benefit of multiple programs, functions, or other cost objectives not readily identifiable. Any cost that cannot be pinpointed to an exact dollar amount, a percentage will be used to determine how much can be charged to CNP and other federal programs.

   Examples:
   - Payroll services
   - Human resources
   - Worker's compensation
   - Electricity
   - Gas
   - Trash

3. Cost assignments to Direct Costs or Indirect Costs are unique to each SFA.

4. SFAs who are charging Indirect Costs to Child Nutrition must:

   a. Have an approved Indirect Cost statement with the State Agency showing the approved Indirect Cost rate. ***(It can be found on SDE Website)***

   b. Allowable Indirect Costs (as well as Direct Costs) must be identified in a consistent manner.

   c. An SFA must identify Indirect Costs by using the same methodology to allocate certain shared costs across the entire spectrum of its federal programs.

   d. The SFA must not charge Indirect Costs previously paid by the General Fund.
   It is unallowable to bill the nonprofit food service account for indirect costs that were previously paid from the general fund unless an agreement exists to show that the district had been "loaning" the Nonprofit food service account funds to cover the indirect costs in one or more prior years.

   e. Any Direct Costs prorated for Child Nutrition (i.e., utilities) that would normally be considered an Indirect Cost must be subtracted from the Indirect Cost rate charged to Child Nutrition if the district is applying Indirect Cost to Child Nutrition.

G. OCAS Codes

1. CN financial transactions shall be coded in fund dimension as a Special Revenue Fund Code **22** or General Fund Code **11**. All CN expenditures and revenues must be coded to Program Code 700. Each CNP has its own Project Reporting Code in the 700 series. The 700 series under the Project Reporting Codes represents ***federal funds*** (which is what CNPs are). Because the Teachers' Retirement System requires a ***MATCH*** to be paid on any salaries paid from federal funds, ***a district using federal funds (Project Reporting Codes 763, 764, 765, 766, 768, and 769) to pay its employees must also pay a match to the Teachers' Retirement System as per Oklahoma Statute (O.S.) 715:10-13-7.*** This rule only applies to those employees who qualify for Teachers' Retirement. The required match is a legitimate expense under CNP. Refer to **pages C-34-36** for OCAS codes.

2. OCAS Codes and Food Service Management Companies (FSMC
If a district contracts with an FSMC, the FSMC must break down each invoice to provide the district with itemized lists of services. The SFA will then code the FSMC invoice according to the OCAS Codes below.

EXPENDITURE	PROJECT REPORTING CODE	FUNCTION	OBJECT
Student Meals—Lunch	763, 385, or 000	3140	570
Student Meals—Breakfast	764, 385, or 000	3140	570
Adult Meals—Both Breakfast and Lunch/ Contract,	000	3155	570
À la Carte	000	3110	570
Catering	000	3110	570
Special Events	000	3110	570
Concessions	000	3110	570
Vending Machines	000	3110	570

CHILD NUTRITION
OKLAHOMA COST ACCOUNTING CODES (OCAS)
Fund 22, Fund 11, or Fund 60—Program Code 700

REVENUE

FEDERAL

Project Reporting Code:

763 Lunches (includes ASSP and SSO)
764 Breakfasts (includes SSO)
765 Special Milk
766 Summer Food Service Program
767 Professional Standards
768 Fresh Fruit/Vegetable
769 Child and Adult Care Food Program
770 Farm to School
791 Equipment Grant

Revenue Code:

4710 Lunches, Snacks
4720 Breakfasts
4730 Special Milk
4740 Summer Food Service Program
4750 Child and Adult Care Food Program
4760 Fresh Fruit/Vegetable
4780 Equipment Grant
6110 Carryover From Previous Fiscal Year

Program Code:

700 Child Nutrition Program

NOTE: There is no federal revenue for à la carte sales.

STATE

Project Reporting Code:

332 Flex Benefits (Support Staff Without Health)
335 Flex Benefits (Support Staff With Health)
385 State Match Revenue

Revenue Code:

3250 Education Flexible Benefit Allowance
3710 State Reimbursement ***NOTE: Not available at this time.***
3720 State Matching
6110 Carryover From Previous Fiscal Year

Program Code:

700 Child Nutrition Program

LOCAL

Project Reporting Code:

000-299

Revenue Code:

1310 Interest Earnings
1710 Student Lunches, Breakfasts, Snacks, Special Milk ***(Reimbursable Meals)***
1720 À la Carte or Catering Revenue
1730 Adult Lunches, Breakfasts, Snacks
1740 Summer Food Service Adult Revenue
1760 Contract Lunches, Breakfasts, Milk, and Snacks
1790 Other District Revenue (CN)—Gifts and Donations
1794 Commodity Rebates
1795 Promotional Rebates
5120 Cash or Change
5150 Reimbursement From Another Fund
5300 Insufficient Funds
5600 Correcting Entry
6110 Carryover From Previous Fiscal Year

Program Code:

700 Child Nutrition Program

EXPENDITURE

FEDERAL

Project Reporting Code:

763 Lunches (includes ASSP and SSO)
764 Breakfasts (includes SSO)
765 Special Milk
766 Summer Food Service Program
767 Professional Standards
768 Fresh Fruit/Vegetable
769 Child and Adult Care Food Program
770 Farm to School
791 Equipment Grant

Function Code:

1550 Worker's Compensation
2318 Audit Services
3120 Direct Labor/Benefits
3130 Food and Supplies/Delivery Services
3140 Other Direct and/or Related CNP Srvc;Equipment Grant; FSMC
3150 Food and Milk Purchases for Students (Reimbursable Meals)
3160 Nonreimbursable Services
3180 Nutrition Education and Staff Development
3190 Other CNP Operations
5200 Fund Transfers
5400 Indirect Costs for CNP
5600 Other Refunds (Lost Lunch Tickets)

Program Code:

700 Child Nutrition Program

STATE

Project Reporting Code:

332 Flex Benefits (Support Staff Without Health)
335 Flex Benefits (Support Staff With Health)
385 State Match Expenditures

Function Code:

1550 Worker's Compensation
2318 Audit Services
3120 Direct Labor/Benefits
3130 Food and Supplies/Delivery Services
3140 Other Direct and/or Related CNP Srvc; Equipment Grant; FSMC
3150 Food and Milk Purchases for Students (Reimbursable Meals)
3160 Nonreimbursable Services
3180 Nutrition Education and Staff Development
3190 Other CNP Operations
8100 Restricted Repayment Funds

Program Code:

700 Child Nutrition Program

LOCAL

Project Reporting Code:

000-299

Function Code:

2318 Audit Services
3110 Food and Milk Purchases for À la Carte/Catering
3120 Direct Labor/Benefits
3130 Food and Supplies/Delivery Services
3140 Other Direct and/or Related CNP Srvc; Equipment Grant; FSMC
3150 Food and Milk Purchases for Students (Reimbursable Meals)
3155 Food and Milk Purchases for Adult/Contract Meals Only
3160 Nonreimbursable Services
3180 Nutrition Education and Staff Development
3190 Other CNP Operations
5600 Other Refunds (Lost Lunch Tickets)

Program Code:

700 Child Nutrition Program

NSLP/SBP/SMP ADDITIONAL OCAS CODES

EXPENDITURE	FUNCTION	OBJECT
Building Renovations	3190	450
Custodial Supplies (Warehouse)	3140	618
Department of Human Services (DHS) USDA Foods Assessment Fee	3140	599
Health Department Fee for License	3140	810
Nonexpendable Equipment ($5,000 or more) - Purchase	3140	730
Equipment Grant	3140	731
Equipment - Repair	3140	430
Expendable Equipment (less than $5,000) - Purchase	3140	650
Extermination	3140	424
Food Service Management Company (FSMC)	3140	570
Forms - Publication Orders	3190	810
Insufficient Check Charge	3160	619
Inservice (Misc. Items Purchased for Workshops for Cooks/ Managers)	3180	990
Inservice Speaker (Paying a Fee)	3180	619
Investment Accounts	5700	360
Miscellaneous Office Supplies	3190	619
Refund on Unused Lunch Tickets from Previous Year	3190	890
Miscellaneous Materials/Supplies	3140	617
Paper Products	3140	810
Credit Card Machine	3140	930
Refund on Unused Tickets in the Same Fiscal Year	5600	930
Refund to State Agency	8100	530
Postage	3140	860
Registration for Meetings/Workshops	3180	580
Reimbursement for Travel - In-District	3140	580
Reimbursement for Travel - Out-of-District	3140	651
Supplies (Nonedibles) (Vendor or Warehouse)	3140	657
Uniforms	3140	970
Indirect Cost	5400	

SFSP/EQUIPMENT/FFVP/CACFP/BANQUETS/CATERING/ ADULT KITCHENS
OCAS CODES

EXPENDITURES	REVENUE
Fund: 22 or 11	**Fund:** 22 or 11
Project Reporting: Summer Food Serving Program—766 Fresh Fruit and Vegetable—768 Equipment Grant—791 Child and Adult Care Food Program—769 Banquets/Catering/Adult Kitchens—000-299 (SFA assigns this number)	**Project Reporting:** Summer Food Serving Program—766 Fresh Fruit and Vegetable—768 Equipment Grant—791 Child and Adult Care Food Program—769 Banquets/Catering/Adult Kitchens—000-299 (SFA assigns this number)
Functions: Suggested Codes: SFSP/CACFP—3190 FFVP—3120-3190 Equipment Grant—3140 Food Service Management Company - 3140 Banquets/Catering/Adult Kitchens—3160 Refund of Equipment Grant to State Agency—8100 (Object Code—900)	**Source of Revenue:** SFSP Federal Reimbursement—4740 FFVP Federal Reimbursement—4760 Equipment Grant—4780 CACFP Federal Reimbursement—4750 Banquets/Catering/Adult Kitchens—1790
Object: Anything that meets the need **Program**: 700	**Program**: 700
Subject: 0000 (does not apply to CNP)	**Operational Unit**: 0000 (does not apply to CNP)

G. Audits

1. Type ***A*** Audits ($750,000 or more in federal award funds expended)

   Oklahoma statutes allow SFAs a timeline of 11 months after the close of the school year for the completion and submission of an annual audit (70 O.S. 2001 §22-108). However, 2 CFR 200, commonly referred to as *Super Circular*, states:

   "The audit shall be completed and submitted within the earlier of 30 days after receipt of the auditor's report(s) or ***nine months after the end of the audit period*** unless a longer period is agreed to in advance by the cognizant or oversight agency for audit."

   Therefore, any Type ***A*** audits ($750,000 or more in federal award funds expended, including the value of USDA Foods, reference USDA Policy Memo No.: FD-104 Feb. 18, 2010) are due in the Auditing Section's office no later than March 31 of each year. ***Federal funds will be withheld on any Type* A *audits not received by March 31 of each year*** and will only be released upon notification of receipt of the audit(s) by the agency's Auditing Section.

2. Type ***B*** Audits (less than $750,000 in federal award funds)

   For SFAs receiving less than $750,000 in total federal funds, an audit conducted in accordance with Sections 452 through 461 of the School Laws of Oklahoma shall be submitted to the State Agency Auditing Section no later than May 31. Failure to submit such required audit shall result in the withholding of CNP reimbursement until the audit is received.

H. Claim for Reimbursement

CNPs are performance-based reimbursement programs (entitlement programs). The SFA reports all meals (breakfasts, lunches, and/or snacks) served by site on a monthly reimbursement claim. The claim for reimbursement reports the number of meals served by category (free, reduced-price, or full-price) multiplied by the applicable reimbursement rates. SFAs participating in the Special Milk Program (SMP) will provide the number of half-pints of milk served to split-session preprimary or kindergarten students multiplied by the applicable reimbursement rates. If an SFA participates in the Seamless Summer Program, a separate claim must be submitted.

In order to submit a claim, the SFA must have a completed and approved renewal application, agreement, and policy statement. Each claim must include meals by category including adult meals and contract meals. served by site each month meals were served.,

SFAs must maintain free and reduced-price eligibles of currently enrolled students, as well as categorical meal counts by school site. District totals show on "View Claim Summary" report.

Claims are to be submitted by the tenth of the month following the month covered by the claim. Although the State Agency may accept claims for reimbursement or claim revisions as late as 60 days following the end of the month that the claim covers, claims submitted later than 60 days cannot be paid unless an exemption is requested and approved by the State Agency. (Each district can have one exemption every 36 months). A copy of the claim for reimbursement is on **page C-48**.

I. Low-Income Student Count Report (RCCIs Not Required to Complete)

1. In a continuing effort to reduce paperwork, the low-income report has been developed for reporting free and reduced-price meal eligibility information that has previously been reported on several different forms. The data reported will be used to fulfill the following regulatory requirements:

   a. Title I Allocations—Districts must report by size the number of enrolled students aged 5 through 17 eligible for free or reduced-price meals.
   b. Public Law 101-647 and Public Law 101-325—Replaces Low-Income Student Count Survey formerly sent to districts each January (Federal Perkins and National Direct Student Loan Cancellation Benefits).
   c. Public Law 104-193—Provides that SFAs must disclose the names of the elementary sites where 50 percent or more of enrolled students are eligible for free or reduced-price meals.
   d. Public Law 105-336—Provides that SFAs may claim snacks free for those sites operating an after-school educational or enrichment program in which 50 percent or more of enrolled students are eligible for free or reduced-price meals.
   e. E-rate Information—Provides for Internet discounts from the U.S. Department of Libraries.

2. SDE must process the October claim for reimbursement before it will allow the SFA to submit the Low-Income Report. A copy of the form ***MUST*** be printed, dated, signed, and submitted either by fax or email to the State Agency by ***November 30, 2020***.

   a. The report represents the highest number of free and the highest number of reduced-price eligibles of currently enrolled students for the entire month of October (the last number of Column 6 [for free] and the last number of Column 10 [for reduced-price] from each site's Edit Check Worksheet added together). So—even if the district has its October enrollment figures from Accreditation, it ***may not*** have its ***HIGHEST*** free and reduced-price eligible figures until the end of October. Every accredited site ***MUST*** be included. If an SFA has an unaccredited site (i.e., Head Start, alternative site, four-year-old site), those currently enrolled students should be counted at the accredited site where they would attend in the future or the accredited site they should currently be attending. Adult education students, out-of-home placement students, off-site virtual students, or students three years of age (preprimary) and under (unless they are enrolled) are ***NOT*** included in the number of free and/or reduced-price eligibles reported on the monthly claim for reimbursement or the Low-Income Student Count Report.

   b. The ***TOTAL*** free and ***TOTAL*** reduced-price eligible counts (of current enrolled students) ***for your entire SFA*** must match the total counts for the free and reduced-price eligibles as reported on the ***OCTOBER*** CNP claim for reimbursement for your district. All numbers submitted on this report are subject to audit. Revisions to these numbers will only be accepted until ***November 25, 2020***. Also be aware that if the Low-Income Student Count Report is revised, the October claim for reimbursement ***MUST*** also be revised and vice versa. Once the SFA has done a ***Final Submit*** on its Low-Income Student Count Report, any revisions must be completed by the State Agency. An example of the Low-Income Student Count Report is on **page C-139**.

3. Special Instructions for Provision 2, 3, and Community Eligibility Provision (CEP) Sites

   Sites that are Provision 2 or 3 or CEP are handled differently than other sites for the Low-Income Student Count Report. Sometime after October 1, the State Agency will receive enrollment numbers from Accreditation for each site participating in Provision 2, Provision 3, or CEP. Once the enrollment is entered by the State Agency, the district will be notified. After this is complete, the district can fill out the Low-Income Report. The new free/reduced-price and paid eligibility figures for the current school year appear for that site. Once the site receives the new free/reduced-price and paid eligibility figures, the site will then take these numbers and determine the number of 4-and-under students and the number of 18-and-over students by using current year percentages and applying them to current year

Note: Provision schools cannot complete the low-income report until enrollment numbers are received from Accreditation and updated in CARS by the State Agency.

EXAMPLE FOR PROVISION 2 AND PROVISION 3 SITES
LOW-INCOME REPORT BY AGE

Elementary Site:	Current Enrollment—80 Free Eligibles—60 Reduced-Price Eligibles—10	High School Site:	Current Enrollment—110 Free Eligibles—64 Reduced-Price Eligibles—12

This data can be found on the claiming system. Click on Provision 2 or Provision 3 link, then click on View Details next to the name of the site. You then need to locate the Current Year Information Provision 2 Schools. You will see Current Site Enrollment and Current Year Eligibles. Use eligibles for the month of October. Provision 3 schools will use Current Site Enrollment as well as the Free Eligibles and Reduced Eligibles ***Note: This information will be updated by the State Agency after October 1st. Once Child Nutrition gets the enrollment information from Accreditation***.

Note: The enrollment in #5 will be entered by the State Department.

1. The district will need to know its current 4-year-olds and-under count at the elementary site.

   Figure the current percentage of free eligible students from the current elementary enrollment (60 divided by 80 = 75%)

   Figure the current percentage of reduced-price eligible students from the current elementary enrollment (10 divided by 80 = 13%)

   Apply the 75% to the number of 4-year-olds and-under the site currently has to get the free eligible count for the 4-and-unders.

   Apply the 13% to the number of 4-year-olds and-under the site currently has to get the reduced-price eligible count for the 4-year-olds and-unders.

2. Use this same formula for the mid-high/high school site(s) to figure the 18-year-olds and-over free and reduced-price eligibility numbers.

3. Once the free and reduced-price eligible numbers are obtained for the 4-year-olds and-under students at the elementary and the 18-year olds and-over at the mid-high/high school, the remaining students who are free or reduced-price would be reported in the 5- to 17-year-old category. (Total Free Eligibles minus 4-year-olds and-under free OR 18-year-olds and-over free equals 5-to-17-year-old free)

4. To get the 5- to 17-year-old ***ENROLLMENT*** in Column 3, the district should take the current site enrollment for the elementary and subtract out all of the students who are currently 4-year-olds and-under at the elementary site. If a student turned 5 in the month of October, count that student in the 5- to 17-year-old group. Likewise, the district should take the current site enrollment for the mid-high/high school and subtract out all of the students who are 18-year-olds and-over at the mid-high/high school site. If a student turned 18 in the month of October, count that student in the 5- to 17-year-old group.

COMMUNITY ELIGIBILITY (CEP) LOW-INCOME REPORT BY AGE

The current data can be found in ***CEP Current Year Information*** in CARS. This link provides data from the previous April for all sites that are on CEP. To find the **October 1 Site Enrollment** for any particular site, click on ***View Details*** for that site. You will use the October 1 enrollment when completing Column 3 of the Low-Income Report. You will also see the **Free Percentage** and the **Number of Free Eligibles** for that site. You will need the Free Eligibles for each of your CEP sites to complete the Low-Income Report. For sites that have students who are 4-and-under or 18-and-over, you will also need the Free Percentage. See below for instructions on how to come up with the numbers you will enter for those sites:

1. The district will need to know its current 4-and-under count at the elementary site (or sites). Then, apply the site's Free Percentage to the number of 4-and-under the site currently has to get the free eligible count for the 4-and-unders.

2. The mid-high/high school site (or sites) will need a similar count of the 18-and-overs. Again, the site's Free Percentage will be applied to the 18-and-over count to figure the number of 18-and-over free eligibles.

3. Once the free eligible numbers are obtained for the 4-and-under students at the elementary(ies) and the 18-year-olds and over at the mid-high/high school, the remaining students who are free would be reported in the 5- to 17-year-old category. (Total Free Eligibles minus 4-and-under free ***OR*** 18-and-over free equals 5-to-17-year-old free)

4. To get the 5- to 17-year-old ***ENROLLMENT*** in Column 3, the district should take the current (October 1) site enrollment for the elementary and subtract out all of the students who are currently 4-and-under at the elementary site. If a student turned 5 in the month of October, count that student in the 5- to 17-year-old group. Likewise, the district should take the current (October 1) site enrollment for the mid-high/high school and subtract out all of the students who are 18-and-over at the mid-high/high school site. If a student turned 18 in the month of October, count that student in the 5- to 17-year-old group.

J. Student Meal Prices

1. The prices charged by SFAs often require school board approval. Unfortunately, many people do not understand the financial responsibility of SFAs and do not realize that the costs involved are much like those paid by commercial restaurants. Factors to be considered when establishing prices include:

   a. Actual cost of producing and serving the food
   b. Present prices charged and rates of reimbursement
   c. Economic situation at the time
   d. Reasons for needing to increase prices
   e. What competitors are charging—commercial and other nearby SFAs
   f. When the price was last increased
   g. Whether the price increase can be justified publicly (in media)
   h. Whether reducing costs has been considered
   i. Reduction in participation or sales that usually follows price increases
   j. What the customer considers fair value

2. Paid Lunch Equity Requirement—Healthy, Hunger-Free Kids Act of 2010, Section 205

   a. School are required to charge students for paid meals at a price that is, on average, equal to the difference between free meal reimbursement and paid meal reimbursement rates. This provision is for lunch only. ***NOTE: Nonpricing, Provision, and CEP are exempt from completing the PLE. However, when a school moves from Provision/CEP to Pricing, the district will be required to charge the difference of the Free rate and the Paid rate, or they can use non-federal funds to cover the full Paid price meals accroding to the PLE tool at the time of the change.***

   b. Schools that currently charging less are required to gradually increase their prices over time until they meet the requirements (10¢ per year). Schools may choose to cover the difference in revenue with nonfederal funds instead of raising paid meal prices. SFAs may vary paid lunch prices by school as long as the average revenue requirement is met across the SFA. ***If a school chooses to use Nonfederal funds to recover the cost of Paid meals, it MUST use the Ratio for Using Nonfederal Fund Sources form to determine how much the district will have to spend in order to pay back CNP. The form is on page C-42***
   c. Schools are required to submit their student-paid lunch prices (what they charge their paying students) to the State Agency with their Renewal Application
   d. The SFA will be required to complete the Paid Lunch Equity Tool. Once completed, this tool will show the SFA how much its student-paid lunch meal price must be increased for the following school year or the amount of funds necessary to subsidize its CNP.
   e. New SFAs, Nonpricing,or Provision schools going to start charging students in the district, must charge paying students the required maximum amount (the difference between the free reimbursement rate and the paid reimbursement rate). (Reference USDA Memo SP-39-2011 [Revised])
   f. Financial support from nonfederal sources must be cash for direct support for paid lunches, including, but not limited to:
      - Any portion of state revenue matching funds that exceeds the minimum requirement established in 7 CFR §210.17 and that is provided for paid lunches.
      - Per-meal nonfederal reimbursement for ***ANY PAID*** meal (breakfast, lunch, etc.).
      - Any funds provided by organizations for ***ANY PAID*** meal.
      - Any proportion attributable to ***PAID MEALS*** from direct payments made from school district funds to support lunch service. (See the formula on the next page.)

      Some examples of ***NONALLOWABLE*** nonfederal support are:

      - Any payments, including additional per-meal reimbursements, provided to the SFA for support of the SBP or other CNP.
      - Any payments, including additional per-meal reimbursements, provided specifically to support free and reduced-price meals.
      - Any à la carte revenues.

FORMULA FOR USING NONFEDERAL FUND SOURCES FOR PAID MEALS
(Reference USDA Memos SP-39-2011 and SP-34-2013)

STEP ONE:				
_____	÷ *Divided by*	_____	= *Equals*	X 100 _____
A Total STUDENT PAID MEALS (Lunches, Break-fasts) Claimed in Previous Year		B Total STUDENT MEALS (Lunches, Break-fasts) Claimed in Previous Year		C % of STUDENT PAID MEALS
STEP TWO:				
Total Dollar Amount of Expenditures From Fund 11 Through Fund 60/Program Code 700/Project Reporting Code 000/Function Codes 3120, 3130, 3140, and 3150 = $ _____				
				D Nonfederal Fund Sources From Current Year
STEP THREE:				
$ _____	*X* *Multiplied by*	_____	= *Equals*	_____
D Nonfederal Fund Sources (Step Two)		C % of STUDENT PAID MEALS (Step One)		E TOTAL AMOUNT OF NONFEDERAL SOURCE FUNDS FOR PAID STUDENT MEALS

K. Adult Meal Prices (Reference FNS Instruction 782-5 [6/6/98])

1. Revenue from the NSLP and SBP ***CANNOT*** be used to subsidize adult meals. If adults are charged less than the minimum amount required, the General Fund must cover the difference. SFAs report their adult meal prices during the renewal application process. If all school employees are served free, this is a fringe benefit and should be reflected as such through payroll. Contact OCAS for information on correct procedures to do this. Refer to **page C-51** to determine how much of the General Fund must be used to subsidize adult meals if the SFA is not charging what is required. If the LEA is absorbing the cost, food for these adult meals should be coded to Project Reporting Code 000/Function Code 3155.

   State Agency and federal regulations state that the adult must be charged:

   - Adult lunch charge equals free reimbursement rate for lunch plus the additional incentive payment plus the value of USDA Foods *Note: Adult prices can be found every year in CARS in SCHEDULE B - MEAL PRICES at the top of the page. (Prices change every year)*
   - Adult breakfast charge equals free reimbursement rate for regular breakfast.
   - Adult snack charge equals free reimbursement rate for snack.
   - The size of the adult meal or snack should be no larger than the largest portions allotted to the students.

2. Adult meals other than CNP employee meals cannot be served free of charge. CNP employees are adults who are directly involved in the operation and administration of the school nutrition programs. If the LEA is absorbing the cost, food for these adult meals should be coded to Project Reporting Code 11 (or 22)/ Function Code 3155. General Fund is not required to subsidize the cost of CNP employee meals. This is an allowable use of CNP funds.

3. Meals served to any adults may ***NOT*** be claimed for reimbursement or counted toward the donated foods (USDA Foods) entitlement. The determination of individuals, positions involved, and the degree to which their services are attributed to the nonprofit food service program operations are left to local officials.

4. The Nonprogram Food Expenditures/Revenues Report will indicate if an SFA is charging enough to cover its cost for adult meals.

L. Contract Meal Prices

1. An SFA that contracts meals to other institutions must charge, ***at a minimum***:

   - Contract lunch charge equals free reimbursement rate for lunch plus the additional incentive payment plus the value of USDA Foods. ***Note: Contract meal prices can be found every year in CARS in SCHEDULE B - MEAL PRICES at the top of the page. (Prices change every year)***
   - Contract breakfasts charge equals free reimbursement rate for regular breakfast.
   - Contract snack charge equals free reimbursement rate for snack.
   - The size of the adult meal should be no larger than the largest portions allotted to the students.

2. A copy of the written contract agreement on **page C-110-111** must be kept on file for review.

3. If an SFA is contracting with an institution for which USDA Foods are allocated, the SFA should ***NOT*** include the commodity allocation rate in the formula when figuring the minimum amount to charge for contract lunches.

4. The Nonprogram Food Expenditures/Revenues Report will indicate if an SFA is charging enough to cover its cost for contract meals.

M. State Matching Reimbursement

Each school year USDA requires the state of Oklahoma to appropriate revenues to be used for NSLP purposes at the local level. Since some SFAs are operating on a ***YEAR-ROUND*** basis, state matching reimbursement is calculated on the total lunches served in the previous school year. The state matching reimbursement is paid in two payments per year, processed in January and May.

N. Reduced-Price Meal Charge

The Omnibus Reconciliation Act of 1981 mandated that the ***maximum*** amount which can be charged for a reduced-price:

- Lunch is 40¢.
- Breakfast is 30¢.
- Snack is 15¢.

While these are the maximum amounts that may be charged, districts may elect to charge less for either lunch, breakfast, or snacks. Districts may also choose to provide meals at no cost to their reduced-price eligible students. The expenditures associated with covering the reduced-price student payments may be funded from the nonprofit school food service account. (Reference USDA Memo SP-17-2014) Reduced-price meals must always be claimed at the reduced-price rate of reimbursement, whether the district charges the maximum amount, lesser amount, or not at all.

O. Nonpricing Programs

Any site participating in the NSLP/SBP/ASSP that does not charge its students for any meals and/or snacks is considered a ***nonpricing program***. Any site has the option of not charging its students for meals/snacks served and claimed for reimbursement; however, most sites that do this have very high percentages of free and reduced-price eligible students. Sites may want to use the Income Sources for Meals form on **page C-52** to determine if a nonpricing program is feasible. ***NOTE: Nonpricing sites must make sure that all students are claimed in the correct eligibility category (free, reduced-price, or paid), even though all meals are served free. SFAs implementing nonpricing at all their sites are not required to do the Paid Lunch Equity Tool.*** **They are not required to send a written notice of denial for denied free or reduced-price applications since all meals are provided at no cost.**

****Note: Child Nutrition funds cannot be used to cover full paid meals. To cover the cost of the full paid meal the Child Nutrition funds should be reimbursed the free rate minus the paid rate. A form to assist with how much should be reimbursed to the CNP Funds can be found in CARS under "Other Documents"***

P. Use of CNP Funds

1. Funds for the operation of the NSLP, SBP, and SMP may be used to subsidize any other CNP; i.e., the CACFP and/or the SFSP. The same bank account may be used for all CNPs as long as a separate audit trail is maintained using the applicable OCAS codes for each program.

2. The standard for allowable expenditures of a nonprofit school food service is that it represents allowable costs under applicable federal cost principles and program regulations. (Reference USDA Policy Memo 2001-SP-04) These principles are established so that items of employee compensation may be allowed to the extent that:

   a. ***The costs must be necessary and reasonable for the services rendered.*** Reasonableness is a matter of professional judgment. The cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

b. ***The cost must conform to written established policies of the governmental or private nonprofit organization.*** Fringe benefits must be granted based on written policies. Additionally, a governmental unit is defined as ***an entire state, local, or federally recognized tribal government, including any component thereof.*** Components of governmental units may function independently of the governmental unit in accordance with the terms of the award. Applications of this definition that satisfy the criteria include, but are not limited to, the following:

- The bonuses or fringe benefits represent an integral part of the personnel compensation policy of the SFA, city, town, or other local governmental entity. In this respect, the bonuses or fringe benefits need not be available to all classes of the governmental unit's employees; their availability to any class of employees must simply represent official policy.
- The school board or other elected governing body has budgeted for the fringe benefit. Such an official action would make the fringe benefit a ***de facto*** element of the SFA's personnel compensation policy.
- An official responsible for the school food service organization has the discretionary authority to award the fringe benefit or bonus.

c. ***Costs must be charged in relation to benefits received.*** Revenues received by the nonprofit SFSA may only be used for the operation or improvement of such food service. Consequently, no charges may be made to the nonprofit SFSA for salaries, fringe benefits, or bonuses which are not related to the time these employees have worked on behalf of that account.

d. ***Costs must be applied uniformly to federal and nonfederal activities.*** A school food service operation may encompass both federal and nonfederal activities. The nonfederal activities may include catering, à la carte, adult meals, vending, concessions, etc. So long as any fringe benefits or bonuses are applied uniformly to employees for their federal and nonfederal activities, this requirement would be met.

3. All ***REVENUES*** received by the CNP in any participating SFA shall be used only for the operation or improvement of such CNP.

a. The regulations also define revenue as all monies received by or accruing to the CNP including, but not limited to, children's payments, earnings or investments, other local revenues, state revenues, and federal cash reimbursements. This means that if CNP funds are used totally or in part for investment purposes, the interest earned from such investments must accrue to the CNP and may be used only for authorized program purposes.

b. The purchase of tea and/or coffee using CNP funds is an allowable expense as long as the tea and/or coffee is offered to the students. If these items are not available for the students, then they must be purchased as a banquet or catered item. Item Q. on the next page has more information concerning banquets and catering.

c. CNP revenues shall not be used to purchase land or buildings or to construct buildings. The interpretation of the term ***construction of buildings*** has been revised to allow the expansion of existing facilities with State Agency written approval, but ***NOT*** the construction of new buildings. (Reference §210.14[a])

d. The purchase of materials to improve participation and/or cafeteria appearance is an allowable expense.

e. The charts on **page C-52** are provided in order for SFAs to calculate how much income per meal is received.

4. CNP funds may be used to pay expenses for meetings where technical information relating to the CNP is disseminated. This means that CNP funds may be used to provide informational materials and light refreshments in conjunction with a site's annual open house that would include a cafeteria open house. A CNP employee must be present, and information about the CNP must be provided. Production records documenting foods used must be completed for the occasion and filed with other monthly records. Additional documentation must include the type of activity, CNP employee present, informational materials provided and topic discussed, and number of persons attending. Refer to ***Item Q*** on the next page for more information on banquets/catering.

5. OMB Circular A-87 states that CNP funds may be used for professional development. This includes registration fees, travel, lodging, and per diem for attendance at professional meetings related to CNPs. However, individual membership dues of professional organizations are prohibited from being paid with CNP funds. CNP funds must be used to benefit the SFA and not an individual.

6. Late payment charges: Late payment charges may not be charged to the nonprofit SFSA, which includes all funds in that account, both state and federal funds. Consequently SFAs must use other sources to pay any late charges. The late charges may not be paid from the nonprofit SFSA, however represented, whether as a percentage of the late payment or otherwise. (Reference USDA Policy Memo 2002-SP-03)

7. Computer/technological purchases: The acquisition of automatic data processing equipment, whether by outright purchase, rental-purchase agreement, or other method of purchase, is an allowable use of CNP funds. OMB Circular A-87, Appendix B, 19 states that the State Agency must approve all purchases using CNP funds that are more than $5,000. The State Agency is granting approval for all automatic data processing purchases made by SFAs with CNP funds, as long as the purchases are specifically for CNP. Therefore, individual approvals are no longer necessary.

8. Penalty: Section 10 of Public Law 95-627 prescribes the criminal penalty for the misuse of funds, assets, or property in connection with federal feeding programs. Under this provision, anyone, whether administering the programs or receiving their benefits, who knowingly misuses funds, assets, or property, is subject to state and federal penalties.

Q. Banquets/Catering/Adult Cafeterias

SFAs must purchase banquet items by using established procedures. Only ***school site function*** banquets/ catering may be included in the bid and/or price quotes of other CNP purchases. ***Nonschool function*** banquets/ catering must be procured completely separate from other CNP purchases.

Adult cafeterias feeding adults only should be set up as a catering account. The definition of an adult cafeteria is any location in the school used only for adult meal preparation and/or meal service where the foods prepared/ served are only for adult consumption and ***NOT*** student consumption. Records must reflect that all foods are purchased without the procurement power of the cafeteria. USDA Foods must not be used for these meals. CNP funds may be used to purchase the food; however, the total cost of the meal must be recovered. A separate project reporting code must be used to track expenditures and revenues.

All records for both banquets and catering items, whether the function is school or nonschool in nature, must be maintained separately. In addition, the ***total cost*** of all meals must be recovered, including not only food but also labor, utilities, use of equipment, etc. All meals must be prepared outside regular site preparation hours unless the function is ***school-related***. USDA Foods ***must not*** be used in the preparation of any banquet or catering service unless the function is ***school-related***.

R. Equipment Depreciation for Nonexpendable Equipment (See FNS Instruction 796-2 Rev.4)

LOAN AGREEMENT FOR FOOD SERVICE DEFICITS

This contract and agreement, made and entered into the _____ day of _____ , _____ , by and between the General Fund, hereinafter referred to as First Party, and the Child Nutrition Programs (CNP) account, hereinafter referred to as Second Party, of _____ school district, witnesseth:

The First Party contracts and agrees to furnish the Second Party the cost of an amount not to exceed $ _____ as a contingent liability subject to repayment as funds become available from the party of the Second Party. This loan agreement must ensure that the party of the Second Party will use these funds only for the operation and improvement of the nonprofit CNP for children. This loan agreement may include items such as utilities, indirect costs/overhead, and the coverage of end-of-year shortfalls; i.e., salaries, inventory, etc.*

The Second Party agrees to the loan and to pay as specified the costs of the same shown on the agreement on or before June 30, _____ .

It is further mutually agreed between the parties hereto, as follows:

1. Any change in services or cost of services shall be made by mutual agreement of each of the parties hereto in writing by attaching a copy of such change or changes to this contract as an addendum thereto.

2. Rights and obligations of the parties hereto shall be governed by the United States Department of Agriculture (USDA) Policy Memo 93-SP-23 and federal and state laws.

3. This contract and all provisions hereto shall be binding upon the successors and assigns of the parties hereto insofar as the parties may bind their successors and assigns under the laws of the state of Oklahoma.

Witness our hands the day and year first above written.

_____ _____

Clerk/Board of Education
(General Fund Manager)

Child Nutrition Programs Manager

Subscribed and sworn to before me _____ , _____

My commission expires_____ , _____

_____
Notary Public

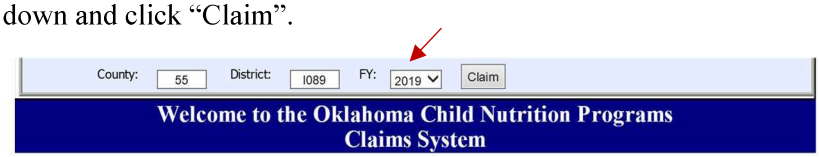
*If utilities and indirect costs/overhead are to be paid from the CNP account, it must be a part of this contract.

CLAIMS, APPLICATIONS, AND REVIEW SYSTEMS (CARS) CLAIMING INSTRUCTIONS

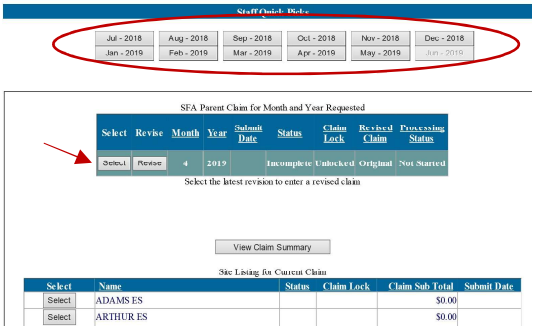
Beginning FY 2019 all districts were required to report claim information for reimbursement by SITE using the new system, CARS.

To access the claims system go to https://cnp.sde.ok.gov/Claims/WelcomeSNPM.aspx. The claims system can also be accessed by clicking the "Claims System" link located in the navigation pane of the Application system. https://cnp.sde.ok.gov/oknslp/snpWelcomeM.aspx. User login information for each user is the same both the application and claim system. Remember that sharing user information or logging in as any other person than yourself is inappropriate.

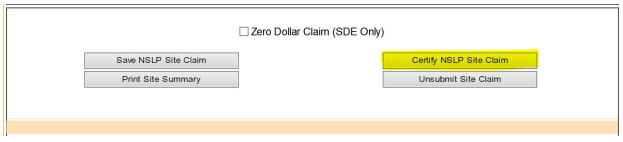
After logging into the CARS claim system, to navigate to the appropriate claim month, ensure that the correct FY is listed in the drop down and click "Claim".



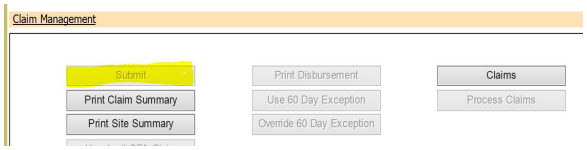
Next, select the month you wish to complete a claim for and the SFA "Parent Claim" grid should appear, from there, click "Select", this will open up the Site list for your district. A site claim will need to be completed for EVERY site that is eligible for reimbursement.



Depending on how your district participates in the Child Nutrition Programs will determine how each site claim will appear and function. After completing, an Authorized Representative must certify each site claim at the bottom of the form.



After a claim has been certified for each eligible site, the SFA Claim must be submitted before the claim will be processed and paid. To do so, scroll to the top of the site list and click "View Claim Summary". Once the SFA Claim Summary appears, verify that the totals are correct, scroll to the bottom of the page and click "Submit". Until these steps have been completed, claims will not be processed or paid.



For more specific instructions on how to submit a claim in CARS, a SFA User's Manual can be located in the navigation pane on the left hand side of the webpage in the claims system.

CHILD NUTRITION OCAS CODE EXPENDITURES WORKSHEET

FOOD/BEVERAGE EXPENDITURES ONLY

CHILD NUTRITION OCAS CODING FOR EXPENDITURES

Enter the district's total expenditures for the previous year for Child Nutrition Programs, using PROGRAM CODE 700 FOR PROJECT REPORTING CODES 000, 385, 763, 764, AND 765. **DO NOT UTILIZE PROJECT CODES 766, 767, 768, 769, 770, OR 791 FOR THIS REPORT.**

Total Expenditures for *Last Year*		**$ 1**	**-**	**To Be Completed by the Institution**
Total Labor Expenditures for Child Nutrition		$		
Function Code	3120	$ 2	-	
Less Total Amount of Other Direct Costs		$	-	
Function Code	3130	$ 3	-	**To Be Completed by the Institution**
Function Code	3140	$ 4	-	
Function Code	3160	$ 5	-	
Function Code	3180	$ 6	-	
Function Code	3190	$ 7	-	

À la Carte Revenue Calculation

Total Revenue From ***Last School Year***		$		
Revenue Source Code	1310	$ 8	-	**To Be Completed by the Institution**
Revenue Source Code	1710	$ 9	-	
Revenue Source Code	1720	$ 10	-	
Revenue Source Code	1730	$ 11	-	
Revenue Source Code	1760	$ 12	-	
Revenue Source Code	1790	$ 13	-	
Revenue Source Code	3720	$ 14	-	
Revenue Source Code	4710	$ 15	-	
Revenue Source Code	4720	$ 16	-	
Revenue Source Code	4730	$ 17	-	
Revenue Source Code	4740	$ 18	-	
Revenue Source Code	4750	$ 19	-	
Revenue Source Code	4760	$ 20		
Revenue Source Code	6110	$ 21	-	
Percentage of À la Carte Revenue		**0**		

Total Expenditures Less Labor and Other Direct Costs	**$**	**-**
Total Food/Beverage Expense Less À la Carte %	**$**	**-**

Total Meals Served From *Last School Year*			**0**	
Number of Lunches Served			**0**	
Student		**$ 22**	**0**	**To Be Completed by the Institution**
Adult		**$ 23**	**0**	
Number of Breakfast			**0**	
Student		**$ 24**	**0**	
Adult		**$ 25**	**0**	
Percentage of Lunch		**0**		**$**
Percentage of Student		**0**		**$**
Percentage of Adult		**0**		**$**
Percentage of Breakfast		**0**		**$**
Percentage of Student		**0**		**$**
Percentage of Adult		**0**		**$**

Invoice Breakdown Calculations

Invoice Amount		**$26**	**-**	**To Be Completed by the Institution**
Meal Type	**Coding**	**Breakdown**		
À la Carte	Reporting Code 000, Function Code 3110	$	-	
Student Lunch	Reporting Code 000, 385, ***OR*** 763 Function Code 3150	$	-	
Adult Lunch	Reporting Code 000, Function Code 3155	$	-	
Student Breakfast	Reporting Code 000 ***OR*** 764, Function Code 3150	$	-	
Adult/Contract Breakfast	Reporting Code 000, Function Code 3155	$	-	

OCAS CODING AND CHILD NUTRITION
HOW TO BREAK DOWN FOOD/BEVERAGE EXPENDITURES SEPARATELY ON INVOICES

School districts only need to enter information requested in the ***GREEN*** boxes.

Green Box 1: Enter the district's total expenditures for the previous year for CNP, using Program Code 700 for Project Recording Codes 000, 385, 763, 764, and 765. ***DO NOT UTILIZE PROJECT REPORTING CODES 766, 767, 768, 769, 770, OR 791 IN THIS REPORT.***

Green Box 2: Enter the district's total expenditures for the previous year for CNP Employee ***LABOR***, using Function Code 3120.

Green Boxes 3-7: Enter the district's expenditures for each ***Function Code*** listed, if applicable, for the previous school year. Refer to the OCAS Codes in the Child Nutrition Manual Compliance Section to identify the individual Function Codes.

Green Boxes 8-21: Enter the district's revenues for each Revenue Source Code, if applicable, for the previous school year. Refer to the OCAS Codes in the Child Nutrition Manual Compliance Section to identify the individual Revenue Source Codes.

Green Boxes 22-23: Enter the total number of ***LUNCH*** meals served to the ***STUDENTS*** , and then enter the total number of ***LUNCH*** meals served to ***ADULTS*** during the previous school year. (Reference: All claims for reimbursement for the previous school year)

Green Boxes 24-25: Enter the total number of ***BREAKFAST*** meals served to the ***STUDENTS*** , and then enter the total number of ***BREAKFAST*** meals served to ***ADULTS*** during the previous school year. (Reference: All claims for reimbursement for the previous school year)

Save the data entered above so that it does not have to be reentered each time.

Green Box 26: Enter the total amount of one ***FOOD/BEVERAGE*** invoice, ***FOOD/BEVERAGE*** invoices added together for one month, or ***FOOD/BEVERAGE*** invoices added together for the entire year.

Once the invoice amount is entered, the coding will show up at the bottom of the document.

NOTE: Labor and Other Direct can be coded to Project Reporting Code 000, 385, 763, or 764, Function Codes 3120 and 3140. It is recommended that all State Match funds (Project Recording Code 385) be used for Other Direct (Function Code 3140). Districts do need to be aware that any LABOR coded to a Federal Project Reporting Code (763, 764, or any other Project Recording Code in the 700 series) must pay Teachers' Retirement a matching amount on any salaries of employees who are members of Teachers' Retirement.

AVERAGE ADULT LUNCH/BREAKFAST COST VERSUS ACTUAL ADULT LUNCH/BREAKFAST CHARGE FORMULA

Lunch:

Step 1

$ _____ - $ _____

Free Reimbursement Rate for Lunch Plus Additional Incentive Payment Plus the Value of USDA Foods — Actual Adult Lunch Charge

$ _____

Lunch Difference

Step 2 Record the number of adult lunch meals at a charge lower than the free reimbursement rate plus additional incentive payment plus the value of USDA Foods. Multiply by the difference as calculated in Step 1.

Breakfast:

Step 1

$ _____ - $ _____

Free Reimbursement Rate for Breakfast — Actual Adult Breakfast Charge

$ _____

Breakfast Difference

Step 2 Record the number of adult breakfast meals at a charge lower than the free reimbursement rate. Multiply by the difference as calculated in Step 1.

LUNCH MEALS	# OF ADULT MEALS	LUNCH X DIFFER-ENCE	= $ VALUE
JULY		$	$
AUGUST		$	$
SEPTEMBER		$	$
OCTOBER		$	$
NOVEMBER		$	$
DECEMBER		$	$
JANUARY		$	$
FEBRUARY		$	$
MARCH		$	$
APRIL		$	$
MAY		$	$
JUNE		$	$
TOTAL LUNCH		$	$ *

BREAK-FAST-MEALS	# OF ADULT MEALS	BREAKFAST X DIFFER-ENCE	= $ VALUE
JULY		$	$
AUGUST		$	$
SEPTEMBER		$	$
OCTOBER		$	$
NOVEMBER		$	$
DECEMBER		$	$
JANUARY		$	$
FEBRUARY		$	$
MARCH		$	$
APRIL		$	$
MAY		$	$
JUNE		$	$
TOTAL BREAKFAST		$	$ *

* The total in the ***$ Value*** column of both breakfast and lunch ***MUST*** be added together. This sum is the amount that will be taken into consideration in the Nonprogram Foods calculation for the SFA's adult meals.

INCOME SOURCES FOR MEALS

AVERAGE INCOME RECEIVED FOR LUNCH/SNACKS
(Including Seamless Summer Lunches, Snacks, and Suppers)

Source	Free Student	Reduced-Price Student	Full-Price Student		Adult
			Elementary	Secondary	
Meal Charges		$	$	$	$
Federal Reim-bursement (Total Per Meal)					
State Reimbursement					
TOTAL INCOME	$	$	$	$	$

AVERAGE INCOME RECEIVED FOR BREAKFAST
(Including Seamless Summer Breakfasts)

Source	Free Student	Reduced-Price Student	Full-Price Student		Adult
			Elementary	Secondary	
Meal Charges		$	$	$	$
Federal Reim-bursement (Total Per Meal)					
State Reimbursement					
TOTAL INCOME	$	$	$	$	$

Additional sources of income for all meals include:

- Commodity entitlements (lunch only)
- Local funds; i.e., à la carte

HEALTHY AND FIT KIDS COMMITTEE/FOOD SAFETY

Oklahoma Statute Section 24-100a of Title 70—each school site is required to establish a Healthy and Fit School Advisory Committee.

1. Committee members:

   a. Must be composed of six members.
   b. May include teachers, administrators, parents of students, health care professionals, and business representatives.

2. The committee may be combined with the school's Safe School Committee (established in Oklahoma Statute Section 24-100.5 of Title 70).

3. Each Healthy and Fit School Advisory Committee shall study and make recommendations to the school principal regarding:

   a. Health education.
   b. Physical education and physical activity.
   c. Nutrition and health services.

B. Helpful Web Site Addresses/Phone Numbers

1. Food Safety

   a. Once every 5 years, a district employee ***MUST*** have Food Safety Training.
   b. Food safety links for school and school food service managers and employees: **http://www.fns.usda.gov/food-safety/food-safety**
   c. ***Food Safety in Schools*** a training program in safety and sanitation for all levels of food service employees: **theicn.org**
   d. Gateway to Government Food Safety Information, includes recall information and food safety tips: **http:/www.FoodSafety.gov**

2. Food Safety Program—HACCP

   a. USDA Meat and Poultry Hotline: 1-800-674-6854
   b. FDA Food Information Line: 1-888-SAFEFOOD
   c. USDA Food Safety and Inspection Service: **www.fsis.usda.gov/thermy**
   d. Institute of Child Nutrition (ICN)
      The University of Mississippi: 1-800-321-3064
      www.theicn.org

3 Meal Accountability

   a. Free and reduced-price guidance on the application approval and verification process: **http://www.fns.usda.gov/school-meals/applying-free-and-reduced-price-school-meals**
   b. Prototype free and reduced-price applications and translations: **http://www.fns.usda.gov/school-meals/applying-free-and-reduced-price-school-meals**

4 Healthy School Environment

   a. Information on improving the school nutrition environment and ordering information for ***Changing the Scene***: **http://www.fns.usda.gov/tn/Healthy/index.htm**
   b. Statutory and regulatory requirements for foods in competition with school meals: **http://fns.usda.gov/school-meals/foods-minimal-nutritional-value**E.

FRESH FRUIT AND VEGETABLE PROGRAM (FFVP) GRANT

The FFVP initially began as a pilot project authorized by Congress in 2002. The tremendous success of this pilot led to the enactment of legislation in 2004 to expand the FFVP and to make it a permanent program under the National School Lunch Act (NSLA). Effective for the school year beginning July 1, 2008, the Omnibus Appropriation Act provided funds to expand the FFVP to those states, including Oklahoma, that were not previously authorized to participate on a permanent basis. Under the Act:

- States are limited to an amount of $50-$75 per enrolled student per year.
- FFVP is a cost-reimbursement program.
- Fresh fruits and fresh vegetables must be served outside the normal mealtimes while school is in session.
- This is not the Department of Defense (DoD) Fresh Fruit and Vegetable Program.
- The site must be an elementary school and on NSLP.

The FFVP provides all children in participating schools with a variety of free fresh fruits and fresh vegetables throughout the school day. It is an effective and creative way of introducing fresh fruits and fresh vegetables as healthy snack options. The FFVP also encourages community partnerships to support the schools when they offer free fresh fruits and fresh vegetables to children during the school year.

The goal of the FFVP is to:

A. Create healthier school environments by providing healthier food choices.

B. Expand the variety of fresh fruits and fresh vegetables children experience.

C. Increase children's fresh fruit and vegetable consumption.

D. Make a difference in children's diets to impact their present and future health.

Proper Procurement Practices must be used. Refer to the district's Procurement Plan when procuring items for FFVP.

Geographic Preference—The use of statutorily or administratively imposed in-state or local geographic preferences for procurements under USDA entitlement programs is prohibited, except for unprocessed locally grown or locally raised agricultural products. The Food, Conservation, and Energy Act of 2008 (Public Law 110-246, Section 4302), amended Section 9(j) of the NSLA to allow institutions receiving funds through CNP to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products.

When geographic preference is used, an SFA must still get quotes from several farmers when procuring unprocessed locally grown or locally raised agricultural products so that competitors have an opportunity to compete for the bid. The way in which a geographic preference is applied could depend on whether the procurement method is informal or formal. If informal (i.e., falling below the small purchase threshold), an SFA may simply want to approach a minimum of three local producers and obtain price quotes. Competition is ensured by developing a solicitation that contains criteria to which all respondents will be subject. If the procurement exceeds the small purchase threshold, a formal procurement method must be used that would involve the sealed bidding process (i.e., IFB) or the competitive negotiation process (i.e., RFP). This would entail public notification of the solicitation; however, when procuring locally unprocessed agricultural products, the notification may be focused on the locale in which the school is situated as a criteria of the solicitation. In a situation where the solicitation for locally unprocessed agricultural products is in fact open to offerers beyond the local area, a way in which to apply a geographic preference is to grant preference points to the local farmers who respond to the solicitations. (Reference USDA Policy Memo 2009-SP-11)

WELLNESS POLICY

What is a local school wellness policy?

A local school wellness policy (*wellness policy*) is a written document that guides a local educational agency's (LEA) or school district's efforts to establish a school environment that promotes students' health, well-being, and ability to learn. (7 CFR 210.31)

The wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). It requires each LEA participating in the National School Lunch and/or School Breakfast Program to develop a wellness policy. The final rule expands the requirements to strengthen policies and increase transparency. The responsibility for developing, implementing, and evaluating a wellness policy is placed at the local level, so the unique needs of each school under the LEA's jurisdiction can be addressed.

Provisions of the Final Rule

On July 29, 2016, the USDA Food and Nutrition Service (FNS) finalized regulations to create a framework and guidelines for written wellness policies established by LEAs. The final rule requires LEAs to begin developing a revised local school wellness policy during school year (SY) 2016-2017. LEAs must fully comply with the requirements of the final rule by June 30, 2017. The final rule was published on July 29, 2016, and can be found online at ***http://www.fns.usda.gov/tn/local-school-wellness-policy***.

Content of the Wellness Policy

At a minimum, policies are required to include:

- **Specific goals for** nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. LEAs are required to review and consider evidence-based strategies in determining these goals.
- **Standards and nutrition guidelines for all foods and beverages** sold to students on the school campus during the school day that are consistent with federal regulations for:
  * School meal Nutrition Standards.
  * Smart Snacks in school Nutrition Standards.
- **Standards for all foods and beverages provided, but not sold, to students** during the school day (e.g., in classroom parties, classroom snacks brought by parents, or other foods given as incentives)• **Policies for food and beverages marketing** that allow marketing and advertising that meet Smart Snacks in school Nutrition Standards.

- **Description of public involvement, public updates, policy leadership, and evaluation plan.**

Wellness Leadership

LEAs must establish ***wellness policy leadership*** of one or more LEAs and/or school officials who have the authority and responsibility to ensure each school complies with the policy.

Public Involvement

At a minimum, LEAs must:

- **Permit participation** by the general public and the school community (including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, and school administrators) in the wellness policy process.

Triennial Assessments

State agencies are required to assess compliance with the wellness policy requirements as a part of the administrative review every three years. LEAs, as well, must conduct an assessment of the wellness policy every three years, at a minimum. This assessment will determine:

- Compliance with the wellness policy.
- How the wellness policy compares to model wellness policies.
- Progress made in attaining the goals of the wellness policy.

Documentation

The State Agency will examine records during the administrative review, including:

- Copy of the current wellness policy.
- Documentation of how the policy and assessments are made available to the public.
- The most recent assessment of implementation of the policy.
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate.
- Identification of the position/title responsible for oversight of the Wellness Policy activities.

Updates to the Wellness Policy

The final rule requires that LEAs update or modify the wellness policy as appropriate.

Public Updates

The rule requires that LEAs must make available to the public:

- The wellness policy, including any updates to and about the wellness policy, on an annual basis, at a minimum.
- The Triennial Assessment, including progress toward meeting the goals of the policy.

QUESTIONS AND ANSWERS FROM USDA MEMO SP-24-2017

GENERAL

1. **What is a local school wellness policy, and is it required?**

   A local school wellness policy is a written document that guides a local educational agency (LEA) in establishing a healthy school environment. Each LEA participating in the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) is required to establish a written local school wellness policy for all schools under its jurisdiction (7 CFR 210.31[c]). LEAs have the flexibility to customize their individual local school wellness policy based on their own specific circumstances to best improve the health of their students.

2. **What is required to be included in local school wellness policies?**

   While LEAs have flexibility to develop the specific content of their local school wellness policies, the policies must include the following:

   - Specific goals for nutrition promotion and education, physical activity, and other school-based activities that are designed to promote student wellness (7 CFR 210.31[c][1]).
   - Standards and nutrition guidelines for all foods and beverages available on the school campus during the school day that are, at a minimum, consistent with federal regulations for program meals and

the Smart Snacks in school Nutrition Standards and designed to promote student health and reduce childhood obesity (7 CFR 210.31[c][2] and [3]).

- Policies that allow marketing or advertising of only those foods and beverages that may be sold on the school campus during the school day; i.e., those foods and beverages that meet the Smart Snacks in school Nutrition Standards (available at ***http://www.fns.usda.gov/school-meals/fr-072916d***) (7 CFR 210.31[c][3][iii]).

LEAs are also required to:

- Review and consider evidence-based strategies in determining local school wellness goals (7 CFR 210.31[c][1]).
- Involve, inform, and update the public (including parents, students, and other stakeholders) about the content and implementation of the local school wellness policy (7 CFR 210.31[d][2] and [3]).
- Conduct an assessment, at least once every three years, to determine compliance, progress, and the extent to which the policy compares to model local school wellness policies (7 CFR 210.31[e][2].
- Update or modify the local school wellness policy as appropriate (7 CFR 210.31[3]).

3. Who is responsible for developing the local school wellness policy?

The LEA is responsible for developing a local school wellness policy (7 CFR 210.31[a]). This responsibility is placed at the local level so that LEAs have flexibility to address the unique needs of each school under their jurisdiction. In an effort to foster transparency and inclusion, LEAs are required to allow parents, students, SFA representatives, teachers of physical education, school health professionals, the school board, school administrators, and members of the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy (7 CFR 210.31[c][5]). While the LEA is ultimately responsible for developing the local school wellness policy, a best practice would include having each school within the LEA customize the policy at the local level.

4. Do local school wellness policy standards apply to all foods and beverages on the school campus during the school day?

Local school wellness policies are required to address foods and beverages that are both sold and made available at no cost to students.
LEAs must develop standards and nutrition guidelines for all foods and beverages available, but not sold to students on the school campus during the school day (for example, classroom parties or rewards). While these standards and nutrition guidelines are not required to be consistent with Smart Snacks standards as stated in 7 CFR 210.31(c)(3)(iii), local jurisdictions have the discretion to adopt standards that are consistent with federal school meals and Smart Snacks Nutrition Standards or to adopt more or less stringent standards.

For foods and beverages sold to students, the local school wellness policy must include standards and nutrition guidelines that are consistent with the school meal requirements and Smart Snacks Nutrition Standards.

5. Can nonprofit school food service account funds be used to implement local school wellness policies?

Yes, generally, nonprofit school food service account funds may be used to implement local school wellness policies if the local school wellness policy is supporting the operation or improvement of the school meal program.

In order to use this funding for local school wellness policy-related activities, the LEA's food service program must be providing meals in compliance with NSLP and SBP meal patterns and in compliance with resource management. In cases where only a portion of the local school wellness policy coordinator's time is spent directly supporting the school food service operation, the nonprofit school food service account may only cover the portion of the coordinator's salary that is deemed necessary, reasonable, and allocable for the operation of the school meals programs. The LEA may determine that funding a staff position or

activities related to the local school wellness policy will support the operation and improvement of the program and that the associated costs are necessary, reasonable, and allocable in accordance with the cost principles of 2 CFR 200. Continual assessment of these costs is essential to ensure that the nonprofit school food service account can continue to support these activities over time.

PROGRAMS INCLUDED

6. Are small schools and residential child care institutions (RCCIs) expected to have a wellness policy?

All schools that participate in the school meals programs are expected to have a wellness policy, including small schools and RCCIs. While there are no exclusions in the law based on the size of a school or institution that participates in the meal programs, these institutions are encouraged to develop a wellness policy that meets the unique needs of their population. Because of the responsibility that RCCIs have in providing nutrition and physical activity to children in residence, it is important that RCCIs implement wellness policies that will support the health and development of their residents.

7. Is a wellness policy required if the school only operates the Special Milk Program (SMP)?

A school or other program that operates only the SMP is not required to have a local school wellness policy.

8. Does the wellness policy requirement apply to private schools, including religious private schools, and charter schools?

Each LEA must establish a local school wellness policy for all schools participating in the NSLP and/or SBP under its jurisdiction (7 CFR 210.31[a]). This includes any private schools, religious private schools, and charter schools that participate in the school meals programs.

Any schools, including private and nonpublic charter schools, that do not participate in the school meals programs, may develop their own wellness policy; or the governing board could develop one for all affiliated schools. Such schools are not required to follow the local school district's local school wellness policy.

FOOD AND BEVERAGE MARKETING

9. What are the requirements around food and beverage marketing?

LEAs are permitted to market foods and beverages that may be sold on the school campus during the school day; i.e., those foods and beverages that meet the requirements set forth in the Smart Snacks standards (7 CFR 210.31[c][3][iii]). Marketing of noncompliant food and beverages is not permitted during the school day but may be present at events that happen after the end of the school day. For example, an evening sporting event may sell and market noncompliant foods or beverages. More information on the Smart Snacks Nutrition Standards is available at ***http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks***.

10. How does the term *marketing* apply in local school wellness policies?

Food marketing commonly includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product. Therefore, the marketing standards apply to items such as posters, flyers, and other printed materials advertising products. It also applies to prizes or other premium items given to students to promote a product, cups used for beverage dispensing, and various equipment such as the exterior of vending machines, menu boards, coolers, trash cans, and other food service equipment. All food or beverage products depicted on items/equipment on the school campus during the school day must meet the Smart Snacks Nutrition Standards.

11. What types of marketing are exempt from local school wellness policies?

The marketing restrictions do not apply to materials used for educational purposes in the classroom, such as teachers' use of advertisements as an education tool; or when implementing a health or nutrition education curriculum that favors the consumption of some foods over others.

Items exempt from the marketing provision also include items of personal expression such as clothing and the packaging of products brought from home for personal consumption. For example, if a child wears a shirt that has a food item pictured, the food is not required to meet the Smart Snacks standards in order for the child to wear the item of clothing. Similarly, if a child brings a package of crackers from home, the food item is not required to meet the Smart Snacks standards.

12. What areas of the school are affected by the food and beverage marketing policies?

Marketing standards apply to the school campus. The school campus is defined as all areas of the property under the jurisdiction of the school that are accessible to students during the school day (7 CFR 210.11[a][4]). School day is defined as the midnight before through 30 minutes after the end of the school day (7 CFR 210.11[a][5]). Examples of areas affected include the cafeteria, classrooms, hallways, gymnasiums, football/soccer fields, running track, parking lots, and all other areas of the campus that students may occupy during the school day.

13. Do the food and beverage marketing policies apply to equipment such as scoreboards?

Items such as scoreboards that are already in place do not need to be replaced; however, LEAs must consider the marketing guidelines in the wellness policy when these items are replaced or updated over time. In addition to scoreboards, marketing policies apply to other such durable items or equipment that is on school campus property and accessible by students during the school day (7 CFR 210.11[a][4]). These items may include signs inside/outside of the school, water coolers, beverage cases, food display racks, and school buses.

14. Do the food and beverage marketing policies apply to after-school sporting or other events?

The local school wellness policy marketing requirements do not apply to events occurring more than 30 minutes after the school day, such as after-school sporting or other events. However, it is important to remember that federal Smart Snacks standards are minimum standards and the LEA has discretion to adopt more stringent standards and extend the marketing policy to events outside of school hours.

15. My school/state has its own standards for snack foods sold in schools and/or food and beverage marketing policies. How are they affected by the local school wellness policy?

The federal Smart Snacks standards and marketing policies are minimum requirements for schools that participate in USDA's school meals programs. States, districts, and schools that have stronger standards and policies may maintain their own policies as long as they do not conflict with USDA standards. LEAs have flexibility on how to implement this requirement. It is not intended to imply that schools must allow food or beverage marketing on campus.

16. If a vending machine is turned off during the school day, is the outside of it (logos, pictures, etc.) still considered marketing?

Yes. The front and sides of a vending machine provide a graphic statement intended for the purpose of promoting the sale of a food or beverage product, regardless of whether the machine is on or off.

17. Is there a restriction against marketing brand names?

No; brand name marketing is not restricted. If a specific product does not meet the Smart Snacks Nutrition Standards, it may not be marketed on the school campus during the school day; however, the brand may be marketed. The final rule also discusses copycat products, where a company reformulates one product in a

brand's product line to meet school Nutrition Standards. Marketing of copycat products is not restricted under the regulations.

LEAs have discretion to determine what is in the best interest of their respective school communities, however, and may implement additional marketing restrictions. LEAs may choose to include more stringent marketing standard for brand marketing and copycat products in their local school wellness policy; they may simply eliminate advertising of all brands that market foods inconsistent with the Smart Snacks Nutrition Standards, or they may allow both brand marketing and copycat products that meet Smart Snacks standards to be marketed in schools.

18. Do the local school wellness policy standards permit the marketing of incentive programs like a restaurant or brand that gives free pizza or coupons when students read a certain number of books?

Yes. The local school wellness policy marketing standards are not intended to restrict incentive programs. While the LEA is required to address standards and nutrition guidelines for all foods and beverages available on the school campus during the school day, it may determine what is in the best interest of its respective school communities. LEAs are encouraged to use nonfood-related incentive programs or programs that promote items consistent with the Smart Snacks standards.

19. Are label redemption programs (e.g., Box Tops for Education) allowed under this final rule?

Yes. This rule is not intended to restrict label redemption programs. Promotion of label redemption programs on school property is permitted.

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TRIENNIAL ASSESSMENT

20. How often must LEAs conduct assessments of schools' compliance with the local school wellness policy?

At a minimum, assessments must be conducted once every three years as described in 7 CFR 210.31(e); this is referred to as the triennial assessment. This assessment is separate from the administrative review conducted by the State Agency. The local school wellness policy must be updated and in compliance with the final rule by June 30, 2017. Therefore, the first triennial assessment must be completed by June 30, 2020.

21. Who is responsible for conducting the assessment?

LEAs must designate at least one LEA or school official(s) as responsible for determining the extent to which each school under their jurisdiction is in compliance with their wellness policies (7 CFR 210.31[e][1]).

In addition to the official(s) identified, other stakeholders must be permitted to be involved in the review process as described in 7 CFR 210.31(d)(1). However, LEAs have discretion in how they implement this requirement since each LEA is best suited to determine the distinctive needs of the community it serves. LEAs are also encouraged to identify a wellness champion at each school that would assist with the implementation and monitoring of the policy at the school level.

22. What must be included in the triennial assessment?

The LEA must develop a triennial assessment report that describes the extent to which its schools comply with the local school wellness policy, the extent to which the local policy aligns with model policies, and a description of progress toward attaining policy goals as described in 7 CFR 210.31(e)(2). There is local discretion on the format of the report. This report must be made available to the public (7 CFR 210.31[d][3]).

23. What tools should LEAs use to assess implementation and compliance with the local school wellness policy?

The LEA has the flexibility to develop tools that will assess compliance with the specific components of its school wellness policy. Some state agencies and partner organizations have developed tools that LEAs can adapt to meet their needs. Example tools can be found at the *School Nutrition Environment and Wellness Resources* Web site at ***https://healthymeals.fns.usda.gov/local-wellness-policy-resources/local-school-wellness-policy-process/assessment-needs-assessment***. In addition, the LEA must document when and how it evaluated its policy. For example, an agenda or attendance sheet could be used as documentation that the local school wellness policy was evaluated at a stakeholder meeting.

24. How often does the LEA have to update the policy?

USDA does not specify the frequency of updates to the local school wellness policy, as the need to update will vary based on the content and structure of the policy. However, it is recommended that the policy be updated, at a minimum, after conducting the triennial assessments (7 CFR 210.31[e][3]). LEAs are also required to annually notify the public about the content of the local school wellness policy and any updates to the policy as stated in 7 CFR 210.31(d)(2).

25. How should LEAs compare their policies to model policies?

The responsibility for developing local school wellness policy was placed at the LEA level so that each LEA has the flexibility to customize its own policy based on its own unique circumstances. However, at a minimum, LEAs must compare their policies against model policies during the triennial assessment (7 CFR 210.31[e][2][ii]). The Alliance for a Healthier Generation, in conjunction with USDA, developed a model local school wellness policy template that may be used for this comparison: ***https://www.healthiergeneration.org/_asset/wtqdwu/14-6372_ModelWellnessPolicy.doc***.

26. Does the LEA need to do a triennial assessment of all the schools under its jurisdiction, or does each school do its own triennial assessment and report back to the LEA?

The LEA is responsible for ensuring that a triennial assessment of all the schools under its jurisdiction has been conducted. The LEA may conduct the triennial assessment on behalf of each participating school under its jurisdiction or may allow each school to conduct its own assessment

ADMINISTRATIVE REVIEW

27. What are the next steps if an LEA is not in compliance with the local school wellness policy requirements?

The final rule required LEAs to begin developing a revised local school wellness policy by August 29, 2016. These revised policies must be in place by July 1, 2017. While LEAs are updating and implementing new wellness policies, state agencies should focus on providing technical assistance and work with the LEA on a corrective action plan in order to achieve compliance.

Technical assistance resources include USDA's FNS Team Nutrition Web site. The *School Nutrition Environment and Wellness Resources* Web pages provide information and guidance resources, including:

- **Local School Wellness Policy Process** steps to put the policy into action, as well as sample policy language and examples of existing state-level health policies.
- **Required Wellness Policy Elements** to meet the federal requirements.
- **Success Stories and Best Practice** ideas for schools.
- **Grants/Funding Opportunities** related to child nutrition and physical activity.
- **Trainings** that will assist districts/schools in developing, implementing, and monitoring their wellness policies.

This Web site also includes information on the requirements and a summary of the final rule. The resources Web site can be accessed at ***https://healthy meals.fns.usda.gov/school-wellness-resources***.

28. What documentation is needed for the administrative review?

During an administrative review, the State Agency will review the written local school wellness policy and will ensure an LEA or school official(s) has been designated to oversee the policy process. The State Agency will also review documentation demonstrating:

- Compliance with community involvement requirements, such as a copy of the solicitation on the LEA/school Web site or school newsletter and a list of the stakeholders involved (attendance sheet or list of titles such as parent, school nurse, etc.).
- That the local school wellness policy content and annual updates, as well as the triennial assessments, were made available to the public, such as a copy of the LEA/school Web page and/or the school newsletter or local newspaper where the local school wellness policy and assessment results have been posted.
- How the policy compares to model policies.
- That a triennial assessment of the local school wellness policy was conducted for each school under its jurisdiction.

PUBLIC NOTIFICATION

29. How should LEAs notify the public that they have a policy and/or there has been an update to the policy?

LEAs must inform the public each school year of basic information about the local school wellness policy, including its content and any updates as described in 7 CFR 210.31(d)(2). LEAs may best determine the optimal time for providing the information, although FNS recommends that the information be provided early in the school year. Best practices include highlighting the policy on individual school Web sites, linking to the policy on individual school social media accounts, sending updates in a parent or school newsletter, including the policy in a presentation during parent/staff meetings, providing copies of the policy at back-to-school nights, featuring the policy on the parent- or staff-specific Web pages, and posting on school bulletin boards. Other strategies include placing a blurb in a local community newsletter or newspaper, posting on a community Web site or blog, or sharing updates and accomplishments on a local radio or television show. Team Nutrition's new *Local School Wellness Policy Outreach Toolkit* provides free templates to help notify the public and can be adapted to meet the LEA's needs. This toolkit can be accessed at ***http://www.fns.usda.gov/tn/local-school-wellness-policy-outreach-toolkit***.

30. How often are LEAs or schools required to notify the public about the local school wellness policy?

LEAs are required to annually notify the public of the local school wellness policy and any updates to the policy (7 CFR 210.31[d]). FNS also encourages LEAs or schools to include a summary of each school's events or activities related to local school wellness policy implementation on their annual public notification. LEAs may determine the optimal time for providing the information, although FNS recommends that the information be provided early in the school year.

31. Are LEAs or schools required to produce annual progress reports?

On an annual basis, LEAs are required to notify the public of the local school wellness policy and any updates to the policy (7 CFR 210.31[d]). FNS also encourages LEAs or schools to include a summary of each school's events or activities related to local school wellness policy implementation on their annual public notification.

32. Does the LEA or school official(s) designated to oversee the wellness policy need to publicize its contract information?

LEAs are only required to identify the position title of the LEA or school official(s) responsible for oversight of the local school wellness policy. However, LEAs are strongly encouraged to provide a means of contacting the LEA or school official(s) responsible for oversight by designating an LEA or school-based phone number and/or e-mail address for the community to provide suggestions, make inquiries, request to get involved, or contribute to wellness policy implementation.

33 .How should LEAs engage stakeholders in the policy?

Each year, stakeholders must be provided with the opportunity to participate in the development, implementation, periodic review, and update of the local school wellness policy as stated in 7 CFR 210.31(d)(1). It is at the discretion of the LEA on how stakeholders are invited to participate. Suggestions for including a variety of stakeholders include:

- Sending a letter to parents/families.
- Providing status updates in teacher/staff trainings.
- Posting a call for volunteers on the LEA Web site.
- Including a blurb on the school, LEA, or local community newspaper, newsletter, and/or blog.
- Partnering with community organizations to spread the information.
- Posting information about the process on social media.

Team Nutrition has developed an outreach toolkit to help LEAs engage parents and school staff in the development, implementation, and monitoring of their wellness policy. The customizable templates are available for download at ***http://www.fns.usda.gov/tn/local-school-wellness-policy-outreach-toolkit***. Examples of other ways to engage parents are provided in the Centers for Disease Control and Prevention's (CDC) Parents for Healthy Schools found at ***http:www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm***.

34. How should residential child care institutions (RCCIs) comply with the required public notification?

Although RCCIs may have different circumstances than LEAs, the intent of the public notification requirement is to inform the public about the process and how they can get involved. RCCIs are required to inform parents/caregivers and any other members of the public about the local wellness policy. The RCCI has discretion to determine to whom this public information should be directed. Notification may be as simple as including the local school wellness policy and a description of how to get involved on the RCCI Web site, newsletter, RCCI social media, or other means of notifying families and the general public.

Please note that RCCIs are not required to inform the public regarding eligibility criteria for school meals if they do not have day students. However, they are still required to notify the public of the local school wellness policy provisions because the intent is to provide information to the public about the policy and invite members of the public to become involved.

GOALS

35. Does the wellness policy have to include a specific number of hours for nutrition or physical education?

Nutrition and physical education are very important aspects of wellness and complement a healthy school environment. LEAs have discretion in determining the best way to structure their school day, and there is no requirement that an LEA include specific amount and frequency requirements (i.e., days per week and minutes per day/week) in their policy goals, objectives, and annual benchmarks for physical education, nutrition education, and physical activity. However, FNS encourages LEAs to require a specific number of hours and/or frequency to assist in assessing whether schools are meeting their goals and to consider the Centers for Disease Control and Prevention's (CDC) recommendation of 60 minutes of physical activity each day for children and adolescents (see ***https://www.cdc.gov/physicalactivity/basics/children/index.htm***).

36. What are some examples of evidence-based strategies/techniques to establish wellness goals?

The following examples of evidence-based strategies have been shown to improve the likelihood that children will make the healthier choice: using creative names for fruits and vegetables and targeted entrées, training staff to prompt students to select fruits and vegetables, placing unflavored milk in front of other beverage choices, and bundling grab and go meals that include fruit and vegetable items.

LEAs should review Smarter Lunchroom tools and strategies which are evidenced-based, simple, low-cost, or no-cost changes that are shown to improve student participation in the school meals program while encouraging consumption of more whole grains, fruits, vegetables, and legumes, and decreasing plate waste (for more information, please visit https://healthy meals.fns.usda.gov/healthierus-school-challenge-resources/smarter-lunchrooms).

37. How can farm-to-school strategies be included in wellness policies?

Wellness policies offer an opportunity to showcase farm-to-school efforts and gain buy-in from the community. According to the Farm-to-School Census, over two-thirds of school districts engaged in farm-to-school activities said they enjoy positive impacts, including increased support from parents and community member, improved acceptance of and participation in school meals, lower school meal program costs, and less plate waste.

Wellness policies offer an opportunity to engage community stakeholders who can help districts start and/or expand activities such as buying local foods, growing gardens, and offering nutrition, agricultural, and culinary education. For specific ideas and sample language from other districts that have included farm-to-school efforts in their policies, please visit https://healthymeals.fns.usda.gov/farm-school-wellness-policy-language.

WELLNESS LEADERSHIP AND INVOLVEMENT

38. Who should oversee the wellness policy?

The LEA has discretion in determining who is responsible for overseeing the wellness policy, including assessments. The LEA is most qualified to identify the best candidate(s) for local school wellness policy leadership as size, resources, and needs vary greatly among LEAs and schools. Some LEAs have a position titled *Wellness Coordinator*, while in other LEAs, the *School Nutrition Director* or *Lead Health Education Coordinator* oversees the policy. The regulations do not specify the title or position of the designated wellness official(s) but simply require that the responsible official be designated (7 CFR 210.31[e][1]).

Regardless of who is named as the designated official(s) to oversee the wellness policy process, the CDC's case study examination found that in successful schools, a *wellness champion* serves as the driving force for developing and implementing the wellness policy. A single wellness champion—such as a school nurse, district superintendent, or community member—led the process in many schools and districts. The champion played a critical role in starting the process and keeping it going when challenges arose. For more information, see ***https://www.cdc.gov/healthyyouth/npao/pdf/251553_SchoolWellnessInAction_Final_508_Ready_508tagged.pdf***.

39. How does FNS define *actively* seeking members for the wellness committee? Is sending an e-mail enough?

LEAs have discretion in how they implement the requirement to actively seek members for their wellness committee. Sending an e-mail is one example of how an LEA could meet the requirement. Other examples include a posting in a newsletter or on the LEA's Web site or social media page, or creating an advertisement in a local community newsletter or newspaper.

TECHNICAL SUPPORT

40. Where can I get more information and technical support?

USDA FNS has developed wellness Web resources as a part of the Team Nutrition Web site. The wellness policy Web site has information on the requirements and a summary of the final rule, action steps for local educational agencies and schools, tools and resources, monitoring wellness policies, funding wellness efforts, and more. The FNS Local School Wellness Policies Web site can be accessed at ***http://www.fns.usda.gov/tn/local-school-wellness-policy***.

Additionally, FNS's *School Nutrition Environment and Wellness Resources* Web page provides information and resources to support the local school wellness policy process and includes sample policy language, examples of existing state-level health policies, stories, and best practice ideas for schools, grants and funding opportunities, and trainings to assist districts/schools in developing, implementing, and monitoring their wellness policies. The resources Web site can be accessed at ***https://healthymeals.fns.usda.gov/school-wellness-resources***.

The CDC also has many resources that can help inform the content and implementation of wellness policies. There are resources on topics that include Smart Snacks, physical activity and physical education, measuring Body Mass Index in schools, and engaging parents to participate in school wellness activities. CDC also has assessment tools, including the School Health Index that schools can use to assess their health policies and practices and then create a plan to improve their health and safety policies and practices. These helpful CDC resources can be accessed at ***www.cdc.gov/healthyyouth/npao/publications.htm***.

CDC's *Putting Local School Wellness Policies to Action: Stories From School Districts and Schools* provides helpful strategies and examples for additional resources for schools. This resource can be accessed at ***https://www.cdc.gov/healthyyouth/npao/pdf/251553_SchoolWellnessInAction_Final_508_Ready_508tagged.pdf***.

SMART SNACKS IN SCHOOL/COMPETITIVE FOODS

1. A school site is not authorized to conduct or allow any exempt fundraisers unless the school district has adopted a written policy that meets these requirements. All competitive foods sold in a school district that does not have such a written policy must meet the nutritional guidelines under Smart Snacks.

2. The Healthy Hunger-Free Kids Act of 2010 directed USDA to establish Nutrition Standards for all foods and beverages sold to students in school during the school day, including foods sold outside of the meals served through the NSLP and the SBP. The new Smart Snacks in School Nutrition Standards help schools to make the healthy choice the easy choice by offering students more of the foods and beverages we should be encouraging—whole grains, fruits and vegetables, leaner protein, lower-fat dairy—while limiting foods with too much sugar, fat, and salt.

3. Smart Snack Calculator

   To assist districts in determining if a food meets the Smart Snack Rule, you will need to use the Smart Snack calculator using the product's nutrition facts label.
   Go to **https://foodplannerhealthiergeneration.org/calculator.**

4. Definition

   a. School Day—From midnight on any given day when school is in session to 30 minutes past when the last bell rings.
   b. All Foods—Any foods sold on school premises during the school day, no matter what fund purchased the food. ***All foods*** includes all foods in snack shops, student stores, vending machines, etc.

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4. Nutrient Standards for All Foods Sold in School

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL		
Food/Nutrient	**General Standard**	**Exemptions to the Standard**
General Standard for Competitive Food	To be allowable, a competitive ***FOOD*** item must: 1. Meet all of the proposed competitive food Nutrient Standards; AND 2. Be a grain product that contains 50 percent or more whole grains by weight or have whole grains as the first ingredient*; OR 3. Have as the first ingredient* one of the nongrain main food groups: fruits, vegetables, dairy, or protein foods (meats, beans, poultry, seafood, eggs, nuts, seeds, etc.); OR 4. Be a combination food that contains at least 1/4 cup fruit and/or vegetable. * If water is the first ingredient, the second ingredient must be one of Items 2, 3, or 4 above.	• Fresh fruits and vegetables with no added ingredients except water are exempt from all Nutrient Standards. • Canned and frozen fruits with no added ingredients except water or are packed in 100 percent juice, extra light syrup, or light syrup are exempt from all Nutrient Standards. • Canned vegetables with no added ingredients except water or that contain a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable are exempt from all Nutrient Standards.
NSLP/SBP Entrée Items Sold À la Carte	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after the service in the lunch or breakfast program.	
Sugar-Free Chewing Gum	Sugar-free chewing gum is exempt from all competitive food standards.	
Accompaniments	Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.	
Caffeine	Elementary and middle school: Foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances. High school: Foods and beverages may contain caffeine.	

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL continued		
Food/ Nutrient	**Nutrient Standard**	**Exemptions to the Standard**
Total Fats	Acceptable food items must have ≤ 35 percent calories from total fat as served.	• Reduced-fat cheese (including part-skin mozzarella) is exempt from the total fat standard. • Nuts and seeds and nut/seed butters are exempt from the total fat standard. • Products consisting of only dried fruit with nuts and/ or seeds with no added nutritive sweeteners or fats are exempt from the total fat standard. • Seafood with no added fat is exempt from the total fat standard. Combination products are not exempt and must meet all the Nutrient Standards.
Saturated Fats	Acceptable food items must have < 10 percent calories from saturated fat as served.	• Reduced-fat cheese (including part-skim mozzarella) is exempt from the saturated fat standard. • Nuts and seeds and nut/seed butters are exempt from the saturated fat standard. • Products consisting of only dried fruit with nuts and/ or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard. Combination products are not exempt and must meet all the Nutrient Standards.
Trans Fats	Zero grams of trans fat as served (≤ 0.5 g per portion).	
Sugar	Acceptable food items must have ≤ 35 percent of weight from total sugar as served.	• Dried whole fruits or vegetables, dried whole fruit or vegetable pieces, and dehydrated fruits or vegetables with no added nutritive sweeteners are exempt from the sugar standard. • Dried whole fruits or pieces with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, tart cherries, or blueberries) are exempt from the sugar standard. • Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard.
Sodium	Snack items and side dishes sold à la carte must be: ≤ 200 mg sodium per item as served, including any added accompaniments. Entrée items sold à la carte: ≤ 480 mg sodium per item as served, including any added accompaniments.	
Calories	Snack items and side dishes sold à la carte: ≤ 200 calories per item as served, including any added accompaniments. Entrée items sold à la carte: ≤ 350 calories per item as served, including any added accompaniments.	• Entrée items served as an NSLP or SBP entrée are exempt on the day of or the day after service in the Program meal.

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL continued		
Food/Nutrient	**Beverage Standard**	
Beverages	**Elementary School** • Plain water or plain carbonated water (no size limit) • Lowfat milk, unflavored (≤ 8 fl oz) • Nonfat milk, flavored or unflavored (≤ 8 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements • 100 percent fruit/vegetable juice (≤ 8 fl oz) • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 8 fl oz) **Middle School** • Plain water or plain carbonated water (no size limit) • Lowfat milk, unflavored (≤ 12 fl oz) • Nonfat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements • 100 percent fruit/vegetable juice (≤ 12 fl oz) • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 12 fl oz) **High School** • Plain water or plain carbonated water (no size limit) • Lowfat milk, unflavored (≤ 12 fl oz) • Nonfat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements • 100 percent fruit/vegetable juice (≤ 12 fl oz) • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 12 fl oz) • Other flavored and/or carbonated beverages (≤ 20 fl oz) that are labeled to contain < 5 calories per 8 fl oz or ≤ 10 calories per 20 fl oz • Other flavored and/or carbonated beverages (≤ 12 fl oz) that are labeled to contain ≤ 40 calories per 8 fl oz or ≤ 60 calories per 20 fl oz	

5. Fundraiser Exemptions

A school district that wishes to conduct fundraisers exempt from the Smart Snack rules must adopt a written policy which shall be board-approved and provide the following:

a. Each school site shall designate a Smart Snacks in School Exempt Fundraiser contact person who shall be responsible for maintaining up-to-date documentation regarding each fundraiser held at the school site. An example of the School Organization Fund-Raising Form can be found under Other Documents on the CARS System.
b. ***A limit of 30 exempt fundraisers per semester may be held at each school site.*** (Vending machines, snack shops, and student stores are all considered fundraisers.)
c. Exempt fundraisers ***are prohibited*** from taking place while meals are being served to students under the NSLP or the SBP and while after-school snacks are being served to students under the ASSP.
d. The maximum duration of any individual exempt fundraiser shall be 14 fundraising days.
e. For each individual exempt fundraiser, documentation must be kept on file at the school site showing:
   (1) The school organization, activity, class, or other group that benefits from the fundraiser.
   (2) The date(s) the fundraiser is conducted, with the duration not to exceed 14 fundraising days per semester.

A school site is not authorized to conduct or allow any exempt fundraisers unless the school district has adopted a written policy that meets these requirements. All competitive foods sold in a school district that does not have such a written policy must meet the nutritional guidelines under Smart Snacks.

SMART SNACK QUESTIONS & ANSWERS

COMBINATION FOODS

1. What is a combination food?

A combination food is defined as a product that contains two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein, or grains. If a combination food does not meet the general standards by being (a) a grain product that contains 50 percent or more whole grains by weight or have whole grains as the first ingredient ***or*** (b) having one of the nongrain major food groups as a first ingredient (fruits, vegetables, dairy, protein food) ***or*** (c) a food that contains 10 percent of the Daily Value of a nutrient of public health concern from the DGA (i.e., calcium, potassium, vitamin D, or dietary fiber), then such a combination food must contain 1/4 cup of fruit and/or vegetable. Combination foods must also meet the specific Nutrient Standards specified in the Smart Snacks interim final rule.

2. What is an example of a combination food?

One example of a combination food is a blueberry muffin. A blueberry muffin may not meet the general standard if it does not contain 50 percent or more whole grains by weight or if the first ingredient listed is not a whole grain, fruit, vegetable, dairy, or protein item. However, if the muffin contains refined grains and 1/4 cup of blueberries, the muffin meets the general standard requirement as a combination food that contains 1/4 cup fruit and/or vegetable. (Additionally, the muffin must also meet the specific Nutrient Standards for fat, sugar, sodium, etc.) Some other examples of combination foods would be the Harvest Stew or Vegetable Chili Boat recipes from the Recipes for Healthy Kids contest. Each of these soups contains at least 1/4 cup of vegetable and meets the Nutrient Standards and may be allowable under the Smart Snacks standards in appropriate portions.

3. **Are any combination foods exempt from the Nutrient Standards?**

There are only two types of combination foods exempt from all or some of the Nutrient Standards. Canned, fresh, and frozen fruits and vegetables that are combined may be exempt from all of the Nutrient Standards as long as there are no added ingredients except water. For example, fresh salsa made from tomatoes, onions, and garlic, with no other ingredients, is exempt from each of the Nutrient Standards.

While combination foods comprised entirely of fruits and/or vegetables are exempt from all the Nutrient Standards, there are some other combination items that are exempt from a subset of Nutrient Standards. Specifically, items that are made from only dried fruit, nuts, and/or seeds are one specific type of combination food item that is exempt from the total fat standard, saturated fat standard, and the sugar standard as long as such products contain no added nutritive sweeteners or fats. Such products are still subject to the caloric, trans fat, and sodium standards.

4. **Would two items packaged together as a snack be considered a combination food as long as the package contains 1/4 cup of a fruit or vegetable?**

Yes. For example, a 100-calorie pouch of small chocolate chip cookies (approximately 21 grams [g]) combined with one small banana (approximately 100 g) is a combination item if packaged and sold together; the cookies contain grain and the small banana is about 1/2 cup of fruit. The nutrients for this example combination are 190 calories, 3 g of fat (14 percent calories from fat), 1 g of saturated fat (5 percent calories from saturated fat), 0 g trans fat, 95 mg of sodium, and 20 g of sugar (17 percent sugar by weight).

5. **Would a side salad meet the Nutrient Standards and/or is it considered to meet the standards as a combination food?**

A side salad may qualify based either on the first ingredient being a vegetable or as a combination food. For example, 1 cup of romaine lettuce, 1/4 cup sliced cucumbers, 8 cherry tomatoes, 4 croutons, and 1 tablespoon (Tbsp) of low-calorie Caesar dressing that contains 57 calories, 1 g of fat (16 percent of calories from fat), 0 g saturated fat, 0 g *trans* fat, 191 mg of sodium, and 4 percent sugar by weight would be allowable.

6. **May cheese and crackers be sold?**

To meet the general standard, the first ingredient in cheese and crackers packaged together must be either a dairy food or a whole grain.Fo Cheese and crackers must also meet all of the specific Nutrient Standards. If the cheese and the crackers are packaged separately and sold as separate items, reduced-fat cheese or part-skim mozzarella would be exempt from the total and saturated fat standard but subject to all other standards, while the crackers would need to have as the first ingredient a whole grain and meet all other Smart Snacks Nutrition Standards.

BEVERAGES

1. **Now that the restrictions on the sale of other beverages during the meal service have been eliminated in the interim final rule, may a student select juice or a diet soda instead of milk for a reimbursable meal?**

No; the Smart Snacks Interim Final Rule does not change the meal pattern and Nutrition Standards for the NSLP or the SBP. Milk is one component of a reimbursable meal. The milk component may be declined in the case of Offer versus Serve (OvS). However, beverages other than juice and smoothies offered as the fruit or vegetable component of the reimbursable meal would have to be purchased à la carte.

4. How can I be sure that juice meets the standard for being full-strength 100 percent juice?

The Food and Drug Administration (FDA) requires beverage labels for products that contain juice to include a percent juice declaration on the product carton as *100 percent juice*, the product meets the Smart Snack standard for being full-strength, 100 percent juice and can be sold in the appropriate portion sizes (≤ 8.0 fl oz for elementary and ≤ fl oz for middle and high schools).

5. Diluted juice is allowed in Smart Snacks. How do I make sure that the juice product was 100 percent juice prior to being diluted with water?

Packaged juice that has been diluted with water will have the FDA-required percent juice declaration printed on the label as *contains* _____ - *percent juice* where the blank is filled in with the percent of full-strength, 100 percent juice that is contained in the diluted juice drink. The additional information from the ingredient list will indicate that it has been diluted with water and whether or not it has added sweeteners.

In other words, if the product name is *apple juice drink* with the ingredients listed as *water and apple juice concentrate*, and the product carton has the percent juice declaration statement listed as *contains 70 percent juice* or *70 percent juice*, then the product is full-strength apple juice diluted with water at the ratio of 70 percent juice to 30 percent water. Provided there are no added sweeteners, this product can be sold in the allowed portion sizes (≤ 8.0 fl oz for elementary schools and ≤ 12.0 fl oz for middle and high schools).

6. May 100 percent juice contain added sweeteners?

Yes. The FDA allows added sweeteners such as sugar in products labeled as *100 percent juice*. The Smart Snacks regulation only prohibits added sweeteners in diluted juice (carbonated or noncarbonated with no added sweeteners).

7. There are many beverages on the market that are labeled as *probiotic dairy drinks, drinkable yogurt, milk shakes,* and/or *high protein lowfat milk*. Are such drinks allowable Smart Snack beverages?

Allowable milk beverages for all grade levels in Smart Snacks include unflavored lowfat and flavored or unflavored nonfat milk. Kefir (cultured milk), buttermilk, acidified milk, acidophilus milk, or nutritionally equivalent milk alternatives as permitted by the school meal requirements. This category does not include other dairy drinks or milk beverages. Most of these products have a deviated statement of identity on the product carton such as *probiotic dairy drink, drinkable yogurt, milk shake,* or *high-protein lowfat milk* because these dairy drinks and milk beverages do not meet the federal standard of identity to be labeled as milk. Therefore, these dairy drinks and milk beverages do not meet the Smart Snacks milk standards, but may be sold if they meet the requirements under the low and no calorie beverage standards for high school students only.

8. Are smoothies allowed under the Smart Snacks requirements?

Yes; smoothies may be sold under the Smart Snacks requirements. There are two types of smoothie products: food smoothies and beverage smoothies. In addition, there are two categories of food smoothies: entrée smoothies and snack smoothies.

9. When would a smoothie be considered a beverage?

A smoothie is considered to be a beverage when it is comprised entirely of beverages that are currently allowable under the Smart Snacks standard for 100 percent juice, lowfat or nonfat milk (including milk alternatives), and water (or ice). For example, a smoothie made from 100 percent fruit juice, 1 percent milk, and blended with ice would be considered to be a beverage smoothie. The serving size of this beverage smoothie is limited to not more than 8 fl oz for elementary schools and not more than 12 fl oz for middle and high schools.

10. When would a smoothie be considered a food?

A smoothie is considered to be a food when the smoothie meets the general standard by including one of the main food group categories as the first ingredient and meets the specific Nutrient Standards. For example, if a smoothie consists of pieces of strawberries, banana slices, pineapple juice, and ice, the smoothie may be considered to be a food smoothie since it contains pieces of fruit. This type of smoothie would be considered to be a snack since it does not meet the definition of an entrée (i.e., does not contain a meat/meat alternate) but does meet the general and Nutrient Standards.

11. What if a smoothie contains a meat/meat alternate?

As stated in Question 10, for a smoothie to count as a food, the first ingredient of the smoothie must meet the general standard by being an item included in one of the main food group categories and must meet the specific Nutrient Standards. If a smoothie also contains a meat alternate, such as yogurt or peanut butter as well as a fruit or vegetable, it would not only be considered to be a food smoothie but would also meet the definition of an entrée item and may be sold as such.

12. If a smoothie is served as a breakfast entrée item, is it exempt from the standards?

Yes; if a smoothie is served as a breakfast entrée item in the SBP, it is exempt from the Smart Snacks standards on the day of service and the day after service in the reimbursable breakfast meal.

13. In high school, could a beverage smoothie have added sweeteners?

If a beverage smoothie (combines allowable beverages) is sold in high school and contains added sweeteners, it would fall into the *Other* allowable beverage category for high school. When this is the case, the smoothie must meet the caloric and size restrictions for that beverage category; i.e., ≤ 60 calories per 12 fl oz (or 5 calories/1 fl oz) with a maximum size of 12 fl oz.

14. Would a frozen fruit product labeled as 100 percent juice (i.e., frozen fruit bars, frozen fruit cups, frozen fruit pops) count as a food or beverage?

School districts have the flexibility to choose whether a frozen fruit product will be categorized as a food or a beverage. If a school district decides it wants to sell a frozen fruit product as a food, the product must contain one of the main food groups (protein, dairy, fruit, vegetable) as the first ingredient, it must be 200 calories or less, and it must meet all of the Nutrient Standards for Smart Snacks. If a school district decides that it wants to sell a frozen fruit product as a beverage, 8 fl oz is the maximum serving size for elementary schools and 12 fl oz is the maximum serving size for middle and high schools.

15. If coffee and tea are sold, may the students have cream and sweetener for their beverages?

Yes; cream and sweeteners are accompaniments to coffee and tea. The sugar and cream must be included in the evaluation of the coffee or tea against the beverage standard. The use of accompaniments may be averaged over the number of drinks sold. The other beverage standard in high school permits ≤ 60 calories per 12 fl oz; this is the same as ≤ 5 calories per 1 fl oz. If a smaller beverage is served, the calories may not exceed 5 calories per fl oz; for example, a 6 fl oz beverage may have no more than 30 calories.

16. May espresso and steamed (or boiled) milk beverages be sold, such as lattes and cappuccinos?

Yes; as long as the beverage sold is comprised of two allowable beverages. Espresso (or coffee) is allowable at the high school level only and may be combined with skim milk, flavored or unflavored. Espresso (or coffee) may also be combined with 1 percent milk as long as there is no added flavoring. Additionally, it would be acceptable to sell an espresso beverage over ice or blended with ice. All final beverage sizes must be no more than 12 fl oz.

SOY PRODUCTS

1. Do soy products like meatless burgers meet the general standard as a protein food?

Processed soy products that have tofu, soybean, texturized vegetable protein (TVP), soy protein isolate, soy flour, or soy protein concentrate as the first ingredient meet the general standard requirement as a protein food. Such foods also need to be evaluated to gooensure that the product meets the Smart Snacks Nutrient Standards.

2. Are soy nuts a protein food?

Soy nuts are ***dried*** soybeans that fall into both the protein group and vegetable group. Since the Smart Snacks requirements exempt only *fresh, frozen, and canned vegetables with no added ingredients except water* (and canned vegetables with a small amount of sugar for processing), soy nuts would ***NOT*** be exempt from the Nutrient Standards. However, even though soy nuts would ***NOT*** be exempt from all Nutrient Standards as a vegetable, they ***would be*** exempt from the total fat and saturated fat requirements under the nut/seeds exemption. Remember: Soy nuts are still subject to the caloric, trans fat, sugar, and sodium standards.

3. Do fortified soy beverages meet the standard to be sold?

If a fortified soy beverage meets the standard to be served in NSLP as a fluid milk substitute per 210.10(d), it may be sold. If the standard is met, these beverages need to adhere to the appropriate beverage standards for Smart Snacks—8 fl oz or less in elementary school and 12 fl oz or less in middle and high schools.

ENTRÉES

1. What is considered to be an entrée in Smart Snacks?

The Smart Snacks in school regulation at §210.11(a)(3) defines an entrée as an item that is either:

- □ A combination food of meat or meat alternate and whole grain-rich item.
- □ A combination food of vegetable or fruit and meat or meat alternate.
- □ A meat or meat alternate alone, with the exception of yogurt, lowfat or reduced-fat cheese, nuts, seeds, and nut or seed butters, and meat snacks (such as dried beef jerky).

The preamble to the proposed rule provided several examples for each part of the entrée definition. These included examples of the following three categories of main dish food items:

a. A combination food of meat or meat alternate and whole grain-rich bread (for example, turkey sandwich, peanut butter on whole grain-rich bread, pizza with whole grain-rich crust, hot dog or hamburger on a whole grain-rich bun, a bean and cheese burrito, nachos with chili and cheese).
b. A combination food of vegetable or fruit and meat or meat alternate (for example, chef's salad, fruit and cheese platter, chicken vegetable stir-fry).
c. A meat or meat alternate alone (e.g., fish filet, Salisbury steak, seafood, egg, or chicken) with the exception of yogurt, lowfat or reduced-fat cheese, nuts, seeds, and nut or seed butters.

While the preamble to the interim final rule did not repeat the specific examples above or the term *main dish*, the intent of the interim final rule definition of entrée is to be consistent with the proposed rule discussion. The final rule will clarify that the definition of entrée intends for the item to be a *main dish*

2. Is a cheese sandwich or a peanut butter sandwich considered an entrée item?

Yes; a combination meat/meat alternate and whole grain-rich food meets the definition of an entrée item. Cheese or peanut butter alone is not considered to be an entrée; however, when combined with whole grain-rich bread, these sandwiches are entrée items. Unless served as an entrée in the NSLP on that day or the day after, all entrée items must also meet the Smart Snacks general and Nutrient Standards.

3. **Does yogurt with fruit count as an entrée?**

Yogurt meets the Smart Snacks general standard as a dairy product. However, when combined with fruit or vegetables or a whole grain-rich food (e.g., granola), it becomes a combination food of a meat/meat alternate and fruit or vegetable or meat/meat alternate and a whole grain-rich food, which becomes an acceptable entrée. It is important to note, however, that the interim final rule prohibits yogurt alone from being considered an entrée item.

4. **How often may entrées served as part of a reimbursable meal that do not meet the Smart Snacks standards be sold à la carte to students?**

The interim final rule provides that entrées that have been served as part of the NSLP or SBP reimbursable meal are exempt from the Smart Snacks food standards on the ***day of service*** in the NSLP and SBP as well as the ***day after*** such an entrée is served in the NSLP or SBP as part of the reimbursable meal. This means that such entrée items may be sold to students à la carte on the same day that they are served as part of the reimbursable meal as well as the day after such an entrée item has been served as part of the NSLP or SBP meal. Leftover entrées may also be re-served at any time as part of a reimbursable meal without regard to the Smart Snacks restrictions.

5. **When considering entrée exemptions on the same day and the next school day, may a breakfast entrée be served during lunch and be exempt and vice versa?**

Yes, this is acceptable. Please note that such exempt entrées are required to be served in the same or smaller portion size than the NSLP and SBP entrée.

6. **Are traditional grain products made in a nontraditional way, such as bean pasta, bean tortilla chips, and bean crackers, with beans or bean powder as the first ingredient, measured against the entrée standards or the snack standards?**

Nontraditional grain products such as pasta, tortilla chips, and crackers made with meat alternates such as beans or bean powder as the first ingredient, by themselves, are not considered an entrée for Smart Snacks. These nontraditional grain products, when sold by themselves, may be measured against the snack standards because they meet the general standard that requires a nongrain food group as the first ingredient. However, when these nontraditional grain products are combined with a meat/meat alternate alone or with a meat/meat alternate and a vegetable or with a meat/meat alternate and a fruit, the combination may be measured against the entrée standards for Smart Snacks. For example, lentil crackers combined with hummus may be sold as an entrée, assuming the combined item meets the entrée standards.

7. **If the school food service serves a commercial brand pizza for the reimbursable school lunch meal, may the commercial company sell the same commercial brand pizza in the same building on their own for profit or does the entrée have to be provided through the food service department?**

The Smart Snacks in school regulation provides an exemption for entrée items served as the entrée in the reimbursable school meal. Such entrées may be sold on that same day and the day after at any venue in the school, such as the school store, snack bar, etc. It is at the discretion of the school district or school as to whether or not to allow retail operators to sell such foods in schools on the day of and/or the day after such an item is served in the reimbursable meal.

8. **How do I count accompaniments for exempt entrées?**

As with the NSLP, accompaniments are part of the meal offered and must be considered when conducting a nutrient analysis to determine compliance with the weekly dietary specifications (calories, sodium, trans fat, etc.) for the reimbursable meal programs and for the à la carte meals to ensure that such meals comply with the Smart Snacks standards. Accompaniments are never considered to be exempt from the Smart Snacks in school standards, even when they accompany an exempt entrée item sold à la carte. Salad dressings or condiments do not need to be on the plate when the food item is served; however, the amount of the accom-

paniments used during the meal service must be averaged into the nutrient profile of the relevant reimbursable meals and à la carte entrées served that day in order to evaluate compliance with the NSLP/SBP meal pattern and the Smart Snacks requirements. The preamble to the interim final rule also discusses this issue

NUTRITION STANDARDS

1. **How do I calculate the percentage of calories from fat contained in an item?**

There are two methods of calculating this percentage based on the information found in the Nutrition Facts panel. Both are acceptable, though they may yield slightly different results (see Question 2). The Nutrition Facts panel includes total fat in two places: (a) listed as calories from fat near the top and (b) listed in grams with the other nutrients. The percent of calories from fat may be calculated using either number.

To calculate using the calories from fat information, take the calories from fat listed on the label and divide by the total calories, then multiply by 100. Using the Nutrition Facts panel example shown here to calculate the calories from fat method, the calculation would be as follows: 50 calories ÷ 140 calories x 100 = 35.7 percent of calories from fat.

Nutrition Facts
Serving Size 1 oz (28g)
Serving Per Container 1

Amount Per Serving
Calories 140 Calories From Fat 50

	% Daily Value*
Total Fat 5g	**8%**
Saturated Fat 0.5g	**3%**
Trans Fat 0g	
Sodium 200mg	**8%**
Total Carbohydrate 18g	**6%**
Dietary Fiber 3g	**12%**
Sugars 2g	
Protein 3g	**6%**

*Percent Daily Values are based on a 2,000-calorie diet.

To use the grams of total fat method, take the grams of fat on the label and multiply by 9 (the calories in each gram of fat), divide that result by the total calories, then multiply by 100. Using the Nutrition Facts panel example here, the calculation would be: 5 grams x 9 calories ÷ 140 calories x 100 = 32.14 percent of calories from fat.

2. **It appears that these two methods may give different results when calculating the percentage of calories from fat. If so, which calculation should be used?**

These two methods will often provide slightly different results because the FDA has different rounding rules for the labeling of these nutrients on the Nutrition Facts panel. However, if either method results in less than or equal to 35 percent of calories from fat (do not round the result), the product will meet the total fat standard. The example on the previous page could be sold since the result, using the grams of total fat, is less than or equal to 35 percent of calories from fat.

3. **Must I always use both methods to calculate the percentage of calories from fat?**

We recommend you start by using the calories from fat listed at the top of the Nutrition Facts panel. If the result is less than or equal to 35 percent of calories from fat, there is no need to do the calculation with the total fat grams. If the result does not meet the standard, use the grams of total fat to determine if the item meets the total fat standard.

4. How do we calculate the percentage of calories from saturated fat in an item?

To calculate the percentage of calories from saturated fat, take the grams of saturated fat and multiply by 9 (the calories in each gram of saturated fat), divide that result by the total calories, then multiply by 100. Using the Nutrition Facts panel from Question 1, the calculation would be: (0.5 grams x 9 calories) ÷ 140 x 100 = 3.2 percent. Do not round the result since the standard is less than 10 percent of calories from saturated fat. A product with up to 9.9 percent of calories from saturated fat will meet the standard.

5. How do I calculate the percent of sugar by weight?

To calculate the percentage of sugar by weight, take the grams of sugar on the Nutrition Facts panel and divide that by the total weight of the food in grams. Using the Nutrition Facts panel from Question 1, the calculation would be: 2 g (grams of sugar) ÷ 28 g (total weight of food) x 100 = 7.14 percent sugar by weight. Total sugar must be no more than 35 percent by weight. Do not round the result.

6. Which dried fruit items may have added nutritive sweeteners and still be exempt from the sugar standard?

The regulation permits dried fruit with nutritive sweeteners that are required for processing and/or palatability purposes to be exempt from the sugar standard only. Such items, however, must meet the Smart Snack caloric, total fat, saturated fat, trans fat, and sodium standards. At this time, the only types of dried fruit that may have added nutritive sweeteners and be exempt from the sugar standard are dried cranberries, dried tart cherries, and dried blueberries.

7. When is frozen fruit with added sugar considered to be equivalent to canned fruit packed in extra light or light syrup and therefore exempt from the standards?

Frozen fruit with added sugar is processed differently than canned fruit with light syrup. Sugar is added to fruit prior to freezing as a ratio (for example, 11 pounds [lb] of fruit to 1 pound of sugar), not as a liquid syrup (for example, light syrup used in canning). When a frozen fruit product has approximately 20 percent sugar by weight, it is similar to fruit canned in light syrup. Therefore, when a frozen fruit product has added sugar and the sugar by weight is 20 percent or less, it is exempt from the calories, total fat, saturated fat, and sodium standards.

It is important to note that any fruit product with sugar may be evaluated against the standards and be sold as long as it meets all the requirements. For example, if a product's first ingredient is a fruit and all the Nutrient Standards (including calories and sugar by weight) are met, the product may be sold.

8. Will USDA-approved nutrient analysis software include sugars?

Yes. All USDA-approved nutrient analysis software will have sugars included by July 1, 2014. Anyone who does not receive an update to their software with the current CN Database (CN18) by July 1, 2014, should contact his or her software company.

9. There is a discrepancy between the preamble and the regulatory text with regard to the saturated fat requirements for allowable foods. Could you clarify the saturated fat requirement? In addition, please clarify the trans fat limit.

Saturated Fat Requirement

Foods eligible to be sold must derive ***less than*** 10 percent of their calories from saturated fat. A food that has exactly 10 percent of calories from saturated fat would ***NOT*** meet the standard. The preamble incorrectly states the requirement. However, the regulation at §210.11(f)(1)(ii) correctly states the requirement that the saturated fat content of a competitive food must be less than 10 percent of total calories per item as packaged or served, with specific exemptions as specified in (f)(3) of the regulation.

Trans Fat Requirement

Per FDA labeling requirements, a product must have less than 0.5 g of trans fat to be labeled as a product that contains 0 g trans fat. Program operators should only select foods that contain 0 g of trans fat as stated on the Nutrition Facts panel (unless it is a naturally occurring trans fat). We are aware that there is a discrepancy between what is in the Smart Snacks preamble and regulation and the FDA requirements for labeling a product as 0 g of trans fat. This error will be corrected in the final rule. The requirement for Smart Snacks is that a product must be labeled as 0 g trans fat (contain less than 0.5 g) to be allowable, consistent with the FDA labeling requirements.

10. May popcorn qualify as a Smart Snack?

Popcorn is whole grain and may be eligible as a Smart Snack, provided it meets all applicable standards. The ingredient label must list the first ingredient as popcorn to meet the general standard. There are many different types of popcorn available on the market, some with added fats and/or sugars; therefore, the Nutrition Facts panel or product specifications must be checked to determine if the product meets the Nutrition Standards.

11. Does a dried/dehydrated fruit or vegetable listed as the first ingredient qualify a product under the general standards for Smart Snacks?

Yes. A dried/dehydrated fruit or vegetable such as dried cherries or potato flakes listed as the first ingredient does qualify the product under the general standard for Smart Snacks. All Nutrient Standards must be met for calories, total fat, saturated fat, trans fat, sodium, and sugar.

In addition, vegetable puree (tomato puree), fruit puree, and concentrated vegetable puree (tomato paste) qualify as a fruit/vegetable under the general standards. Juice and juice blends made from concentrate when water is added in the correct amount (100 percent juice) are also considered a fruit/vegetable ingredient. However, ***dehydrated or concentrated fruit juice or concentrated fruit puree*** listed as the first ingredient is considered added sugar and does not qualify a product for sale under the general standard.

12. Should sugar alcohols be included when calculating total sugar?

No; sugar alcohols should not be treated like sugar.

13. May I use a product specification sheet or product sales literature rather than an actual product label with the Nutrition Facts panel in making Smart Snacks in school decisions?

While actual product labels or cartons are preferred, individuals interested in assessing products against the Smart Snacks in school Nutrient Standards may use properly documented specification sheets or sales literature provided by the food manufacturer or supplier. Properly documented informational materials are documents that are presented on company letterhead or designed portfolios complete with contract information and product identification. In some cases, these informational materials may include raw or unrounded nutrient data and these data can be used to assess the product against the Smart Snacks Nutrient Standards. The individuals making decisions are not required to follow any rounding rules; the information can be used as-is. The intent is that the decisions can be made with the information that is in front of them during the process. It is important that the product labels or the product specification sheets/product sales literature be maintained for record-keeping and monitoring purposes.

14. How do we determine whether frozen fruit and/or juice bars, frozen yogurt, or ice cream meet the Smart Snacks standards when serving size information is provided in fluid ounces or milliliters instead of by weight (grams)?

To evaluate product information that is provided in fluid ounces or milliliters rather than by weight (grams), the fluid ounce serving size will need to be converted from fluid ounces to weight in grams. The simple conversion for this is: 1.0 fluid ounce = 29.57 grams. If serving size information is presented in milliliters

(ml), then the individual will need to convert ml to weight in grams. The simple conversion for this is: 1.0 ml - 1 g.

15. Are ice cream products with milk fat as the first ingredient allowable as a Smart Snack?

Since milk fat is not considered to be a dairy food, products that list milk fat or other milk components as the first ingredient would not meet the Smart Snacks general standard as having as the first ingredient from one of the nongrain main food groups. However, if the product carton or the ingredient declaration specifies that the product is ***ice cream*** and then follows with an ingredient list that includes milk fat, milk solids or cream, the product can be measured against the Nutrition Standards for snacks. This is because ***ice cream*** meets a specific federal standard of identity and is considered to be a ***dairy food***. Dairy foods meet the Smart Snacks general standard and are allowable in accordance with the Smart Snacks regulation.

FUNDRAISERS

1. What is considered a fundraiser?

USDA considers a fundraiser to be an event that includes any activity during which currency/tokens/tickets, etc., are exchanged for the sale/purchase of a product in support of the school or school-related activities. For example, giving away food but suggesting a donation would be considered a fundraiser since funds will be raised as a result. Another example may include a vending machine when the profits are used to support a school-sponsored club or activity such as the school band or football team. Purchasing tickets or tokens to be exchanged later for food items would also be considered to be a sale of food and/or a fundraiser and would be subject to the Smart Snacks standards.

2. What if tickets or tokens are provided to students as rewards? Would items exchanged for such tickets have to comply with the Smart Snacks standards?

If a ticket or a token is given to a student for good behavior or good grades—a behavioral or performance award—and no money is exchanged in order to acquire the ticket/token, the exchange of the reward ticket or token would not be considered a sale to the student.

3. What is the allowable length of an exempt fundraising event?

State agencies should address what is considered to be an appropriate time frame for an exempt fundraising event and include such information as a part of their established exempt fundraiser policy which determines the maximum frequency for exempt fundraisers in schools in the state. It is expected that state agencies will establish a reasonable exempt fundraiser policy consistent with the intent of the law that such fundraisers occur on an infrequent basis. For example, considering a vending machine that is available every day during the school year as a single fundraiser or permitting regular week-long or month-long funderaisers would not meet the statutory and regulatory intent with regard to infrequent fundraiser exemptions.

4. The Smart Snacks rule gives the states authority to set a limit on the number of fundraisers that may be exempted from the Nutrition Standards. What if my state does not set a limit?

The interim final rule allows state agencies to set the frequency with which exempt fundraisers may be held in schools in the state. If a state agency does not specify the exemption frequency, no fundraiser exemptions may be granted to the schools in the state.

5. My state has specified the number of school fundraisers that can be exempt from the Smart Snacks requirements. Do I have to allow that number of fundraisers to occur in my school?

The state-established level is the maximum number of exempt fundraisers during which foods that do not meet the Smart Snacks standards may be sold to students. As LEAs and schools are allowed to implement more restrictive competitive food standards, we anticipate that they would also be allowed to implement more restrictive standards for the frequency with which exempt fundraisers may be held in their schools.

However, LEAs and schools should direct any questions about the state-established fundraiser standard to their state agency.

6. **Does the limit apply to all fundraisers in my school?**

   A fundraiser limitation established by the state applies only to exempt fundraisers, during which foods that do not meet the regulatory requirements may be sold to students on the school campus during the school day. There are no restrictions on the number of fundraisers that include the sale of food items that meet the Smart Snacks standards as well as the sale of nonfood items. In addition, the Smart Snacks standards do not apply to food sold during nonschool hours, weekends, and off-campus fundraising events such as frozen pizza sales or concessions during after-school sporting events, school plays, or concerts.

7. **If a superintendent or principal of a school arranges with local food truck vendors to sell items to the students on the school campus during the school day and the school receives a percentage of funds from the sale of such items, would this be considered to be a fundraiser?**

   This scenario depicts the operation of a fundraiser and would only be allowable on the school campus during the school day if the food items sold meet the standards or if it is one of the exempt fundraisers permitted within the limits established for such exempt fundraisers. Addressing such practices in the school wellness policy is encouraged.

SALE OF FOOD

1. **If pizza or any other food is sold in a classroom, is it subject to the Smart Snacks rule?**

   All food sold to students anywhere on the campus during the school day is subject to the Smart Snacks regulatory requirements. The Smart Snacks standards do not apply to food given to students without the exchange of currency/purchased tokens/purchased tickets or to food brought to school by the students for their own consumption.

2. **Do the Smart Snacks requirements apply if items are sold to someone other than a student?**

   The Smart Snacks nutrition requirements apply only when foods outside of the school meals programs are sold or available to be sold to students during the school day on the school campus, as defined in the interim final rule. The requirements of the interim final rule are not applicable to food sold to nonstudents such as parents or school faculty/staff members.

3. **If the school food service sells food items to the school for a special event, such as a school celebration, holiday party, and the food will not be sold to students, will be Smart Snacks nutrition requirements apply?**

   The Smart Snacks Nutrition Standards included in the interim final rule apply only to food ***SOLD*** to students on the school campus during the school day. If such foods are provided to the students free of any charge or *contribution*, or the exchange of purchased tokens or purchased tickets of any sort, the competitive foods standards do not apply.

4. **A PTO or teacher collects money from each student at the beginning of the year to cover the cost of foods provided to students during classroom parties throughout the year or a fee is collected from each student for a classroom party several days prior to the party. Would this be considered to be *sales* to students and would the Smart Snacks standards apply?**

   Classroom parties and celebrations where students or teachers supply the food or provide funds to purchase the food are not subject to the Smart Snacks standards. Instead, such parties are subject to the local wellness policy and should comply with the standards of that policy.

APPLICABILITY OF THE SMART SNACKS STANDARDS

1. **How does this rule impact schools that also participate in the NSLP After-School Snack Program (ASSP) or any part of the Child and Adult Care Food Program (CACFP)?**

   The Smart Snacks standards are applicable during the school day, which is defined as the midnight before to 30 minutes after the end of the instructional day. If such programs are operated in the school during the school day or if after-school snacks or meals are provided within the 30-minute window after the end of the instructional day, any other food available ***for sale*** to students at that time must comply with the Smart Snacks requirements.

2. **Are schools that do not participate in the NSLP or the SBP required to comply with the Smart Snacks interim final rule?**

   Schools that do not participate in the NSLP or SBP are not required to comply with the Smart Snacks interim final rule. For example, schools that only participate in the Special Milk Program (SMP) are not required to comply with Smart Snacks guidelines, although it is encouraged in order to improve the overall nutrition environment in schools.

3. **Do the Smart Snacks standards apply to the Summer Food Service Program (SFSP)?**

   The Smart Snacks standards do not apply to the SFSP unless the SFSP is operated at a school during the school day during which summer school NSLP meals are being served on campus, as discussed in the previous question.

4. **If the school allows other community organizations to use parts of the school building during the school day for community activities not open to students in the school, must food sold to participants in those activities comply with the Smart Snacks standards?**

   USDA has statutory authority only over the food sold to students on the school campus during the school day. If outside groups are utilizing the school facilities during the school day and the activities are completely separate and not accessible to the students, then food sold to those outside community group members would not be subject to the Smart Snacks requirements. However, any food available to be sold to students on that school campus during the school day is required to conform to the Smart Snacks standards.

5. **If both middle school and high school students are located in the same building, which beverage standards should be implemented in the school?**

   If a middle school and high school are in the same building and all students have access to all venues in the school, the items available for sale to the students (beverages) must meet the middle school standards. If, in the above situation, the middle school students do not have access to the high school area, separate middle school and high school beverage standards may be implemented by the school.

6. **If the SFA has an open campus and allows for the ordering and delivery of foods (such as pizza delivery) outside of school, is this practice still allowable based on the Smart Snacks rule?**

   The Smart Snacks in school statute and the regulation do not provide the Secretary with the authority to regulate foods brought from home or foods purchased outside of the school and brought onto campus for personal consumption. If the school allows students to order food from restaurants and those restaurants deliver the food or if the school is an open campus concept where students purchase lunch foods off campus to bring back to school to consume, Smart Snacks standards do not apply to those foods.

MEAL-COUNTING AND MEAL-CLAIMING PROCEDURES

A. AccuClaim (Accurate Counting and Claiming System)

Federal reimbursement is provided for each meal that meets program requirements and is served to an eligible student. To obtain this reimbursement, site personnel (not students) must accurately count, record, and claim the number of meals actually served to students by category; i.e., full-price, reduced-price, and free. Additionally, the number of meals served free and reduced-price and claimed for reimbursement must have adequate documentation on file to support the claim. (Refer to **page C-95** for the Acceptable Meal-Counting System Checklist.) ***No child can be required to take a meal.***

1. Point of Service

Reimbursement shall be based on daily counts taken at the point of service that identify the number of free, reduced-price, and full-price reimbursable lunches served.

Point of service is defined as that point in the food service operation where a determination can accurately be made that a reimbursable free, reduced-price, or full-price meal has been served to an eligible student. The meal-counting and meal-claiming procedures used by the SFA are a local decision. When establishing and evaluating a system for acceptability, always keep in mind the following requirements. ***Attendance records, classroom counts, and/or tray counts cannot be used as an acceptable point of service count***. ***Students cannot be required to take a tray.***

The meal-counting system chosen must provide a ***point of service*** count:

- Of reimbursable meals served (one per eligible student per day).
- By type (free, reduced-price, or full-price).
- Each day.
- Without overtly identifying students' eligibility categories. Codes used on rosters or other forms of exchange, such as tickets or debit cards, must not overtly identify the eligibility category of the student. Use of the following terms or codes are ***NOT*** allowed.

  (1) Free, reduced-price, full-price, or paid
  (2) F, R, or P
  (3) One-digit numbers

NOTE: Meals served on weekends may be reimbursed if the school activity on the weekend is an* integral part *of the curriculum or an actual extension of the school calendar (i.e., make-up days to meet minimum hours students must attend). Meals served during vacations* are not *reimbursable. (Reference FNS Instruction 786-7, Rev. 2 and 786-9, Rev. 2) Meals are not reimbursable when school is not in session. For example: The school week is four days, and Friday is used for remedial purposes only; because Fridays are not part of the regular school calendar, meals served on Fridays are not reimbursable.

2. Edit Check

NOTE: The Healthy, Hunger-Free Kids Act of 2010 requires an Edit Check Worksheet to be completed daily for* BOTH *breakfast and lunch for each accredited site.

Before submitting a monthly claim for reimbursement, each SFA shall compare each accredited site's daily count against data that assists in the identification and correction of counts in excess of the number of reimbursable lunches served each day by category (free, reduced-price, and full-price). An Edit Check Worksheet must be completed for each school site eating at a specific cafeteria. For example: One cafeteria has three accredited sites eating there. The elementary, middle school, and high school are the three accredited sites. The SFA ***must*** keep a separate Edit Check Worksheet for each of those three sites.) There is a Site/School Food Authority (SFA) Edit Check Worksheet on **page C-97**.

SFAs are allowed to use a locally designed Edit Check Worksheet if it is equal to or better than the worksheet on **page C-97** as to the information obtained.

3. Attendance Factor Notification

The State Agency will determine each SFA's attendance factor based on enrollment. ***Continue to use your attendance factor from last school year until your new attendance factor is posted.***

The following formula is used to calculate the attendance factor:

Average Daily Attendance (ADA) ÷ Average Daily Membership (ADM) = Attendance Factor

ADA represents an average of the total number of students in attendance on any particular day in a site.

ADM represents an average of the total number of students currently enrolled on any particular day in a site. This number fluctuates as students come and go. When a student checks out of a site, the student is immediately dropped from membership. If a student is absent ten consecutive school days, the student is automatically dropped from membership. (Refer to Section 232 of Public School Laws Records of Attendance)

4. Annual On-Site Review—Required for lunch and breakfast (SP56-2016)

Every school year each SFA with more than one school **(eating site)** shall perform no less than one on-site review for each site operating the NSLP and 50 percent of sites operating the SBP. The on-site review shall take place prior to February 1 of each school year. Further, if the review discloses problems with a site's meal-counting or meal-claiming procedures, the SFA shall ensure that the site develops and implements a corrective action plan. Within 45 calendar days of the review, it shall be the SFA's responsibility to conduct a follow-up on-site review to determine that the corrective action plan resolved the problems. Each on-site review shall ensure that the site's claim for reimbursement is based on a ***point of service*** meal count system and that the meal count system yields the actual number of reimbursable free, reduced-price, and full-price meals served for each day of operation. **Pages C-100** and **C-104** have sample forms for on-site reviews. The on-site review should be conducted by someone with knowledge of program regulations. This requirement may be contracted with an outside source. However, this review must not be conducted by the FSMC if the FSMC is in charge of the meal-counting and -claiming system. (Reference 7 CFR §210.8[a] and FSMC Guidance, page 7-2)

PROVISION

A. Alternate Methods of Meal Counting and Meal Claiming

1. Provision 1, 2, and 3

There are three counting and claiming alternatives that SFAs ***MAY*** implement to reduce their paperwork burden. SFAs interested in implementing any one of the provisions must contact the State Agency for the appropriate application.

Due to the fact that applications are not obtained by districts participating in one of the provisions after the base year, questions have arisen about how to determine free or reduced-price eligibility for the remaining years of the provision for State Aid, Title I, and other funding formulas. SFAs use base year percentages of children eligible for free or reduced-price meal benefits applied to the total enrollment to determine how many students in the site would qualify for free or reduced-price meals. The percentages established in the base year would be brought forward each year and applied to the current school year's enrollment figures. These figures are calculated by the State Agency once

October enrollment data is collected. SFAs ***MUST*** complete an application on ***each site***. ***Applications must be received prior to August 1 of the base year.*** For districts participating in CEP, Provision 2 or Provision 3, a simplified Edit Check Worksheet for both breakfast and lunch must be completed. (Refer to **pages C-108** and **C-109** for a copy.) (Reference USDA Policy Memo 2001-SP-30).

a. Provision 1

What it is:

SFAs of a site having at least 80 percent of its enrolled children determined eligible for free or reduced- price meals may, at its option, authorize the site to reduce annual certification and public notification for those children eligible for free meals to once every two consecutive school years.

How it works:

The following requirements apply:

- SFAs of a site operating under Provision 1 requirements shall publicly notify parents of enrolled children who are receiving free meals once every two consecutive school years and shall publicly notify parents of all other enrolled children on an annual basis.
- The 80 percent enrollment eligibility for Provision 1 shall be based on the site's March enrollment data of the previous school year
- SFAs of a site operating under Provision 1 shall count the number of free, reduced-price, and full-price meals served to children in that site as the basis for monthly reimbursement claims.
- Before submitting a monthly claim for reimbursement, each SFA shall compare each site's daily count against data that assists in the identification and correction of counts in excess of the number of reimbursable lunches and breakfasts served each day by category (free, reduced-price, and full-price). There is an Edit Check Worksheet on **page C-97**..

b. Provision 2

What it is:

SFAs may certify students for free or reduced-price meals for up to four consecutive school years if a site serves meals at no charge to all enrolled children in that site provided that public notification was done and eligibility determinations were made correctly in the base year. The term ***base year*** means the last year for which eligibility determinations were made and meal counts by type were taken.

If an SFA operating under Provision 2 continues to collect income or SNAP, ***Temporary Assistance to Needy Families (TANF)***, or ***Food Distribution Program on Indian Reservations (FDPIR)*** information from households during the nonbase years for ***non-NSLP*** or ***non-SBP*** purposes, the applications may not be labeled as meal applications or give any indication that meal benefits are contingent upon a household returning the application.

In addition, because information about household income or information about participation in other assistance programs is not a requirement for NSLP or SBP purposes during nonbase years, funds in the nonprofit school food service account (SFSA) may not be used to pay the costs associated with collecting and processing such information.

An SFA operating under Provision 2 still must continue to conduct Direct Certification once annually during the nonbase years. An SFA operating under Provision 2 that collects and processes meal applications from households during ***ANY*** nonbase year ***MUST*** use the approved applications to conduct meal counting and meal claiming by type at the point of service during that school year. Essentially, this becomes a new base year and new claiming percentages are established for the new cycle.

How it works:

Sites shall offer reimbursable meals to all students at no charge during the Provision 2 base year. The Provision 2 base year is the first year and is included in the four-year cycle. The following requirements apply:

- Free meals: Participating sites shall serve reimbursable meals, as determined by a ***point of service*** count, to all participating children at no charge during all four years of the cycle (base year included). Application approval, benefit issuance, and verification take place in the base year only.
- Cost differential: The SFA of a site participating in Provision 2 shall pay, with funds from nonfederal sources, the difference between the cost of serving the meals at no charge to all participating students and federal reimbursement.
- Meal counts: During the base year, even though meals are served to participating students at no charge, sites shall take daily meal counts of reimbursable meals by type (free, reduced-price, and full-price) at the point of service. During the nonbase years, participating sites shall take total daily meal counts (not by type) of reimbursable meals at the point of service. For the purpose of calculating reimbursement claims in the nonbase years, monthly percentages shall be established.

  The monthly meal counts of the actual number of meals served by type (free, reduced-price, and full-price) during the base year shall be converted to monthly percentages for each meal type. These percentages shall be derived by dividing the monthly total number of meals served of one meal type (such as free) by the total number of meals served in the same month for all meal types (free, reduced-price, and full-price). The percentages for the reduced-price and full-price meal types shall be calculated in the exact same way.

These three percentages calculated at the end of each month of the first school year (base year) shall be multiplied by the corresponding monthly meal count totals for all reimbursable meals served in the second, third, and fourth consecutive school years, and applicable extensions, in order to calculate reimbursement claims for free, reduced-price, and full-price meals each month.

Extension of Provision 2:

At the end of the initial cycle and each subsequent four-year cycle, the State Agency may allow a site to continue under Provision 2 for another four years using the claiming percentages calculated in the most recent base year if the SFA can certify that base year records are still available and can establish, through available and approved socioeconomic data, that the income level of the site's population, as adjusted for inflation, has remained stable, declined, or has had only negligible improvement (5 percent or less) since the base year.

Approved sources of socioeconomic data that may be used by SFAs to establish the income level of the site's population are:

- Local data developed or collected by city or county zoning and economic planning offices.
- Unemployment data for the areas from which the site draws attendance, measuring the stability of the income level of the site's population.
- Direct Certification: Show the percentage of enrolled students directly certified in the base year, and compare it to the percentage of enrolled students directly certified in the last year of the current Provision 2 cycle.
- An SFA may collect free and reduced-price meal applications to develop socioeconomic data. Please note that this is a data collection process to establish the socioeconomic level of the site's population and does not require meal counts. The collection of free and reduced-price meal applications for extension purposes must be limited to the final school year in the Provision 2 cycle.

The SFA shall be notified by the State Agency when a site is in the last year of participation under Provision 2. This notification shall be sent to the SFA in February of the last year of participation. Documentation from the SFA to support extending participation must be received by the State Agency no later than August 1 of that same year.

The State Agency shall not approve an extension of Provision 2 procedures in those sites for which the available and approved socioeconomic data does not reflect the site's population; is not equivalent data for the base year and the last year of the current cycle; or shows over 5 percent improvement, after adjusting for inflation, in the income level of the site's population. Approval cannot be made for any site that does not submit the required data by the August 1 deadline.

Sites not approved for an extension shall:

- Return to standard meal-counting and meal-claiming procedures.
- Establish a new base year by taking new free and reduced-price applications, making new free and reduced-price eligibility determinations, and taking ***point of service*** counts of free, reduced-price, and full-price meals for the first year of the new cycle. ***NOTE: All meals in the base year under Provision 2*** **must be** ***served free of charge to all participating students.***
  Record-keeping requirements:

SFAs of sites implementing Provision 2 shall retain records related to the implementation of the provision for as long as the entity is operating the provision. Failure to maintain sufficient records shall result in the State Agency requiring the site to return to standard meal-counting and meal-claiming procedures and/or fiscal action for the entire year in which records are not found.

- Base year records: SFAs shall ensure that records which support subsequent year earnings are retained for the base year for sites under Provision 2. Such base year records shall be retained during the period the provision is in effect, including all extensions, and three fiscal years after the submission of the last claim for reimbursement, which employed the base year data. If audit findings have not been resolved, base year records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.
- Nonbase year records: SFAs shall ensure that nonbase year records pertaining to total daily meal count information, edit checks, and on-site review documentation are retained for sites under Provision 2. Such records shall be retained for three years after submission of the final claim for reimbursement for the fiscal year. SFAs that are granted an extension of a provision shall retain records of the available and approved socioeconomic data that is used to determine the income level of the site's population for the base year and years in which extensions are made. Such records shall be retained at the SFA level during the period the provision is in effect, including all extensions, and three fiscal years after the submission of the last claim for reimbursement which employed base year data. If audit findings have not been resolved, records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.

Upon request, the SFA shall make documentation that supports participation in the provision available at any reasonable time for monitoring and audit purposes.

How to Handle Student Mobility Moving From Provision Site

Transferring within the same LEA
If a student transfers from a Provision school to a non-Provision school within the same LEA and the student is not otherwise eligible for free meals, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Transferring between LEAs
If a student transfers from a Provision school to a non-Provision school in a different LEA, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

c. Provision 3

What it is:

An SFA of a site that serves all enrolled students in that site reimbursable meals at no charge during any period for up to four consecutive school years may elect to receive federal cash reimbursement and commodity assistance for the same level as the total federal cash and commodity assistance received by the site during the last year that eligibility determinations for free and reduced-price meals are made and meals were counted by type—free, reduced-price, and full-price—at the point of service. Such cash reimbursement and commodity assistance shall be adjusted for each of the four consecutive school years based on a comparison of the site's enrollment in the base year and the site's enrollment in each consecutive year. The term ***base year*** means the last year for which eligibility determinations were made and meal counts by type were taken.

Reimbursable meals may be offered to all students at no charge, or students eligible for reduced-price or full-price meal benefits may be charged for meals during the Provision 3 base year. The Provision 3 base year immediately precedes, and is not included in, the four-year cycle.

If an SFA operating under Provision 3 continues to collect income or SNAP/TANF/FDPIR information from households during the nonbase years for ***non-NSLP*** or ***non-SBP*** purposes, the applications may not be labeled as meal applications or give any indication that meal benefits are contingent upon a household returning the application.

In addition, because information about household income or information about participation in other assistance programs is not a requirement for NSLP or SBP purposes during the nonbase years, funds in the nonprofit SFSA may not be used to pay the costs associated with collecting and processing such information.

An SFA operating under Provision 3 must still continue to conduct Direct Certification during the nonbase years.

An SFA operating under Provision 3 may collect applications for meal benefits during nonbase years for the purpose of requesting an extension of the provision.

An SFA operating under Provision 3 that collects and processes meal applications from households during ***ANY*** nonbase year ***MUST*** use the approved applications to conduct meal counting and meal claiming by type at the point of service during that school year. Essentially, this becomes a new base year and new claiming percentages are established for the new cycle.

How it works:

Meal counts by category (F/R/P) are taken in the base year and submitted to the SA electronically. Once the current school year enrollment is known, the current enrollment is compared to the base year enrollment. Whatever percentage the enrollment increased or decreased from the base year to the current year is applied to the total meal counts by category collected in the base year. Once a total meal count for each category is determined for the current year, a daily meal count is determined by dividing the number of operating days into the number of meals by category.

The following requirements apply:

- Sites shall offer reimbursable meals to all students during the Provision 3 base year. Application, benefit issuance, and verification take place in the base year only.
- Free meals: Participating sites shall serve reimbursable meals as determined by a ***point of service*** count to all participating children at no charge during nonbase years of operation.
- Cost differential: The SFA of a site participating in Provision 3 shall pay, with funds from nonfederal sources, the difference between the cost of serving the meals at no charge to all participating students and federal reimbursement.
- Meal counts: Participating sites shall take daily meal counts of reimbursable meals served to participating students at the point of service during the nonbase years. Such meal counts shall be retained at the local level. In addition, SFAs must establish a system of oversight using the daily meal counts to ensure that participation has not declined significantly from the base year. If participation declines significantly, the SFA shall provide the site with technical assistance, adjust the level of financial assistance received through the State Agency, or return the site to standard application and meal-counting procedures, as appropriate.

The State Agency shall make annual adjustments for enrollment and inflation to the total federal cash and commodity assistance received by a Provision 3 site in the base year. The adjustments shall be made for increases and decreases in enrollment of children with access to the programs. The annual adjustment of enrollment shall be based on the site's base year enrollment as of October 1 compared to the site's current year enrollment as of October 1.

To the extent that the number of operating days in the current school year differs from the number of operating days in the base year, and the difference affects the number of meals, a prorated adjustment shall also be made to the base year level of assistance as adjusted by enrollment and inflation. Such adjustment shall be effected by multiplying the average daily meal count by type (free, reduced-price, or full-price) by the difference in the number of operating days between the base year and the current year and subtracting that number from the meals claimed.

Extension of Provision 3:

At the end of the initial cycle and each subsequent four-year cycle, the State Agency may allow a site to continue under Provision 3 for another four years using the information from the most recent base year if the SFA can certify that base year records are still available and establish, through available and approved socioeconomic data, that the income level of the site's population, as adjusted for inflation, has remained stable, declined, or has had only negligible improvement (5 percent or less) since the base year.

Approved sources of socioeconomic data that may be used by SFAs to establish the income level of the site's population are:

- Local data developed or collected by city or county zoning and economic planning offices.
- Unemployment data for the areas from which the site draws attendance, measuring the stability of the income level of the site's population.
- Direct Certification: Show the percentage of enrolled students directly certified in the base year, and compare it to the percentage of enrolled students directly certified in the last year of the current Provision 3 cycle.
- SFAs may collect free and reduced-price applications to develop socioeconomic data of the site's population. Please note that this is a data collection process to establish the socioeconomic level of the site's population and does no require meal counts. The collection of free and reduced-price applications must be limited to the final school year in the Provision 3 cycle.

The SFA shall be notified by the State Agency when a site is in the last year of participation under Provision 3. This notification shall be sent to the SFA in February of the last year of participation. Documentation from the SFA to support extending participation must be received by the State Agency no later than August 1 of that same year.

The State Agency shall not approve an extension of Provision 3 procedures in those sites for which the available and approved socioeconomic data does not reflect the site's population; is not equivalent data for the base year and the last year of the current cycle; or shows over 5 percent improvement, after adjusting for inflation, in the income level of the site's population. Approval cannot be made for any site that does not submit the required data by the August 1 deadline.

Sites not approved for an extension shall:

- Return to standard meal-counting and meal-claiming procedures.
- Establish a new base year by taking new free and reduced-price applications, making new free or reduced-price eligibility determinations, and taking point-of-service counts of free, reduced-price, and full-price meals for the first year of the new cycle. ***NOTE: All meals in the base year under Provision 3*** **are not** ***required to be served free of charge to all participating students.***

Record-keeping requirements:

SFAs of sites implementing Provision 3 shall retain records related to the implementation of the provision for as long as the entity is operating the provision. Failure to maintain sufficient records shall result in the State Agency requiring the site to return to standard meal-counting and meal-claiming procedures and/or fiscal action for the entire year in which records are not found.

- Base-year records: SFAs shall ensure that records that support subsequent year earnings are retained for the base year for sites under Provision 3. Such base-year records shall be retained during the period the provision is in effect, including all extensions, plus three fiscal years after the submission of the last claim for reimbursement, which employed the base-year data. If audit findings have not been resolved, base-year records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.
- Nonbase-year records: SFAs shall ensure that nonbase-year records pertaining to total daily meal count information, edit checks, and on-site review documentation are retained for sites under Provision 3. In addition, SFAs shall ensure that nonbase-year records pertaining to annual enrollment data and number of operating days which are used to adjust the level of assistance are retained. Such records shall be retained for three years after submission of the final claim for reimbursement for the fiscal year. SFAs that are granted an extension of a provision shall retain records of the available and approved socioeconomic data which is used to determine the income level of the site's population for the base year and years in which extensions are made. Such records shall be retained at the SFA level during the period the provision is in effect, including all extensions, and three fiscal years after the submission of the last claim for reimbursement which employed base-year data. If audit findings have not been resolved, records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.

  Upon request, the SFA shall make documentation which supports participation in the provision available at any reasonable time for monitoring and audit purposes.

How to Handle Student Mobility Moving From Provision Site

Transferring within the same LEA
If a student transfers from a Provision school to a non-Provision school within the same LEA and the student is not otherwise eligible for free meals, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Transferring between LEAs
If a student transfers from a Provision school to a non-Provision school in a different LEA, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

2. Community Eligibility Provision (CEP)

What it is:

SFAs are reimbursed for the total number of meals served from the percentage of directly certified students from enrollment.

By May 15 of each year, the SA will publish the number of directly certified students by site as indicated in the WAVE along with each site's enrollment.

The SFA will edit the figures and certify them as true and correct if participation is desired.

- Each site, group of sites, or the entire SFA must be 40 percent or more directly certified students.
  - Enrollment includes only students who have access to a meal service.
  - Identified directly certified student: any student who qualifies for free meal benefits without an application.
- Any sites, group of sites, or entire SFA participating must offer both breakfast and lunch, and all meals are served free of charge to all students.
- Nonfederal source funds may be necessary to cover operating costs when the level of Federal reimbursement received under CEP does not cover the costs of serving free meals to all students. ***(See SP-54 2016 CEP: Guidance and Updated Q&A #43)***
- No applications can be collected or approved for meal benefits. ***CATEGORICAL*** meal counts are no longer maintained. ***However, point of service meal counts are still required.***

How it works:

For each site, groups of sites, or entire SFAs participating, the total number of reimbursable meals served by type (breakfast and lunch) will be multiplied by the percentage of directly certified students times 1.6 factor. These meals will be paid at the free reimbursement rate. The remaining meals will be paid at the paid reimbursement rate. A point-of-service total meal count must be taken daily.

If individual sites, groups of sites, or entire SFAs reach 62.5 percent of directly certified students, all meals are paid at the free reimbursement rate.

It is recommended that sites, groups of sites, or entire SFAs be at 50 to 55 percent directly certified students in order to be financially viable. Although CEP sites do not take categorical counts, an edit check to document ***TOTAL*** meal counts is required. Refer to **page C-109** for a copy of the Edit Check Worksheet for both breakfast and lunch.

State Agencies have established an array of processes for assessing the accuracy of an SFAs ISP(s). States opting to follow the Administrative Review procedures (i.e., Locate 10 percent, or a statistically valid sample, of identified student names on appropriate source documentation) must at a minimum, as part of the Administrative Review records, maintain the following ISP data for schools participating in CEP:

- A list of all of the identified students, with their ISP classification, used to determine the ISP from all schools participating in CEP from each district;
- Documentation for the total enrollment at all CEP schools;
- The sample list of students the State Agency used to verify the initial ISP; and
- The ISP worksheet the school used to calculate the ISP(s) and submitted to the State Agency with appropriate documentation.

Schools must maintain source documentation used to validate the ISP for the entire time the school operates CEP. If a school chooses to return to standard counting and claiming, the school must maintain the source documentation for three years after submission of the final Claim for Reimbursement for the last

Reapplication of CEP:

If a district wants to reapply for CEP, they must notify SDE by June 30. The district will need a copy of their direct certification list and a copy of all enrolled children as of April 1. The district's consultant will verify the district's direct certification percentage.

This percentage is used for the following four school years unless this site, groups of sites, or entire SFA's directly certified percentages increase as of April 1 in any of the four years. If an increase occurs, the site, groups of sites, or entire SFA may use the increased percentage. If the directly certified percentage decreases, then the initial percentage can be used for the entire four years.

In the fourth year, the site, groups of sites, or entire SFA must recalculate the directly certified percentage for the next four-year period. The percentage must be 40 percent or more for participants to continue, at which point the cycle would begin again.

Sites, groups of sites, or entire SFAs are required to continue Direct Certification efforts during all four years of participation so that the fourth-year directly certified percentage will not fall below the 40 percent mark.

For CEP, LEA/schools must retain those records used in the development of the Identified Student Percentage (ISP) (e.g., records for the initial approval year and all records from the year any updates are made to the ISP) during the entire period the CEP is in effect. CEP records must be retained for three years after submission of the final claim for reimbursement. Records must continue to be retained if any audit findings from the period during which the records were in use remain outstanding. In any such case, records must be retained until all issues raised by the audit have been fully resolved.

How to Handle Student Mobility Moving From Provision Site

Transferring within the same LEA
If a student transfers from a Provision school to a non-Provision school within the same LEA and the student is not otherwise eligible for free meals, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Transferring between LEAs
If a student transfers from a Provision school to a non-Provision school in a different LEA, the receiving

LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

CEP Estimator: See **page C-113** for a formula to assist schools in detecting how much money, if any, could be lost.

. **Other State Funding Under CEP:**

State Aid: The percentage of directly certified students as of April 1 in the base year by each site will be multiplied by the 1.6 factor. Whatever percentage this is will represent the percentage of ***FREE*** students on the Low-Income Report for October. The only difference will be that the percentage of ***FREE*** students (from April 1) is then compared to the ***CURRENT YEAR*** October 1 enrollment (rather than the April 1 enrollment) to determine the actual number of ***FREE*** students in each school. ***NOTE: Even if a school district has* groups *of sites under CEP or is districtwide in its CEP participation, it will be each individual school site's percentage that is used for State Aid, not the* group *or district-level percentage.***

eRate: The percentage of directly certified students as of April 1 in the base year by each site will be multiplied by the 1.6 factor. Whatever percentage this is will represent the percentage of ***FREE*** students on the Low-Income Report for October of the current year. The only difference will be that the percentage of ***FREE*** students (from April 1) is then compared to the ***CURRENT YEAR*** October 1 enrollment (rather than

the April 1 enrollment) to determine the actual number of ***FREE*** students in each school. ***NOTE: Even if a school district has* groups *of sites under CEP or is districtwide in its CEP participation, it will be each individual school site's percentage that is used for eRate, not the* group *or district-level percentage.***

Title I: The percentage of directly certified students as of April 1, by each site, will be multiplied by the 1.6 factor. This percentage will represent the percentage of ***FREE*** students on the Low-Income Report for October (Oklahoma's Economically Disadvantaged Statewide Report). The only difference will be that the percentage of ***FREE*** students (from April 1) is then compared to the ***CURRENT YEAR*** October 1 site enrollment (rather than the April 1 site enrollment) to determine the actual number of ***FREE*** students in each site.

***NOTE 1: Even if a district has a* group *or* groups *of sites under CEP or is districtwide in its CEP participation, it will be each individual school site's percentage that is used for eRate, not the* group *or districtwide percentage.* Title I only uses eligibility data for ages 5-17 from the Low-Income Report.**

NOTE 2: For the* large districts *(over 20,000 population area), the Title I funding is based on census data. For FY2020, this includes: Bartlesville, Bixby, Broken Arrow, Choctaw/Nicoma Park, Claremore, Deer Creek, Duncan, Edmond, Enid, Guthrie, Jenks, Lawton, Moore, Muskogee, Mustang, Midwest City/Del City, Norman, Oklahoma City, Owasso, Ponca City, Putnam City, Sand Springs, Sapulpa, Shawnee, Stillwater, Tahlequah, Tulsa, Union, and Yukon.

C. Alternate Methods of Meal Counting and Meal Claiming

Some schools do not have space available to serve breakfast models, which often involve serving breakfast after the school day begins, eliminate such barriers to participation. If a district adds an alternate Method for Meal Counting and Claiming, the district needs to indicate WHERE the alternate method is located in the CARS system. Go the the Site Application, scroll to #14. Implementation of Offer vs. Serve .Add the alternate location in the Comments section.

1. Breakfast in the Classroom

Breakfast in the Classroom allows students to enjoy a breakfast meal during the first 10 to 15 minutes of the school day. School food service professionals or volunteers distribute meals prepared in the cafeteria to students in the classroom at the start of their first class period. Teachers record the number of meals served after distribution. Students help clean up after the meal, and trash is later removed by school custodial staff. Teachers may also use the time to take attendance, collect homework, deliver announcements, or read to the class. Serving breakfast in the classroom often leads to cafeteria staff having more time to prepare for lunch, since little time is needed to clean the cafeteria after breakfast service is over.

2 Grab & Go

Students pick up breakfast in the cafeteria, at hallway kiosks, or at other locations identified by school guidelines, and then eat their meal during the first 10 to 15 minutes of class. The meals are prepared by school food service professionals and pre-packed in containers that students can easily carry. School staff use a wireless or other counting system if the meals are distributed elsewhere. Students help clean up after consuming the meal in the classroom, and trash is later removed by school custodial staff. Grab & Go breakfast meals served in the cafeteria, giving food service professionals more time prepare lunch.

3. Second Chance Breakfast

A second shift of breakfast can be served like Grab & Go or served in the cafeteria. School food service professionals record the number of meals served using the POS system in the school cafeteria. Schools should ensure there are adequate trash cans in the hallways, as students may consume their meal on the way to class. This may be a good option for middle and high school level who may not be hungry first thing in the morning or was not able to eat during the first shift. Record the number of meals served using the point-of-sale/point-of-service (POS) system.

4. Breakfast on the Bus

Students consume breakfast during their morning commute. Meals are prepared by school food service professionals before the driver begins their route, and handed to children as they board the bus. The bus driver or another volunteer uses an appropriate counting & claiming system as the children board. Students may dispose of trash on the bus or as they exit. Breakfast on the bus works best for students who spend over 15 minutes commuting to school and at schools where class schedules are not able to accommodate another alternative meal service.

D. Alternatives to Meal Service Times (Nontraditional Meal Service)

1. Exemptions to the Traditional Lunch Period (Strictly Optional for Each SFA)

a. The primary standard for allowing meals to be served outside the regulatory time period is that the site is operating for traditional students at a nontraditional time. The USDA Food and Nutrition Service (FNS) has approved exemptions contingent upon the understanding that:

- These alternative programs provide students of high school grade or under an opportunity to obtain the minimum requirements needed for graduation at a nontraditional time.
- It is not possible to serve lunch at a more traditional time. For example, some work-study programs allow high school students to work in the morning or afternoon hours and attend high school classes in the late afternoon or evening.

b. Although State Agency approval is required to initially begin claiming reimbursement for these meals, it is not necessary for each program to seek approval each year if the conditions upon which approval was initially granted remain unchanged. However, if the conditions upon which approval was granted change, the reimbursable status of the meal service would then need to be reexamined. (Reference USDA Policy Memo 2002-SP-14)

In order for an SFA to be approved, a letter must be submitted containing the following items:

- Name of school site where meals are going to be served
- Statement that these students do not have access to the normal lunch hour
- Why these students do not have access to the normal lunch hour
- Statement that the meals served in the evening will meet the lunch meal pattern requirements
- Collection procedures for the students who have to pay for their meals (or a statement that says all meals will be served free of charge)
- Point-of-service count procedures

2. Claiming Adult Students (Reference USDA Policy Memo 2002-SP-08)

The key issue for adult participation in the CNP is enrollment, not whether the adults are attending some classes or whether they are part of an Even Start Literacy Program. The adult either must be enrolled in General Educational Development (GED) classes during the regular school day in accordance with USDA Policy Memo 776-7 or otherwise be enrolled in an education unit of high school grade or under, in accordance with the definition of ***Child*** in 7 CFR §210.2. Any adults meeting these criteria who wish to obtain free or reduced-price meal benefits under CNP must have a completed and approved application on file with the SFA. Under no circumstances can evening meals served to students in GED courses be reimbursable. GED students are ***NOT*** included in the number of free and reduced-price eligibles reported on the monthly claim for reimbursement or the Low-Income Student Count Report.

3. Out-of-Home Placement Students

Meals served to out-of-home placement students can be claimed for reimbursement. These are students who attend an institution administered by a public school that is not in the attendance area of their home SFA. In order to claim the meals for these students at the free or reduced-price rate, the serving SFA must have an approved application on file to verify that the student qualifies for such benefits. The SFA claiming the meals of out-of-home placement students does ***NOT*** include these students in the number of free or reduced-price eligibles reported on the monthly claim for reimbursement or the Low-Income Student Count Report because they are reported by their home district.

4. Virtual Students

Meals served to virtual students can be claimed for reimbursement if and when the students are on school grounds. Virtual students must have access to meal services in order for the SFA to distribute and approve free and reduced-price applications. In order to claim the meals for these students at the free or reduced-price rate, the SFA must have an approved application on file to verify that the student qualifies for such benefits.

5. Claiming Meals Served in Alternative Sites

There are two different options to consider if several different SFAs have enrolled students attending the same alternative school.

a. One SFA assumes responsibility for all students.

Under this option, the SFA assuming responsibility would claim reimbursement for meals served to students attending the alternative school. The designated SFA would add the alternative school as a site on the ***Schedule A*** of the NSLP Agreement. The site code could be anything in the 700 Series. A copy of each student's free and reduced-price meal application would be kept with the designated SFA's records, and the designated SFA would claim the number of meals served to each student by category each month along with all the other meals served to their enrolled students. The students qualifying as free or reduced-price at the alternative school ***would not*** be included in the number of free eligibles or reduced-price eligibles reported on the designated SFA's claim for reimbursement each month because these students are not ***ENROLLED*** in that SFA. The SFAs in which the students are enrolled ***WOULD*** report their students as part of ***THEIR*** free and reduced-price eligible count even though they would not claim any meals served to these students.

All NSLP requirements, including record keeping, Offer versus Serve, as well as safety and sanitation at the alternative school eating site, would be the responsibility of the SFA preparing, serving, and claiming the meals, just as it is with any other site listed on the district's Schedule A. Any purchases needed to be made for the alternative site (such as insulated delivery carts) could be purchased with school food service program funds.

b. One SFA contracts with the other SFAs to provide meal service.

Under this option, one SFA would sign a contract with each student's home SFA (one contract per SFA). This contract would specify that the SFA providing the meal service would serve the required meal pattern to the students from each of the other SFAs. The contract should establish a daily time frame in which each contracting SFA reports to the preparing SFA the number of meals to be ordered each day. Each contracting SFA would be invoiced on a monthly basis for the total number of meals ordered during the invoice period. The contracting SFAs would be responsible for paying for the number of meals ***ORDERED***, regardless of whether the meal was served.

The preparing SFA would be responsible for reporting to each contracting SFA the number of meals served to its students. Each contracting SFA would then claim the number of meals ***SERVED*** on its own monthly claim. The preparing site would report the meals as contract meals on its claim.

The charge established for these contract meals must ***NEVER*** be less than the cost of preparing the meals.

The preparing SFA is ultimately responsible for all NSLP requirements. Each of these requirements should be stated in the contract. The signed contract assures each SFA that the meals its students receive will, in fact, meet requirements and therefore can be claimed for reimbursement. The prototype contract can be found on **page C-110-111**.

6. Claiming Meals for Visiting Students

a. The SFA the students are visiting would obtain copies of the visiting students' free or reduced-price eligibility information from the SFA where the students are enrolled. The visiting students qualifying as free or reduced-price ***would not*** be included in the number of free and reduced-price eligibles reported on the claim for reimbursement; however, the ***MEALS*** served to these visiting students could be claimed for reimbursement according to their categorical eligibility.

b. The SFAs where the students are enrolled would receive verification that reimbursable meals were served from the SFA the students are visiting. The SFA where the students are enrolled would categorically claim the meals served to these students and reimburse the SFA where the visiting students were served. SFAs may want to have a contract in this situation. The SFA feeding the visiting students may want to invoice the SFA where the students are enrolled.

DO YOU HAVE AN ACCEPTABLE MEAL-COUNTING SYSTEM AT THE POINT OF SERVICE?

☐ Lunch
☐ Breakfast

Answer the following questions about your counting system. If the answer to any of these questions is ***YES***, your counting system is ***NOT*** acceptable and must be revised (unless approved as an alternative system by the State Department of Education [the ***State Agency***]).

YES ☐ NO ☐ 1. Are claims based only on meal counts taken in the morning in the classroom or at any other location before the meal is served?

YES ☐ NO ☐ 2. Are claims based on attendance records?

YES ☐ NO ☐ 3. Are meal counts based on the number of tickets or tokens sold and distributed or the number of meals paid in advance?

YES ☐ NO ☐ 4. Is the number of free and reduced-price meals claimed based on the number of students eligible to receive such meals?

YES ☐ NO ☐ 5. Are meal counts by category taken at the beginning of the serving line without checking that the meals served are reimbursable?

YES ☐ NO ☐ 6. Are meal counts by category based on visual identification of students with no backup system available for persons not familiar with the students; e.g., checklists?

YES ☐ NO ☐ 7. Are meal counts based on tray or plate counts?

YES ☐ NO ☐ 8. Are back-out systems used that subtract one number (e.g., number of free and reduced-price meals) from the total count to get another number (e.g., the number of full-price meals)?

YES ☐ NO ☐ 9. Are the students who are eligible for meal benefits overtly identified?

YES ☐ NO ☐ 10. Is this a system that does ***NOT*** yield a reliable, accurate count of meals served by category?

PROVISION DAILY MEAL COUNT WORKSHEET

Each ***ACCREDITED SITE*** must take a point of service count every day. This form may be used for the ***DAILY*** meal count for each service.

Form must be signed daily by counting official.

PROVISION DAILY MEAL COUNT FORM

Site Name: Meal Type (Circle): B L SN

Date:

Meals Served to Children (Cross Off Number as Each Child Receives a Meal):

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120
121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140
141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160
161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180
181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200
201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220
221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240
241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260

Use multiple sheets per day, as needed.

TOTAL STUDENT MEALS SERVED = _____

Meals Served to Adults:

1 2 3 4 5 6 7 8 9 10 **TOTAL ADULT MEALS = _____**

By signing below, I certify that the above information is true and accurate:

Signature Date

SITE/SCHOOL FOOD AUTHORITY (SFA) EDIT CHECK WORKSHEET

1. Site: _____
2: Month: _____
3. Attendance Factor (AF): _____
4. Total Daily Enrollment is the sum going across Columns 6, 10, and 14 on any given day.

☐ Lunch ☐ Breakfast

5. Day of Month	6. Highest Enrolled Free Eligibles for Claim (Plus Only)	7. Daily Free Eligibles (Plus and/or Minus)	8. Daily Free Eligibles X AF	9. Free Meals Claimed	10. Highest Enrolled Reduced-Price Eligibles for Claim (Plus Only)	11. Daily Reduced-Price Eligibles (Plus and/or Minus)	12. Daily Reduced-Price Eligibles X AF	13. Reduced-Price Meals Claimed	14. Paid Eligibles (Plus Only)	15. Daily Paid Eligibles X AF	16. Paid Meals Claimed	17. Total Meals Claimed Daily	18. (Average) Daily Attendance	19. Comments
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
11														
12														
13														
14														
15														
16														
17														
18														
19														
20														
21														
22														
23														
24														
25														
26														
27														
28														
29														
30														
31														

20. Monthly Totals: _____ _____ _____

21. Signature: _____ 22. Date: _____

Reminder: If the school is computerized, a roster, including the add/drop lists, must be printed at the end of every month and should match the last numbers in Columns 6 and 10.

SITE/SCHOOL FOOD AUTHORITY (SFA) EDIT CHECK WORKSHEET INSTRUCTIONS

All students must be enrolled and have access to meal services in order for the SFA to distribute and approve free and reduced-price applications.

Edit Check Worksheets must be completed by all accredited sites eating at that particular cafeteria. It must be completed separately for both the breakfast and lunch meal services. Indicate which meal service it is for at the top of the page.

1. Site: Record the name of the accredited school site.

2. Month: Record the month and year.

3. Attendance Factor (AF): Record the AF for the school food authority (SFA).

4. Total Daily Enrollment: This is the sum going across Columns 6, 10, and 14 on any given day. If the SFA needs a total monthly enrollment, use the last day of the month.

5. Day of Month: Locate the day of the month, and begin recording on the corresponding line. The site may wish to highlight any weekends, holidays, or professional days when the site is closed.

6. Highest Enrolled Free Eligibles for Claim: Record the current number of enrolled students eligible for free meal benefits who have meal access on the first serving day of the month. Each day, add any newly enrolled students who are eligible for free meal benefits and who have meal access. Do not deduct any students who withdraw during the month since this column is used to determine the highest number of free eligibles for the overall month. The number of enrolled free eligibles who have meal access on the last day of the month is to be reported on the claim for reimbursement. On-site virtual students who have access to a meal service should be included. (Students enrolled in adult education courses, off-site virtual students, or out-of-home placement students are not to be reported on the claim. Adult education classes are those conducted for the following purposes or groups: General Educational Development [GED], Temporary Assistance for Needy Families [TANF], English as a second language [ESL], family literacy, life skills, etc.) If a student is dropped during any month, that student has already been reported as free for the entire month; therefore, he or she must not be counted again if the student reenrolls during the same month.

   NOTE: Any students who withdrew during this month need to be dropped after the last serving day of this month before starting next month's Site/School Food Authority (SFA) Edit Check Worksheet. This number should reflect the number in Column 7 at the beginning of next month.

7. Daily Free Eligibles: Record the number of on-site students eligible for free lunches each day. This will include enrolled students as well as students who are not enrolled; i.e., visiting students, preprimary children under the age of four, adult education students, out-of-home placement, and virtual students. Daily, add any new students eligible for free lunches and drop any students as they withdraw during the month. Do not include children who are eligible for free benefits but do not participate in lunch as this is a daily check of lunch eligibles; i.e., Special Milk participants who do not eat lunch, Head Start co-ops who do not eat lunch.

8. Daily Free Eligibles X AF: Multiply the number in Column 7 by the attendance factor recorded on Number 3. ***DO NOT ROUND UP.***

9. Free Meals Claimed: Record the total number of reimbursable free lunches served/claimed each day to students.

10. Highest Enrolled Reduced-Price Eligibles for Claim: Record the current number of enrolled students eligible for reduced-price meal benefits who have meal access on the first serving day of the month. Each day, add any new enrolled students who are eligible for reduced-price meal benefits and who have meal access. Do not deduct any students who withdraw during the month because this column is used to determine the highest number of reduced-price eligibles for the overall month. The number of enrolled reduced-price eligibles who have meal access on the last day of the month is to be reported on the claim for reimbursement. On-site virtual students who have access to a meal service should be included. (Adult education or out-of-home placement students are not included.) If a student is dropped during any month, that student has already been reported as reduced-price for the entire month; therefore, he or she must not be counted again if the student reenrolls during the same month.

    NOTE: Any students who withdrew during this month need to be dropped after the last serving day of this month before starting next month's Site/School Food Authority (SFA) Edit Check Worksheet. This number should reflect the number in Column 11 at the beginning of the next month.

SITE/SCHOOL FOOD AUTHORITY (SFA) EDIT CHECK WORKSHEET INSTRUCTIONS continued

11. Daily Reduced-Price Eligibles: Record the number of on-site students eligible for reduced-price lunches each day. This would include enrolled students as well as students who are not enrolled; i.e., visiting students, preprimary children under the age of four, adult education students, out-of-home placement students, and virtual students. Daily, add any new students eligible for reduced-price benefits who do not have access to lunch.

12. Daily Reduced-Price Eligibles X AF: Multiply the number in Column 11 by the attendance factor recorded on Number 3. ***DO NOT ROUND UP.***

13. Reduced-Price Meals Claimed: Record the total number of reimbursable reduced-price lunches served to students and claimed each day.

14. Paid Eligibles: Record the total number of on-site enrolled students who are not approved for free or reduced-price meal benefits and who have meal access. ***Never subtract out of this column until the first day of the following month. NOTE: Any students who withdrew during this month need to be dropped after the last serving day of this month before starting next month's Site/School Food Authority (SFA) Edit Check Worksheet.***

15. Daily Paid Eligibles X AF: Multiply the number in Column 14 by the attendance factor recorded on Number 3.

16. Paid Meals Claimed: Record the total number of reimbursable paid lunches served to students and claimed each day.

17. Total Meals Claimed Daily: Add together the number of lunches served to students and claimed each day. Add the totals going across in Columns 9, 13, and 16.

18. Average Daily Attendance: Each site has one of two options to calculate the average daily attendance: (a) the actual daily attendance may be obtained each day from the school office and used to compare to the total claimed or (b) the average daily attendance may be calculated by multiplying the attendance factor in Number 3 by the sum of Columns 6, 10, and 14.

19. Comments: Record any comments necessary to explain variations in meal service.

20. Monthly Totals: Add the numbers going down in Columns 9, 13, 16, and 17. Record the totals of the free, reduced-price, full-price, and total meals at the bottom of each column.

21. Signature: The person completing the form must sign the form and accept responsibility for the form's accuracy.

22. Date: The person completing the form must record the date by his or her signature.

NOTE: The last box in Columns 6 and 10 will be used to report the highest number of free and reduced-price eligibles who have meal access on the claim for reimbursement each month. The last box in Column 14 will be used to report the number of paid eligibles on the claim for reimbursement each month. SFAs with multiple eating sites will need to consolidate the number of free, reduced-price, and paid eligibles from all eating sites.

SCHOOL FOOD AUTHORITY (SFA) *LUNCH* ON-SITE REVIEW CHECKLIST

According to 7 CFR 210.8(a)(1) and 7 CFR 220.11(d)(1), every school year prior to February 1, each SFA with more than one school (as defined by 7 CFR Part 210.2 to include residential child care institutions [RCCIs]) must perform no less than one on-site review of the meal-counting and -claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating the NSLP and 50 percent of schools operating the SBP under its jurisdiction,

Each on-site review must ensure the school's claim is based on the counting and claiming system, as implemented, and yields the actual number of reimbursable free, reduced-price, and paid meals, respectively, served for each day of operation.

If the review discloses problems with a school's meal-counting and -claiming procedures or general review areas, the SFA must ensure that the school implements corrective action and, within 45 days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problems.

The completed review must be maintained at the SFA level.

School Name: _____ **Review Date:** _____

SFA Reviewer: _____

NATIONAL SCHOOL LUNCH PROGRAM ON-SITE REVIEW (Review Date: _____)
The following questions are recommended, at a minimum, to complete the on-site review requirement:

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM			
		1. Is the method used for counting reimbursable meals in compliance with the approved point of service requirement? (Meal counts must be taken at the location[s] where complete meals are served to children.)			
		2. Is the point of service meal count used to determine the school's claim for reimbursement?			
		3. Is the person responsible for monitoring meals correctly identifying reimbursable meals?			
		4. Is the school correctly implementing policies for handling the following (as applicable):			
		YES	NO	N/A	
					Incomplete meals?
					Second meals?
					Lost, stolen, misused, forgotten, or destroyed tickets, tokens, IDs, etc?
					Visiting student meals?
					Adult and nonstudent meals (and identifying program vs nonprogram)?
					À la carte?
					Student worker meals?
					Field trips?
					Charged and/or prepaid meals?
					Offer versus Serve
					Unpaid meal charges?
		5. Is there a method of identifying nonreimbursable meals (i.e., not meeting meal pattern requirements, seconds, adult meals) and distinguishing them from reimbursable meals?			

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM CONTINUED	
		6. Is someone trained as backup for the monitor and the meal counter?	
		7. Are there procedures for meal counting and claiming when the primary counting and claiming system is not available? Do staff know when and how to implement them?	
		8. Are daily counts correctly totaled and recorded?	
		9. If claims are aggregated, are the meal counts correctly totaled and consolidated?	
		NOTE: The following two questions are for all SFAs* EXCEPT *for SFAs on Provision 2 or 3 in nonbase years, CEP, or RCCIs with only residential children. 10. Are internal controls (edits, monitoring, etc.) established to ensure that daily counts do not exceed the number of students eligible or in attendance and that an accurate claim is made? *Record today's meal counts by category, and compare to the total number of students eligible by category.*	
		Number of Students Approved by Category	**Today's Meal Counts by Category**
		Free:	Free:
		Reduced-Price:	Reduced-Price:
		Paid:	Paid:
		11. Does the system prevent overt identification of children receiving free or reduced-price meals?	
YES	**NO**		
		12. Is a current eligibility list kept up-to-date and used by the meal-counting system to provide an accurate daily count of reimbursable meals ***by category*** (free, reduced-price, paid)?	
		13. If applicable according to 7 CFR 210.8(a)(3), are edit checks completed and documented which compare the daily counts of free, reduced-price, and paid meals against the product of the number of children currently eligible for free, reduced-price, and paid meals, respectively, times an attendance factor (and any discrepancies accounted for)?	

NSLP CORRECTIVE ACTION PLAN (for any *NO* answers):

SPECIFY DATE NSLP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

YES	NO	READILY OBSERVABLE GENERAL AREAS			
		14. Were any issues readily observed in relation to resource management?			
		YES	NO	N/A	
					Maintenance of the Nonprofit School Food Service Account? (7 CFR 210.2, 210.14, 210.19[a], 210.21)
					Paid Lunch Equity? (7 CFR 210.14[e])
					Revenue from Nonprogram Foods? (7 CFR 210.14[f])
					Indirect Costs? (2 CFR Part 200 and 7 CFR 210.14[g])
		15. Were any issues readily observed in other general areas?			
		YES	NO	N/A	
					Free and Reduced-Price Process—including verification, notification, and other procedures (7 CFR Part 245)
					Civil Rights (7 CFR 210.23[b])
					Reporting and Record Keeping (7 CFR Parts 210, 220, and 245)
					Food Safety (7 CFR 210.13)
					Competitive Food Service (7 CFR 210.11 and 220.12)
					Water (7 CFR 210.10[a][1][i] and 220.8[a][1])
					Professional Standards (7 CFR 210.30)
					SBP and SFSP Outreach (7 CFR 210.12[d])
					Local School Wellness Policies (7 CFR 210.30)
					Other

NSLP CORRECTIVE ACTION PLAN (for any *YES* answers above):

SPECIFY DATE NSLP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

SIGNATURE:

_____	_____	_____
School Representative	Title	Date
_____	_____	_____
SFA Reviewer	Title	Date

NSLP FOLLOW-UP VISIT (must be conducted within 45 days if corrective action was required):

Date(s) of Follow-Up: _____

Observations of corrective action implementation:

SIGNATURE:

_____	_____	_____
School Representative	Title	Date
_____	_____	_____
SFA Reviewer	Title	Date

SCHOOL FOOD AUTHORITY (SFA) *BREAKFAST* ON-SITE REVIEW CHECKLIST

According to 7 CFR 210.8(a)(1) and 7 CFR 220.11(d)(1), every school year prior to February 1, each SFA with more than one school (as defined by 7 CFR Part 210.2 to include residential child care institutions [RCCIs]) must perform no less than one on-site review of the meal-counting and -claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating the NSLP and 50 percent of schools operating the SBP under its jurisdiction, with every school within the SFA's jurisdiction being reviewed at least once every other year..

Each on-site review must ensure the school's claim is based on the counting and claiming system, as implemented, and yields the actual number of reimbursable free, reduced-price, and paid meals, respectively, served for each day of operation.

If the review discloses problems with a school's meal-counting and -claiming procedures or general review areas, the SFA must ensure that the school implements corrective action and, within 45 days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problems.

The completed review must be maintained at the SFA level.

School Name: _____ **Review Date:** _____

SFA Reviewer: _____

NATIONAL SCHOOL BREAKFAST PROGRAM ON-SITE REVIEW (Review Date: _____)
The following questions are recommended, at a minimum, to complete the on-site review requirement:

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM			
		1. Is the method used for counting reimbursable meals in compliance with the approved point of service requirement? (Meal counts must be taken at the location[s] where complete meals are served to children.)			
		2. Is the point of service meal count used to determine the school's claim for reimbursement?			
		3. Is the person responsible for monitoring meals correctly identifying reimbursable meals?			
		4. Is the school correctly implementing policies for handling the following (as applicable):			
		YES	NO	N/A	
					Incomplete meals?
					Second meals?
					Lost, stolen, misused, forgotten, or destroyed tickets, tokens, IDs, etc?
					Visiting student meals?
					Adult and nonstudent meals (and identifying program vs nonprogram)?
					À la carte?
					Student worker meals?
					Field trips?
					Charged and/or prepaid meals?
					Offer versus Serve
					Unpaid meal charges?
		5. Is there a method of identifying nonreimbursable meals (i.e., not meeting meal pattern requirements, seconds, adult meals) and distinguishing them from reimbursable meals?			

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM CONTINUED
		6. Is someone trained as backup for the monitor and the meal counter?
		7. Are there procedures for meal counting and claiming when the primary counting and claiming system is not available? Do staff know when and how to implement them?
		8. Are daily counts correctly totaled and recorded?
		9. If claims are aggregated, are the meal counts correctly totaled and consolidated?
		NOTE: The following two questions are for all SFAs* EXCEPT *for SFAs on Provision 2 or 3 in nonbase years, CEP, or RCCIs with only residential children. 10. Are internal controls (edits, monitoring, etc.) established to ensure that daily counts do not exceed the number of students eligible or in attendance and that an accurate claim is made? *Record today's meal counts by category, and compare to the total number of students eligible by category.* **Number of Students Approved by Category** **Today's Meal Counts by Category**
		Free: Free:
		Reduced-Price: Reduced-Price:
		Paid: Paid:
		11. Does the system prevent overt identification of children receiving free or reduced-price meals?

YES	NO	
		12. Is a current eligibility list kept up-to-date and used by the meal-counting system to provide an accurate daily count of reimbursable meals ***by category*** (free, reduced-price, paid)?
		13. If applicable according to 7 CFR 210.8(a)(3), are edit checks completed and documented which compare the daily counts of free, reduced-price, and paid meals against the product of the number of children currently eligible for free, reduced-price, and paid meals, respectively, times an attendance factor (and any discrepancies accounted for)?

SBP CORRECTIVE ACTION PLAN (for any *NO* answers):

SPECIFY DATE SBP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

YES	NO	READILY OBSERVABLE GENERAL AREAS			
		14. Were any issues readily observed in relation to resource management?			
		YES	NO	N/A	
					Maintenance of the Nonprofit School Food Service Account? (7 CFR 210.2, 210.14, 210.19[a], 210.21)
					Paid Lunch Equity? (7 CFR 210.14[e])
					Revenue from Nonprogram Foods? (7 CFR 210.14[f])
					Indirect Costs? (2 CFR Part 200 and 7 CFR 210.14[g])
		15. Were any issues readily observed in other general areas?			
		YES	NO	N/A	
					Free and Reduced-Price Process—including verification, notification, and other procedures (7 CFR Part 245)
					Civil Rights (7 CFR 210.23[b])
					Reporting and Record Keeping (7 CFR Parts 210, 220, and 245)
					Food Safety (7 CFR 210.13)
					Competitive Food Service (7 CFR 210.11 and 220.12)
					Water (7 CFR 210.10[a][1][i] and 220.8[a][1])
					Professional Standards (7 CFR 210.30)
					SBP and SFSP Outreach (7 CFR 210.12[d])
					Local School Wellness Policies (7 CFR 210.30)
					Other

SBP CORRECTIVE ACTION PLAN (for any *YES* answers above):

SPECIFY DATE SBP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

SIGNATURE:

_____	_____	_____
School Representative	Title	Date
_____	_____	_____
SFA Reviewer	Title	Date

SBP FOLLOW-UP VISIT (must be conducted within 45 days if corrective action was required):

Date(s) of Follow-Up: _____

Observations of corrective action implementation:

SIGNATURE:

_____	_____	_____
School Representative	Title	Date
_____	_____	_____
SFA Reviewer	Title	Date

☐ Lunch
☐ Breakfast

EDIT CHECK FOR PROVISION 3

Accredited Site: _____ Attendance Factor: _____

Month: _____ Total Enrollment as of First Day of Month: _____

(1) Total Daily Meals Claimed per CARS _____

(2) Day of Month	(3) Actual Daily Total Meal Count	(4) Average Daily Attendance
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
TOTALS		

_____ _____
Signature Date

1. Take total meal claimed for the month divided by the number of operating days.
2. Day of Month: Locate the date of the month, and begin recording on the corresponding line. The site may wish to highlight any weekends, holidays, or professional days when the site was closed.
3. Actual Total Lunch/Breakfast Count: Record actual daily total meal count as taken by the SFA.
4. Average Daily Attendance: The average daily attendance is calculated by multiplying the attendance factor by the total enrollment. The average daily attendance will be the same number for the entire month.

☐ Lunch
☐ Breakfast

EDIT CHECK FOR PROVISION 2 AND CEP

Accredited Site: _____ Attendance Factor: _____

Month: _____ Total Enrollment as of First Day of Month: _____

(1) Day of Month	(2) Actual Daily Total Meal Count	(3) Average Daily Attendance
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
TOTALS		

_____ _____
Signature Date

1. Day of Month: Locate the date of the month, and begin recording on the corresponding line. The site may wish to highlight any weekends, holidays, or professional days when the site was closed.
2. Actual Total Lunch/Breakfast Count: Record actual daily total meal count as taken by the SFA.
3. Average Daily Attendance: The average daily attendance is calculated by multiplying the attendance factor by the total enrollment. The average daily attendance will be the same number for the entire month.
4. Total for the claim for reimbursement.

AGREEMENT TO FURNISH FOOD SERVICE

INSTRUCTIONS: This agreement should be used when contracting for food service between SFAs or outside entities that are not food service management companies (FSMCs).

The _____ (Recipient) and the _____ (Preparer) enter into this agreement for the site to prepare meals.

The site preparing the meals agrees to (Preparer):

1. Furnish meals as ordered during the period of _____ (Commencement Date) to _____ (Expiration Date). Meals shall be served _____ day(s) a week.

2. Provide meals that meet or exceed United States Department of Agriculture (USDA) requirements as set forth in program regulations.

3. Prepare meals in accordance with Oklahoma State Department of Health guidelines.

4. Provide the following meals to the receiving site.

   _____ Breakfast _____ a.m.
   _____ Lunch _____ a.m./p.m.
   _____ After-School Snack _____ p.m.

5. Furnish meals in the following manner:

   _____ Meals will be served at receiving site cafeteria.
   _____ Meals will be available for pick up.
   _____ Meals will be delivered to the receiving site.
   _____ Food will be portioned in bulk containers.
   - _____ Site preparing the food will provide portioning utensils.
   - _____ Site preparing the food will not provide portioning utensils.

   _____ Food will be portioned in individual serving containers.

6. Provide a food production record (Contract Meal Service Delivery Receipt) for the Recipient that documents each meal service, including the following information: complete menu and food items, quantities delivered, number of meals ordered/delivered, crediting information (Child Nutrition [CN] label and/or product formulation statement and/or recipe information, when applicable), and a signature indicating delivery of meals. The Preparer will also retain a copy of these food production records and make additional supporting documents available upon request (copy of CN label and/or product formulation statement or recipe information, when applicable). ***The Preparer is obligated to relay daily the correct portion size required for each bulk item (if applicable) along with the quantity of each bulk item that is delivered to the Recipient.***

7. Provide meals to the receiving site based on the number of meals ordered, with adjustments made as needed.

8. Do not claim reimbursement for all or part of the meals provided to the receiving site under any other program administered by the SDE.

9. Charge/invoice the receiving site, itemizing the number of child/adult meals provided and the total amount owed for each month that meals are provided.

The site receiving the meals agrees to (Recipient):

1. Inform the preparing site of the number of meals needed by the receiving site for each meal service. The preparation site will be notified of any adjustments in meals ordered within the predetermined time frame of _____ .

2. Notify the preparing site of any children who may require special dietary considerations to fulfill their nutritional needs.

3. Pick up or accept meals for each meal service prepared within contractual requirements for the receiving site.

4. Serve meals to children in accordance with Oklahoma State Department of Health guidelines.

5. **Reimburse the preparing site for meals at the following rates:**

   $ _____ For each child's breakfast
   $ _____ For each child's lunch
   $ _____ For each child's snacks
   $ _____ For each adult's breakfast
   $ _____ For each adult's lunch
   $ _____ For each adult's snacks

   MEAL PRICES MUST BE, AT A MINIMUM:

6. Lunch charge equals free reimbursement rate for lunch plus additional incentive payment plus the value of USDA Foods. ***See Schedule B on CARS.***

7. Breakfast charge equals free reimbursement rate for regular breakfast.

8. Snack charge equals free reimbursement rate for snack.

I agree with all provisions of this contract.

_____ _____
(Signature of Preparing Site) (Date)

_____ _____
(Signature of Receiving Site) (Date)

Attachments: Meal Pattern Requirements

CONTRACT MEAL SERVICE
DELIVERY RECEIPT
(Keep in your monthly folder. *USE ONE RECEIPT PER MEAL SERVICE.)*

DATE: _____
MEAL TYPE: Breakfast ☐ Lunch ☐ After-School Snack ☐
SITE PREPARING MEAL: _____
SCHOOL/INSTITUTION RECEIVING MEAL: _____
DELIVERY TIME: _____ NUMBER OF MEALS ORDERED/DELIVERED: _____

FOOD ITEMS PREPARED AND QUANTITIES DELIVERED

Menu	Quantity Delivered: Number of Students _____ Number of Adults _____ Bulk Delivery _____ Preportioned _____	*Crediting/ Portioning Information
Milk	Milk provided by: SITE VENDOR (Circle One) Record Quantity: _____ Temperature: _____	
Vegetable/Juice	Temperature: _____	
Fruit/Juice	Temperature: _____	
Whole-Grain Bread/ Bread Alternate OR Side		
Meat/Meat Alternate	Temperature: _____	
Extras OR Additional Sides	Temperature: _____	

* Crediting/portioning information for menu planning: i.e., 1 cup spaghetti sauce = 2 ounces meat/meat alternate, 6 chicken nuggets = 2 ounces meat/meat alternate and 1 ounce bread/bread alternate serving, 2 cheese sticks = 1 ounce meat/meat alternate

I acknowledge that the above items and quantities were delivered to this contract site and that all above items were at the proper temperature upon arrival. I did complete the necessary portioning/crediting information. Child Nutrition (CN) labels, product formulation statements, and/or recipes are available for all combination food items or other applicable components.

_____
Signature of Preparer

INSPECTION DELIVERY: Was the food delivered in a safe/sanitary method? Yes or No
Were food temperatures proper? Yes or No

_____
Signature of Recipient

Community Eligibility Provision (CEP)

District Name:

Step 1: Calculating the Identified Student Percentage **If grouping schools, use the grouping calculator to assist in determining 1.1 and 1.2**	
Enter the number of identified students and enrolled students that is reflective of April 1st in 1.1 and 1.2	*Click to define: Identified Students*
1.1) Enter the number of identified students	
1.2) Enter the TOTAL student enrollment	
Percentage of identified students = *****This percentage must be at least 40 percent to be eligible*****	**0.00%**
	0.00%
Percentage of meals reimbursed at the federal FREE rate =	**0.00%**
Percentage of meals reimbursed at the federal PAID rate =	**0.00%**

Step 3: Monthly Meal Data
Enter the number of LUNCHES and/or BREAKFASTS **served in a month in 3.1** *and* **3.2**

Total number of LUNCHES reimbursed at FREE rate =	**0**
Total number of LUNCHES reimbursed at the PAID rate =	**0**
Total number of BREAKFASTS reimbursed at the FREE rate =	**0**
Total number of BREAKFASTS reimbursed at the PAID rate =	**0**

CEP Difference:

This section displays the estimated difference between operating CEP and the current federal reimbursements and student payments (if applicable). If the differences boxes are green, then CEP will generate the same or more federal revenue; if the box is red, then current procedures generate higher federal revenue.

Step 2: Federal Reimbursement Rates
Select the current reimbursement rates used for each program (without the $0.06).
The additional $0.06 is applied in the next box.

	Lunch	Breakfast
Free	0 ☐	0 ☐
Paid	0 ☐	0 ☐

Select *$0.06* if the SFA is certified for the additional $0.06.

$- ☐

***Estimated CEP* Monthly Federal Reimbursements**	
Reimbursement for LUNCH =	**$0.00**
Reimbursement for BREAKFAST =	**$0.00**
Total Reimbursement Level =	**$0.00**
Federal Reimbursement per LUNCH =	**$0.00**
Federal Reimbursement per BREAKFAST =	**$0.00**

Optional Comparison: Enter current monthly federal reimbursements and student payment revenue.

LUNCH =	

LUNCH Difference =		**Total Difference**

SPECIAL MILK PROGRAM (SMP)

A. In 1954 the SMP was implemented to encourage fluid milk consumption by selling milk to students at the lowest possible price and serving milk free to students determined to be eligible. Beginning in 1961 and continuing through 1986, this program was available only to schools and nonprofit child care institutions not participating in the NSLP and SBP. In 1986 the SMP was expanded to include split-session kindergarten children who do not have access to the breakfast and/or lunch programs because of their half-day schedules. The benefits of the program were also extended to preprimary class students who do not have access to the breakfast and/or lunch programs because of their half-day schedules.

School districts that have split-session kindergarten and preprimary students who do not have access to the NSLP and/or SBP may receive reimbursement for milk served to these students. Schools may choose either to serve milk free to students qualifying according to family income, serve milk at a set price to all students, or serve milk free to all students.

1. ***Nonpricing Program:*** All children are served milk free of charge, and all milk served is claimed for reimbursement at the rate established by USDA.

2. ***Option 1 Pricing Program:*** Children whose family size/income falls within the free guidelines are served free milk. Reimbursement is claimed for the average cost of milk served free to eligible children. Children who are not eligible for free milk pay for the milk served, and reimbursement is claimed for paid milk at the rate established by USDA.

3. ***Option 2 Pricing Program:*** All children are charged for milk served regardless of family size/income. All milk served is claimed for reimbursement at the rate established by USDA.

B. Sites ***MUST*** offer students fluid pasteurized milk in at least two choices of fat content from the following:

- Unflavored or flavored fat-free
- Unflavored and flavored lowfat (1%)
- Lactose-reduced lowfat (1%) or fat-free
- Lactose-free lowfat (1%) or fat-free
- Cultured buttermilk lowfat (1%) or fat-free
- Acidified milk lowfat (1%) or fat-free

STUDENT ISSUES

A. Failure to Pay for Meals/Charge Policy

The SFA is not required to provide meals if payment is not made for the ***CURRENT*** day's meal or if funds in a student's account are not sufficient to cover the cost of the meal. A district cannot deny a meal to a student who brings money to school for that day's meals, even though the student may have previous charges. The money brought for today must not be used for previous charges. ***NOTE: A meal cannot be denied to a free student.***

As of July 1, 2017, all SFAs must have a written policy to address situations where children participating at the reduced-price or paid rate do not have money to cover the cost of a meal at the time of the meal service.

SFAs have discretion in developing the specifics of their policies. (Reference USDA Memos SP-58-2016, SP-23-2017) At a minimum, the policy must include the following: (1) If charges are allowed—what meals, how many charges are allowed, and if an alternate meal will be provided. (2) SFAs must ensure the policy is provided in writing to all families at the start of each school year. (3) SFAs must maintain documentation of the methods used to communicate the policy to households and school or SFA-level staff responsible for policy enforcement; e.g., Web site, student handbook. If a family does not pay for ***CHARGED*** meals, a site may wish to encourage the family to complete an Application for Free and Reduced-Price School Meals. If the family does not wish to complete the application or if the family does not qualify for meal benefits after completing the application, the SFA is not obligated to continue providing meals without receiving payment.

Sites are not allowed to withhold grades, records, or any other information owned by the student for meal payments owed.

SFAs may carry over negative balances in student accounts into the next school year (except seniors who graduated last year) unless the school policy is different. This also means that SFAs can continue to attempt recovery of uncollected meal charges from previous years. Any monies collected in the new school year should be treated as new revenue. Use the following OCAS Codes: Fund 22 or Fund 11, Project Reporting Code 000, and Source of Revenue Code 1710.

B. Refunding Unused Prepayments for Meals

Prepayment is the property of the family making the payment until it is charged against any meals taken. Therefore, any prepayments left at the end of the fiscal year must be repaid to the family ***if requested***. Any refusal to repay such prepayments would constitute an improper taking of property without due process, which is not allowed by a state or federal entity. Additionally, not refunding any prepayments would effectively increase the price of the meals which, in the case of reduced-price meals, may not exceed 40 cents and, in the case of both full-price and reduced-price meals, may not exceed the stated price in the parent letter that is part of the policy statement. Further, the failure to make refunds would serve as a disincentive for families to make prepayment which detracts from procedures to ensure confidentiality.

SFAs should develop a policy to inform parents how money left in a student's account at the end of the year will be handled. The policy needs to include:

1. A statement that refunds will be made upon request.

2. A statement concerning how, if a request is not made, the money will be handled (i.e., it will be put into the student's account for the next fiscal year—closing the current fiscal year out with a zero balance).

3. A statement concerning how, if the student leaves the school district without requesting a refund, the money will be handled. (For example, if the money is at or below a certain level [$2.00 or $3.00, or whatever the district decides], the money will be used as a donation to the CNP. If the amount is more than that, the money will be forwarded to the known address of the student. If the envelope is returned unopened, the money will be treated as a donation to the CNP.)

C. Fees for Credit Card Services (Reference FNS Instruction 782-6, Rev. 1 and USDA Policy Memo 2005-SP-10)

It is common for companies that accept payment for meal services electronically to add a service charge for the processing of such payments. It is acceptable that the organization administering the electronic credits add a service charge for both the full-price and reduced-price eligible students, provided that these students and families have another payment option available to them where there is no service charge, such as with the cashier or the school office. Since there ***MUST*** be another payment option available with no fees, the provision of FNS Instruction 782-6, Fees for Lunchroom Services, which prohibits additional fees for supervisory or other services, would not apply in this case. Additionally, if the SFA chooses to pay for these online payment charges, it would be an allowable cost out of the nonprofit school food service account. ***NOTE: SFAs must provide students with two methods to purchase their meals. SFAs cannot offer*** **prepayments** ***as the only method.***

D. Disciplinary Action (Reference FNS Instruction 791-1 Rev. 1)

The denial of free, reduced-price, or full-price meals and/or milk as a disciplinary action against any child who is enrolled in a site participating in the CNP is inconsistent with Sections 2 and 9 of the NSLA and Sections 2, 3, and 4 of the Child Nutrition Act (CNA) of 1966. Disciplinary action that ***INDIRECTLY*** results in the loss of meals or milk is allowable; e.g., a student is suspended from school. However, when the withholding of meals or milk ***IS*** the disciplinary action or if the disciplinary action ***DIRECTLY*** results in the loss of meals or milk, it is inconsistent with the law and is not allowable; e.g., a student is suspended from school during the meal or milk period only.

SFAs shall:

1. When considering disciplinary action against any child, ensure that such action is consistent with this policy.
2. Make a reimbursable meal or milk available to any child attending school who, for disciplinary reasons, is not allowed to eat in the cafeteria.

E. Substitutions to the Meal Pattern Requirements

1. Special Medical or Dietary Needs: Schools should not delay a child's meal substitutions while waiting for the family to submit a medical statement. In this situation, schools must document the initial conversation with the family when first made aware of the child's request for meal substitution. Schools should continue to follow up with the family until a medical statement is obtained or the request is rescinded.

   If a medical statement is provided and does not fully explain the modification needed, the SFA should immediately contact the child's parent or guardian for guidance and ask the family to provide an amended medical statement as soon as possible. Documentation of special dietary needs must be on file at the cafeteria manager's office.

   a. Disabled Students (Reference USDA Memo SP-59-2016, SP-26-2017, and SP-40-2017)

      CNP regulations require participating SFAs, institutions, and sponsors to offer to all participants breakfasts, lunches, suppers, snacks, and milk that meet the meal pattern requirements identified in the program regulations. USDA regulations further ***REQUIRE*** substitutions to the standard meal pattern requirements for participants who are considered disabled under 7 CFR §15(b) and whose disability restricts their diets. The provisions requiring substitutions for disabled participants respond to the requirements of Section 504 of the Rehabilitation Act of 1973 and to USDA's implementing regulations 7 CFR §15(b) which provide that no otherwise qualified disabled individuals shall, solely on the basis of disability, be excluded from participation in, be denied benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance. (Reference FNS Instruction 783-2, Rev. 2)

      It is the responsibility of the SFA to pay for any substitutions required.

b. Nondisabled Students

SFAs may make substitutions for individual participants who are not ***disabled persons*** as defined in 7 CFR §15(b)(3)(i), but who are unable to consume a food item because of medical or other special dietary needs. This substitution ***does not*** include milk. See Item 2 below for milk substitution requirements. Such substitutions may only be made on a case-by-case basis when supported by a statement signed by a recognized medical authority. A state-recognized medical authority for this purpose is a state-licensed health care professional who is authorized to write prescriptions under state law.

2. Milk Substitutions (Nondairy Beverage)

Public Law 108-265, Section 102 states that a school ***MAY*** substitute for the fluid milk requirement a nondairy beverage that is nutritionally equivalent to fluid milk and meets nutritional standards established by USDA for students who cannot consume fluid milk because of a medical or other dietary need other than a disability.

Substitutions ***MAY*** be made if the school notifies the State Agency in its Renewal Policy Statement that the school is implementing this variation. The substitution is required to have a written statement from a medical authority or from a student's parent or legal guardian (refer to **page C-122** to see an example of the Milk Substitution Request Form) that identifies the medical or other special dietary need that restricts the student's diet. The school shall not be required to provide beverages other than beverages the school has identified as acceptable substitutes.

Expenses incurred in providing substitutions that are in excess of expenses covered by reimbursement shall be paid by the SFA.

NOTE: Only meals that contain milk* or an acceptable milk substitute are reimbursable unless the school is implementing the Offer versus Serve provision and the student declines the milk.

* Sites ***MUST*** offer students fluid pasteurized milk in at least two choices from the following: Unflavored milk must be one of the choices offered.

- Unflavored or flavored fat-free
- Unflavored or flavored lowfat (1%)
- Lactose-reduced lowfat (1%) or fat-free
- Lactose-free lowfat (1%) or fat-free
- Cultured buttermilk lowfat (1%) or fat-free
- Acidified milk lowfat (1%) or fat-free

a. Fluid milk substitution rule applies to the following CNP:
   - National School Lunch Program
   - School Breakfast Program
   - After-School Snack Program
   - Special Milk Program
   - Summer Food Service Program
   - Seamless Summer Option
   - Child and Adult Care Food Program (CACFP)

b. Nondairy beverage nutrient requirements per cup:

- Calcium 276mg
- Protein 8g
- Vitamin A 500IU
- Vitamin D 100IU
- Magnesium 24mg
- Potassium 349mg
- Phosphorus 222mg
- Riboflavin 0.44mg
- Vitamin B-12 1.1mg

c. Acceptable reasons for requesting a milk substitute:

- Milk allergy
- Religion
- Culture
- Ethical reason
- Vegan diet

NOTE: If a request states that a child does not like milk, this is not an acceptable reason.

d. Unacceptable milk substitutions:

- Water
- Juice

NOTE: When the milk substitution request is due to a medical or special dietary need other than a disability, the school chooses whether to accommodate the student and selects the nondairy beverage in accordance with the fluid milk substitution rule.

3. Substitutions Due to Ethnic or Religious Preferences

Sites ***MAY*** consider ethnic and religious preferences when planning and preparing meals. Variations on an experimental or continuing basis in the ***food components*** for the ***food-based*** menu-planning approaches must have written approval from USDA. Contact the State Agency for further instructions. (Reference USDA Regulations §210.10[g][2])

F. Student and Parent Involvement

Student and parent involvement is required in the NSLP. Activities to fulfill this requirement may include menu planning, enhancement of the eating environment, program promotion, and related student-community support activities. USDA is not requiring any specific form of student or parental involvement, but is leaving this to the discretion of the individual SFA.

G. Student Workers

All student workers in the cafeteria must be paid for their labor or can volunteer. However, they cannot be compensated by receiving free meals for their work.

H. Lost, Stolen, or Misused Meal Tickets/Cards

SFAs are required to establish procedures for handling lost, stolen, or misused student meal tickets/cards. Any system that limits the number of tickets must conform to the following:

1. Parents and students must be advised in writing of the school's policy regarding missing meal tickets and of students' corresponding responsibility for their tickets. Such notice shall be provided at the time applications are distributed to households or upon approval for free or reduce-price benefits.

2. A minimum of ***THREE*** ticket/card replacements, or special meal arrangements resulting from three lost or

stolen tickets, must be allowed each student within each school year.

3. The site shall maintain a list of students who have reported missing original tickets in the current school year and the number of occurrences for each student. Prior to denying a meal to any student without a ticket, the list should always be reviewed to determine if the student has already had at least three ticket replacements or special meal arrangements for lost or stolen tickets within that school year.

4. At least one advance ***WRITTEN*** warning must be given to the student and the parents prior to refusal to allow additional meal or ticket replacements. The written warning must include an explanation that the student has repeatedly requested replacement tickets and that each subsequent time the student fails to have a ticket, he or she will be expected to either bring lunch or pay full price for lunch.

5. Meals must always be provided to preprimary and young primary students or to any disabled students who may be unable to take full responsibility for a meal ticket.

   Using the above criteria, SFAs may develop the most administratively feasible system to handle missing tickets as determined by individual site circumstances and frequency of ticket issuances. In cases of repeated ticket loss or misuse, site administrators may wish to contact an adult household member to arrange a meeting to discuss the problem.

6. It is recommended that the meal or ticket replacement policy for missing free and reduced-price tickets be extended to the loss of full-price tickets. If such a uniform policy covering both needy and nonneedy students is not implemented, sites must exercise care to preclude the overt identification of needy students when reissuing free or reduced-price meal tickets or making arrangements to provide meals to students whose tickets are missing.

7. Replacement fees may only be charged after the third replacement ticket (card) has been issued, as specified in FNS Instruction 765-7, Revision 2.

8. Ticket (card) replacement costs may not exceed the cost of one paid meal. The cost of one paid meal is interpreted to mean the charge for a full-price student meal.

I. Reimbursement for Off-Site Meal Consumption (Reference FNS Instruction 786-8, Revision 1)

Exceptional circumstances exist for students who are enrolled in one school but attend another CO-OP or work-study site for the part of the day that includes the meal hour. Those students applying for free or reduced-price meals should do so through their home-base school since the home-base school would be more familiar with individual circumstances. The CO-OP/work-study school is responsible for the service of meals and the record keeping for meals served and claimed for reimbursement. However, the student cannot be listed in the CO-OP/work-study eligibles as that child is not enrolled at that site. Therefore, the CO-OP/work-study school should obtain, for its own records, a copy of the free and reduced-price application for any student to whom it serves a free or reduced-price meal. When the CO-OP/work-study site does not participate in the programs, takeout school meals meeting program requirements may be served to such students and claimed for reimbursement by their home-base school. The provision of such meals is at the option of the school, since SFAs are only required to make meals available to students who are present during the meal service period.

In all cases, care must be taken to ensure that accurate, detailed records are maintained, including meal counts for free, reduced-price, and full-price categories.

J. Prohibition on Advance Meal Payments in the NSLP/SBP/SMP (Reference USDA Policy Memos 2000-SP-21 and 2005-SP-10)

The requirement that meals be paid in advance will limit access by imposing an additional criterion for participation. While there must be provision for some type of prepayment and prepayment may be encouraged through discounts, prepayments may not be required. This would apply to electronic payments as well. These payment options must be specified in the SFA's free and reduced-price policy statement.

K. Mealtimes

1. Breakfast

The breakfast meal shall be served at or close to the beginning of the child's day at school. (Reference 7 CFR §220.8[1]) Each individual school district must decide the length of the meal service.

2. Lunch

Schools must offer lunches during the period the school has designated as the lunch period. ***Schools must offer lunches between 10 a.m. and 2 p.m.*** (Reference 7 CFR §210.10[f]) Each individual school district must decide the length of the meal service

.L. Prohibition on Separation by Gender

In general, SFAs, institutions, and organizations participating in the CNP are not permitted to separate children on any protected basis during the service of program meals or snacks, in keeping with federal nondiscrimination laws and policies as outlined for USDA programs in 7 CFR Parts 15, 15a, and 15b. Federal law prohibits discrimination based on gender at any educational institution receiving federal assistance.

State agencies may approve exemptions allowing separation by gender during a CNP meal service for participating SFAs, organizations, and institutions, without express prior approval from FNS, in the following circumstances:

- Meal service at religious institutions operating under the dictates of the religion with which they are affiliated.
- Meal service at juvenile correctional facilities where combining members of the opposite gender would present a potential safety risk.
- Meal service at facilities that fully separate by gender as part of their normal operations (for example: gender-separated summer camps).

When requesting an exemption, the CNP operator must specify which of the above-listed reasons apply and why separation by gender is necessary. State agencies must document all exemption requests, including the date of approval or disapproval, and if applicable, the duration of the approval.

The above-listed exemptions are the only acceptable bases for gender separation during CNP meal service. Any other gender separation is strictly prohibited. (Reference USDA Memo SP-31, 2015)

MEDICAL STATEMENT

Requesting Special Foods in Child Nutrition Programs

Part I (to be filled out by SFA or Parent/Guardian)

Name of Student:_____ Age:_____

Name of Parent/Guardian:_____ Telephone Number:_____

School District:_____

School Attended by Student:_____

Part II (to be filled out by a recognized Medical Authority)

Diagnosis (include description of the patient's medical or other special dietary needs that restrict the child's diet):

_____

_____

_____

List food(s) to be omitted from diet:

_____

_____

_____

List food(s) that may be substituted (diet plan):

_____

_____

_____

Additional information:

_____

_____

_____

_____

_____ _____

Date Signature of Recognized Medical Authority

_____

Medical Authority Telephone Number

MILK SUBSTITUTION REQUEST FORM

Student's Name:_____ Age:_____ Grade:_____

The _____ Public School is participating in the milk substitution provision which states that a school may substitute for the fluid milk a nondairy beverage that is nutritionally equivalent to fluid milk and meets Nutritional Standards established by the United States Department of Agriculture (USDA). At a minimum, the Nutritional Standards shall include fortification of calcium, protein, vitamin A, and vitamin D to levels found in cow's milk for students who cannot consume fluid milk because of a medical or other special dietary need other than a disability.

The _____ Public School has notified the State Department of Education (the State Agency) that the school is implementing this variation. The substitution requires a written statement by a medical authority or by a student's parent or legal guardian that identifies the medical or other special dietary need which restricts the student's diet, except that the school shall not be required to provide beverages other than beverages the school has identified as acceptable substitutes.

Acceptable substitutes are as follows:

_____

_____

_____

_____

Expenses incurred in providing substitutions that are in excess of expenses covered by reimbursements shall be paid by the school district.

For Medical Authority or Parent/Guardian to Complete:

Reason for Milk Substitution:

_____

_____

_____

_____

_____ _____

Date Signature of Medical Authority or Parent/Guardian

SUMMER MEAL AVAILABILITY

A. The Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, establishes requirements for conducting outreach to households on the availability of SFSP meals.

Section 112 of the Act amends Section 13(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761[a]) to require that each SFA cooperates with SFSP service institutions to inform eligible families of the availability and location of free meals for students when the regular school year ends.

Acceptable activities may include developing or disseminating printed or electronic materials to families of school children prior to the end of the school year that provide information on the availability and location of SFSP meals. Other activities to promote the availability and location of SFSP meals may be approved by the State Agency. (Reference USDA Policy Memo SP-04-2011)

B. Options for Schools Operating Accredited Summer School Sites

A school site operating an accredited summer school as defined in Oklahoma Statute 210:35-15-2, after the regular school year has concluded, has ***THREE*** options in continuing to feed its students during the summer months:

1. Extend the NSLP/SBP/ASSP.

   School sites extending these programs follow the same meal pattern requirements and same meal-counting and -claiming procedures as in the regular school year. In sites where these programs are extended, carryover applications from the previous school year are affected. If summer school and meal participation continue into the month of July, the first day of the 30-day operating period for that particular site would begin on the first day summer school is in session in July. Refer to the Eligibility Section for additional information on carryover applications.

2. Operate the Summer Food Service Program.

3. Operate the Seamless Summer Option

C. Options for Schools ***NOT*** Operating Accredited Summer School Sites

A school site ***NOT*** operating an accredited summer school as defined in Oklahoma Statue 210:35-15-2, after the regular school year has concluded, has ***many different options*** to consider if continuing to feed students during the summer months. Participating in any of the options listed ***does not*** affect the way the school site uses its carryover applications from the previous school year into the next regular school year. Refer to the Eligibility Section for additional information in carryover applications.

1. Operating the SFSP

   Schools may operate the SFSP at one or more sites. These are the actual locations where meals are served and children eat in a supervised setting. Eligible sites are those that serve children in low-income areas or specific groups of low-income children. Schools must provide documentation that their proposed sites meet the income-eligibility criteria required by law or use the census tract for documentation of eligibility. The most common types of sites are: open sites, restricted open sites, and closed enrolled sites.

   a. Types of sites—Schools may sponsor the following types of sites:
      (1) Open Site—Children aged 18 and under eat free in the community where at least 50 percent of the children are eligible for free or reduced-price school meals. These sites may be operating an accredited summer school program or a 21st Century Grant Program. An open site may

participate in the SFSP without offering any type of educational or enrichment program.

(2) Restricted Open Site—This is an open site restricted for safety, control, or security, and that meets the 50 percent criteria. Educational or enrichment programs may or may not be offered along with the meal service.

(3) Closed Enrolled Sites—This site may be in any community for an enrolled group of low-income children meeting the 50 percent criteria explained previously. This excludes accredited summer school programs, but includes programs such as 21st Century grants, tutoring, etc.

b. Special Types of Sites:

(1) Migrant Site—This site serves children of migrant families.

(2) Camps—A site is residential or nonresidential.

c. Basic Requirements:

(1) Application—SFAs may apply for the SFSP by calling Dee Houston at 405-522-4943. An appointment to visit the school will be set. The school will receive a Username and Password to access the SFSP system.

(2) Meals Prepared in Schools (7 CFR 225.16[f][1][i])—Schools participating in the NSLP or SBP are accustomed to preparing meals that meet federal nutritional requirements. Sponsors serving meals that are prepared in schools may, with prior State Agency approval, use the meal requirements of those programs instead of the SFSP meal patterns. Sections 210.10 and 210.10(a) of NSLP regulations and Sections 220.8 and 220.8(a) of SBP regulations describe requirements for school meals.

(3) Reimbursement—Meals are reimbursed at a higher free reimbursement rate than the Seamless Summer Option. The site reports the number of reimbursable meals served each month and receives a combination of operating and administrative reimbursement. Schools receive the maximum reimbursement by claiming the number of reimbursable meals multiplied by the current rates.

2020 Rates for Summer Food Service Program for Children

	Rural or Urban Self-Prep* Sites or Rural Vended Sites	**Urban Vended Sites**	
Breakfast	$ 2.3750	$ 2.3300	(Operating and administrative reimburse-ment rates have been added together)
Lunch/Supper	4.1525	4.0875	
Snack	0.9775	0.9550	

NOTE: Metropolitan counties include: Canadian (09), Cleveland (14), Comanche (16), Cotton (17), Creek (19), Grady (26), LeFlore (40), Lincoln (41), Logan (42), McClain (47), Oklahoma (55), Okmulgee (56), Osage (57), Pawnee (59), Rogers (66), Sequoyah (68), Tulsa (72), and Wagoner (73). Any SFSP sites located in these counties or any SFSP sites under an FSMC contract will automatically receive the lower (urban-vended) rates.

*Self-prep sites in either urban or rural areas receive the higher rate

(4) Monitoring by SFA—SFAs operating sites under the SFSP must conduct the following monitoring visits:

(a) Preoperational site visit (part of application process)

(b) One visit during first four weeks of program operation.

The chart on **page C-126-127** shows the difference between the SFSP and the Seamless Summer.

2. Operating the Seamless Summer Option

The Seamless Summer Option combines features of the NSLP, the SBP, and the SFSP. SFAs participating in the Seamless Summer option basically follow the same guidelines as the NSLP and SBP.

a. Approval Criteria: In order for an open site to be approved, at least 50 percent of the children in the area to be served must be eligible for free or reduced-price school meals. Closed enrolled sites may also qualify if 50 percent of the enrolled children are eligible for free or reduced-price meals. At these sites, reimbursement is provided for meals served to all children aged 18 and under. Camps must qualify based on individual children's eligibility and may only claim reimbursement for children who are eligible for free or reduced-price meals.
b. Types of Sites—Schools may sponsor the following types of sites:
   (1) Open Site—All children eat free in the community where at least 50 percent of the children are eligible for free or reduced-price meals. These sites may be operating an accredited summer school program, a 21st Century Grant Program, or the site ***may just be offering the meal***. An open site may participate in the Seamless Summer Option without offering any type of educational or enrichment program.
   (2) Restricted Open Site—This is an open site restricted for safety, control, or security and that meets the 50 percent criteria above. Educational or enrichment programs may or may not be offered along with the meal service.
   (3) Closed Enrolled Site—This site may be in any community for an enrolled group of low-income children meeting the 50 percent criteria for an open site or using the eligibility status of individual children if 50 percent or more of the enrolled children are free and reduced-price. The SFA must explain why a closed enrolled site is being sponsored.
   (4) Migrant Site—This site serves children of migrant families.
   (5) Camps—A site must be nonresidential. A camp may qualify if 50 percent or more of the enrolled children are eligible for free or reduced-price meals and can only claim reimbursement for those children. The SFA must explain why a camp is being sponsored instead of a more conventional Seamless Summer Option site.
c. Basic Requirements for the Seamless Summer Option
   (1) Application—SFAs may apply online. Contact our office at 405-521-3327 if you have questions.
   (2) Meal Pattern Requirements—SFAs follow the same menu-planning option implemented during the regular school year.
   (3) Reimbursement—Meals are reimbursed at the same NSLP/SBP/ASSP free rate as during the regular school year.

2020 Rates for Seamless Summer Option Through June 30, 2020

Meal Rate					
Breakfast	$	1.84	or	2.20	(if site is Severe Need)
Lunch/Supper		3.41	or	3.43	(if district is a 60 percent district)
Snack		.94			

   (4) Meal Service—Open and closed enrolled sites may claim up to two types of meals per day in any combination except lunch and supper. Camps and migrant sites may serve a maximum of three meals per day and may claim both lunch and supper on the same day.
   (5) Monitoring by SFA—SFAs must review each site at least once during its operation to ensure compliance with meal counting, meal claiming, menu planning, and food safety requirements.

COMPARISON OF PROGRAMS - SUMMER FOOD SERVICE PROGRAM (SFSP) VERSUS SEAMLESS SUMMER FEEDING WAIVER

TOPIC	SFSP (Workshop Registration Due January)	SEAMLESS SUMMER OPTION (Application Due by May 15)
Agreement	• Agreement taken with the State Department of Education	• Agreement remains with State Department of Education
Duration of Approval	• Per state agreement and application requirement	• Same as SFSP
Eligible Sponsors	• Schools/SFAs • Local government agencies • Private nonprofit organizations • Universities or colleges • Community or faith-based organizations	• Schools/SFAs
Types of Meals	• Breakfast • Lunch/supper • Snack (supplement)	• Same as SFSP
Maximum Number of Meals	• Two • Any combination except lunch and supper • Three meals for residential camps and migrant sites	• Same as SFSP, except no residential camps
Commodities	• SFSP rate for each lunch or supper • May receive bonus commodities	• NSLP rate for lunch or supper • May receive bonus commodities
Reimbursement Rates	• SFSP Operating and Administrative Rates apply (these are higher rates than the National School Lunch Program [NSLP]/School Breakfast Program [SBP]/After-School Snack Program [ASSP])	• NSLP, SBP, and ASSP rates apply) these are lower rates than SFSP
Monitoring Required by School Food Authority (SFA)	• Required to perform preoperational visits before a site operates the summer program • Must visit all sites once during first week of operation (waived for experienced Sponsors that are SFA's) • Must review once during first four weeks of operation and then monitor at a REASONABLE level.	• Annual review of meal counting, claiming, and meal pattern compliance within three weeks of start of operations

COMPARISON OF PROGRAMS - SUMMER FOOD SERVICE PROGRAM (SFSP) VERSUS SEAMLESS SUMMER FEEDING WAIVER

TOPIC	SFSP (Workshop Registration Due January)	SEAMLESS SUMMER OPTION (Application Due by May 15)
Monitoring Required by State	• Subject to review by State at least once every 3 years.	• Administration Review (AR) every 5 years. • At least one seamless site must be included in a AR of an SFA.
Type of Sites and How Eligibility is Determined	***Open or Restricted-Open*** - Based on 50 percent Free/Reduce-Price (F/R) enrollment of the attendance area of a school or census block-group data. ***Closed Enrolled*** - 50 percent of children enrolled in needy or noneedy areas and are eligible for F/RP benefits. ***Residential Camps*** - Only meals for children who qualify for F/RP benefits are reimbursed.	***Open or Restricted-Open -*** Same as SFSP ***Closed Enrolled*** - Same eligibility criteria, except that must be located in noneedy areas only. ***Residential Camps*** - Not eligible
Meal Pattern	• May use SFSP or NSLP/SBP/ASSP menu-planning approach	• Must use NSLP/SBP meal pattern requirements
Eligible Participants	• Children in low-income areas 18 years or younger, a person 21 years or older who meets the state definition of having a physical or mental disability.	• Same as SFSP
Public Notice	• SFA/Sponsor is required to send a public media notice regarding program and eligibility.	• Public media notice may be done, but it is not required. • SFA must state how each site (excluding closed enrolled sites) will advertise availability of meals to the neighborhood community.
Weekend Meals	• Available with State Agency Approval only	• Available with State Agency approval only
Times of Operation	• May - September for traditional school calendar areas • October - April during unanticipated school closures (i.e., emergencies) • During student vacations for schools on continuous year calendar	• Same as SFSP
Meal Service Locations	• Schools • Camps • Pools • Playgrounds • Camps • Churches • Housing Projects • Migrant Centers • Libraries • Parks • Other public sites where children gather	• Same as SFSP
Meal Cost for Children	All Meals are Free (Although camps are only reimbursed for children who qualify for free or reduced-priced meals, camp sponsors may, and usually do, provide meals free of charge to all children)	• Same as SFSP

RESIDENTIAL CHILD CARE INSTITUTIONS (RCCIs) ADDITIONAL REQUIREMENTS

NOTE: Boarding Schools Are Treated Exactly as a Public School

A. Master Roster or Enrollment Application

Enrollment information must provide the birth date of each student to ensure that no meals served to students over the age of 21 are being claimed for reimbursement. Since all meals in this case are served at the free reimbursement rate, the RCCI may use the Meal Count Worksheet on **page C-133**.

A copy of a Master Roster can be found on **page C-130**. Both the master roster and enrollment application must contain the following information:

1. Child's name
2. Child's birth date (MM/DD/YY)
3 Date of entry
4 Child's personal income—indicate ***0*** if no income is received
5. Frequency with which income is received
6. Date of eligibility determination
7. Category of eligibility—see Item B below
8. Approving official's initials
9. Placement agency
10. Date of withdrawal

B. Statement of Facts

The simplest method of documenting a student's eligibility is to have a Statement of Facts on file at the RCCI. This is a written statement outlining the general policy or condition within the RCCI that would define all the residential students (not including day students) to be eligible for free benefits. A copy of the form can be found on **page C-131**. The following are some acceptable examples of what would qualify as a Statement of Facts.

All our children are wards of the court. They are not permitted to earn, receive, or retain any money while in our custody.

Our students are permitted to hold part-time jobs (up to 16 hours per week). The maximum earnings we have seen have been $83 per week. We also permit students to receive up to $5 per week from home, but we require any money received or earned to be turned into our bank and to be drawn out only with permission.

If the RCCI does not have a Statement of Facts for its residential students that dictates the allowable income to students qualifying all of them as free or if the RCCI has day students, then it must record eligibility determination, by student, on a master roster or on an enrollment application. An application for free/reduced-price meals must be completed on each student to determine each one's eligibility. Direct Certification could also be used. (Refer to the Eligibility Section for more information.)

C. Child Attending School Off Campus

Students residing in an RCCI but attending school off campus are not ***AUTOMATICALLY*** eligible at ***THAT*** school to receive meal benefits. The RCCI may complete the free and reduced-price application if the adult member of the household is not available. Income for the child must be shown on the application even if it is zero. If a child resides at an RCCI but attends a school off the RCCI campus, that school ***MUST*** have a completed application on file for each child for whom a free or reduced-price meal is served and claimed for reimbursement.

D. Attendance Records

If all students are residential and a general policy or condition (Statement of Facts) exists that causes all institutionalized children to be eligible for free benefits, the Master Roster is not required. However, monthly attendance records are required to be maintained by all RCCIs. Refer to **page C-132** for a copy of the form.

E. Point-of-Service Meal Count

All RCCIs must take a point-of-service count to ensure that reimbursable meals are served. RCCIs with day students must also ensure that these counts are categorical.

F. Edit Check

All RCCIs are required to complete daily edit checks. Refer to **page C-135** for a copy of the RCCI Edit Check Worksheet.

G. Financial Accounting

Each RCCI must maintain documentation of its nonprofit school food service account funds. Total revenues and expenditures must be readily available during a review or audit. The Year-End Expenditure/Revenue Report on **page C-137** assists RCCIs in maintaining this required documentation.

MASTER ROSTER

Name of Institution: _____

Child's Name	Personal Income (Earned Directly or Received by Child)	Child's Birth Date*	Date of Admis-sion	Category of Eligibility (F/R/P)	Date of Release

Signature of Approving Official: _____ Title: _____

E-Mail Address: _____

NOTE: No student over the age of 21 is eligible for reimbursable meal benefits under the NSLP/SBP.

STATEMENT OF FACTS
FOR
RESIDENTIAL STUDENTS UNDER THE AGE OF 21

_____

Name of RCCI

Explain what constitutes documentation of eligibility for free and reduced-price meals.

For the RCCI:

_____
Name

_____
Title

_____
Date

MONTHLY ATTENDANCE RECORD

County/District Code:_____ **Name of RCCI:**_____ **Month:**_____ **Year:**_____

Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

RCCI MEAL COUNT WORKSHEET
FOR RESIDENTIAL STUDENTS WHO ALL QUALIFY FOR FREE MEALS

Name of RCCI: _____

County/District Code: _____ Month:_____20___
(To be maintained at institution with CNP records)

Date	NUMBER MEALS SERVED TO RESIDENTIAL STUDENTS		
	BREAKFAST	LUNCH	SNACK
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
TOTALS			

RCCI MEAL COUNT WORKSHEET

The Meal Count Worksheet is to be used only for institutions where ***ALL*** students qualify for free meal benefits. An actual physical count must be taken at mealtime. The total verified meal count for each meal service is recorded after each enrolled student has received his/her meal. All meals served must meet minimum meal pattern requirements.

RCCI EDIT CHECK WORKSHEET

☐ Lunch
☐ Breakfast

1. **RCCI:** _____
2: **Month:** _____
3. **Attendance Factor (AF):** **100%**
4. **Total Membership as of the First Day of the Month:** _____

5. Day of Month	6. Daily Free Eligibles x AF	7. Free Meals Claimed	8. Daily Reduced-Price Eligibles x AF	9. Reduced-Price Meals Claimed	10. Daily Paid Eligibles x AF	11. Paid Meals Claimed	12. Total Meals Claimed Daily	13. (Average) Daily Attendance	14. Comments
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									
15. Monthly Totals:									

16. Signature: _____ 17. Date: _____

NOTE: RCCIs with* residential students only *need to complete Columns 6, 7, 13, and 14, if necessary.

NATIONAL SCHOOL LUNCH PROGRAM/SCHOOL BREAKFAST PROGRAM/ AFTER-SCHOOL SNACK PROGRAM YEAR-END EXPENDITURE/REVENUE REPORT (July 1 - June 30) INSTRUCTIONS

This form is to be completed using data from the National School Lunch, School Breakfast, and After-School Snack Programs for each July 1 through June 30 time period.

NOTE: Figures reported should only include expenditures and revenues from the applicable National School Lunch Program, School Breakfast Program, and After-School Snack Program in which your institution participates. If your institution served more meals than this (i.e., supper), all expenditures must be prorated to only reflect Child Nutrition expenses.

Most residential child care institutions (RCCIs) and boarding schools serve more meals than what can be claimed for reimbursement through Child Nutrition Programs. If this is the case and Child Nutrition expenditures/invoices are not separated, the institution will need to prorate the expenses of Child Nutrition Program meals.

A. TOTAL NUMBER OF MEALS SERVED AT INSTITUTION FOR ONE WEEK: _____

B. TOTAL NUMBER OF MEALS CLAIMED FOR REIMBURSEMENT BY THE INSTITUTION: _____

C. B DIVIDED BY A = PERCENT TO PRORATE ALL EXPENSES, INVENTORY, ETC.

Example: The boarding school serves 28 meals per week. It serves breakfast, lunch, snack, and supper every day, seven days a week. The boarding school claims 15 meals per week for reimbursement under Child Nutrition Programs. It claims breakfasts, lunches, and snacks Monday through Friday. Therefore, the formula would look like this:

15 meals per week are claimed divided by 28 meals per week served equals 53 percent of all meals served are claimed for reimbursement. This would be the percentage the boarding school would use when completing this form. It would apply the 53 percent to the ***TOTAL*** food and beverage expenditures, as well as to the ***TOTAL*** salaries, ***TOTAL*** inventory, ***TOTAL*** equipment purchases, etc.

1. The amounts listed shall reflect the expenditures for the school year (July 1 - June 30). ***Do not include expenditures from special functions such as banquets or from supper meals.***
   (a) Enter the amounts of food and milk purchased and received for student meals only for the school year. Include the Commodity Distribution Assessment Fee. Refunds from vendors shall be deducted. ***Do not include expenditures for special functions or supper meals.***
   (b) Enter the amounts of food and milk purchased and received for institution employee meals only for the school year. Include the Commodity Distribution Assessment Fee. Refunds from vendors shall be deducted. ***Do not include expenditures for special functions or supper meals.***
   (c) Enter the gross amount paid for salaries to food service workers. Include employee benefits such as health insurance, retirement funds, and matching social security. Only include the employees' time for the preparation/service of meals claimed for reimbursement under Child Nutrition Programs.
   (d) Enter the cost for nonfood items such as paper goods, supplies, equipment repairs (less than $5,00 per repair), equipment rental, and extermination spent for Child Nutrition Program meals only.
   (e) Enter the amount of each piece of equipment with an acquisition cost less than $5,000 ***purchased during the school year***.
   (f) Enter the depreciated amount of each piece of equipment with an acquisition cost of $5,000 or more. Prorate the amount for Child Nutrition only.
   (g) Enter all expenditures that are not an allowable cost for reimbursement purposes (i.e., bank charge of bounced checks, lost commodities, etc.) for Child Nutrition purposes only.
   (h) Total expenditures.
2. (a) Enter the total value of the purchased food and milk for meals claimed under Child Nutrition on the first day of the school year. This amount will be the same figure as the ending inventory for the previous school year.
   (b) Enter the dollar amount recorded in 2a above.
   (c) Add or deduct inventory adjustments. Deduct value of food for Child Nutrition only lost, stolen, or spoiled. Add value of food misplaced and not previously inventoried for Child Nutrition only.
   (d) Total food and milk available equals sum of (a), (b), and (c).
   (e) Deduct ending inventory on hand the last day of the school year. This amount will be the beginning inventory for the next school year for Child Nutrition Programs only.
   (f) Food and milk used equals (d) less (e).
3. (a) Enter the amount of federal reimbursements received from the State Department of Education Child Nutrition Programs.
   (b) Enter the amount of State Match reimbursement received from the State Department of Education Child Nutrition Programs.
   (c) Enter the amount of revenue collected from à la carte sales/adult meals.
   (d) Enter other revenue collected.
   (e) Enter total revenue received.

CHILD NUTRITION PROGRAMS

National School Lunch Program/School Breakfast Program/After-School Snack Program
Year-End Expenditure/Revenue Report
(July 1 - June 30)

Name of SFA/RCCI/Boarding School: _____

County/District Code: _____

1. CHILD NUTRITION EXPENDITURES (EXPENSES)		FOOD SERVICE ACCOUNT
(a) Food and Milk for Students Only	$	_____
(b) Food and Milk for Institution Employees Only	$	_____
(c) Direct Labor and Benefits	$	_____
(d Other Direct	$	_____
(e) Expendable Equipment	$	_____
(f) Nonexpendable Equipment	$	_____
(g) Nonreimbursable Expenses	$	_____
(h) TOTAL EXPENDITURES	$	_____

2. CHILD NUTRITION INVENTORY OF PURCHASED FOOD AND MILK		FOOD SERVICE ACCOUNT
(a) Beginning Inventory (Last year's ending inventory)	$	_____
(b) Add Food and Milk Purchased	$	_____
(c) Add or Deduct Inventory Adjustments for the Year (Please identify adjustments with a + or -)	$	_____
(d) Total Food and Milk Available	$	_____
(e) Deduct Ending Inventory as of the Last Day of the School Year	$	_____
(f) Food and Milk Used for the Year	$	_____

3. REVENUE		FOOD SERVICE ACCOUNT
(a) Federal Reimbursement Received	$	_____
(b) State Match Reimbursement Received	$	_____
(c) Income From À la Carte/Adult Meals	$	_____
(d) Other Income	$	_____
(e) TOTAL REVENUES	$	_____

LOW-INCOME REPORT—ON-SITE STUDENTS
INSTRUCTIONS

- **School Site Information:** Complete the form for each accredited site. When entering the information on the Web site, verify that the site numbers and names are correct. ***PLEASE*** contact 405-521-3327 if there are any discrepancies. Include the Grade Span that will be the lowest grade to the highest grade for each site. Valid grades are: Early Childhood (EC), kindergarten (KG), and 1 through 12. If OPENING a site, please contact the Accreditation Section at 405-521-3333 before adding the new site to this form.

- **Site Code:** Counts must be reported by accredited site number; i.e., 105, 705. If one cafeteria serves more than one school site, report each school separately—not as one. Every accredited school site must be included. Non-accredited sites must not be included.

  1. **Site:** SiteName (SiteCode)
  2. **Grade (Low to High):** You will enter the lowest grade (Low) and the highest grade (High) that is included at this site).
  3. **Total Enrollment Ages 5-17:** Enrollment of ALL students at this site, ages 5-17 as of the month of October.
  4. **Site Enrollment Ages 4 and Under:** Enter number of enrolled students, 4 years of age and younger, who are eligible for free and reduced-price meals.
  5. **Site Enrollment Ages 5 through 17:** Enter number of enrollment student, 5 to 17 years of age, who are eligible for free and reduced-price meals.
  6. **Site Enrollment Ages 18 and Over:** Enter number of enrollment students, 18 years of age and older, who are eligible for free and reduced-price meals.

STUDENTS ELIGIBLE FOR FREE MEALS

- **Aged 4 and Under:** Enter the highest number of ***CURRENTLY ENROLLED*** students, 4 years of age and younger, who are ***ELIGIBLE*** for ***FREE*** meals during the month of October.
- **Aged 5 Through 17:** Enter the highest number of ***CURRENTLY ENROLLED*** students, 5 through 17 years of age, who are ***ELIGIBLE*** for ***FREE*** meals during the month of October.
- **Aged 18 and Over:** Enter the highest number of ***CURRENTLY ENROLLED*** students, 18 years of age and older, who are ***ELIGIBLE*** for ***FREE*** meals during the month of October.
- **Total:** Total number of ***CURRENTLY ENROLLED*** students ***ELIGIBLE*** for ***FREE*** meals. This figure will be calculated by the system.

STUDENTS ELIGIBLE FOR REDUCED-PRICE MEALS

- **Aged 4 and Under:** Enter the highest number of ***CURRENTLY ENROLLED**** students, 4 years of age and younger, who are ***ELIGIBLE*** for ***REDUCED-PRICE*** meals during the month of October.
- **Aged 5 Through 17:** Enter the highest number of ***CURRENTLY ENROLLED**** students, 5 through 17 years of age, who are ***ELIGIBLE*** for ***REDUCED-PRICE*** meals during the month of October.
- **Aged 18 and Over:** Enter the highest number of ***CURRENTLY ENROLLED**** students, 18 years of age and older, who are ***ELIGIBLE*** for ***REDUCED-PRICE*** meals during the month of October.
- **Total:** Total number of ***CURRENTLY ENROLLED**** students ***ELIGIBLE*** for ***REDUCED-PRICE*** meals. This figure will be calculated by the system.

(NOTE: RCCIs are not required to complete this form.)

LOW-INCOME STUDENT COUNT REPORT

County/District Code: _____ District Name: _____

1. Site	2. Grade	3. Total		4. Under 5 Years	5. 5 to 17 Years	6. 18 and Over	Totals		
Happy ES (105) Y	EC 06	526	Free: Reduced:	48 0	462 0	0 0	510 0	Edit	Delete
Healthy ES (195) Y	EC 06	500	Free: Reduced:	25 0	100 0	0 0	125 0	Edit	Delete
- Select One - ∨	Low: NA ∨ High: NA ∨		Free: Reduced:					Insert	

INSTRUCTIONS FOR SUBMISSION:

1. Once your October claim is locked, click on the Low-Income Report—On-Site Students Only (enrolled students who have access to a meal) (including on-site virtual students). Once opened, complete the information required for each accredited site under your district by clicking on the drop down box and filling in the numbers that represent your school district. Once the site information is completed, be sure to save.
2. Once the report is ***SAVED*** and the numbers on the report added together match your October claim for reimbursement, you will be able to certify your Low-Income Report.
3. Once the report is certified, print out a copy, sign it, and fax to 405-521-2239.

By signing this report, the superintendent is stating that the number of students counted on this report are ***ONLY*** students who are ***CURRENTLY ENROLLED*** and have access to a meal at the district during the month of ***OCTOBER***. This report ***MUST NOT*** include any seniors who graduated last May, any students who left the district ***PRIOR*** to ***OCTOBER 1***, or any students who do not have access to a meal service.

_____

Superintendent's Signature Date

NUTRITION EDUCATION

A. Training Standards

- Annual training hours required each year varies by job category and must be job-specific.
- Training is measured in hours and may include shorter time periods.
- Training may be obtained in many ways: in person, online, local meetings, webinars, conferences, etc., many available free or at low cost.
- USDA provides a Training Tracker Tool to help document completed training, if needed.
- The State Agency reviews training documentation during the AR.

B. Nutrition education material available upon Request.

- Bread-in-a-Bag supplies
  This is a hands-on activity that allows children the opportunity to make their own bread loaf that corresponds with a nutrition education curriculum for teachers and students Grades 3-6. This activity is intended to encourage students to realize the importance of breads and grains in the diet.

C. Statewide training

1 Application, Approval, Benefit Issuance, Verification, and Meal Counting and Claiming (ABVM) training, annually mandated by USDA for at least one per person SFA, is now available in an online module. This online training is made available as an alternate option to fulfill the requirement other than on-site workshopsoffered through your Area Consultant. (Reference Public Law 108-265, Section 126)

2. Cafeteria Managers Training is optional for cafeteria staff.. This training covers meal patterns, menu planning, crediting of food, production records, offer vs. serve, food safety/HACCP, procurement process, smart snacks, school wellness policy, and unpaid meal charge policy.

3. Webinars offered frequently on specific topics relating to schools.

D. Cooking for Kids

Cooking for Kids is a multi-agency effort aimed at changing the paradigm of child nutrition in Oklahoma. The project includes culinary skill development training, child nutrition leadership training, school-site chef consultations and web-based resources. Trainings and consultation are provided at no cost to the school district or child nutrition personnel. Training is offered during the summer.
https://cookingforkids.ok.gov/

E. Team Nutrition

Team Nutrition is a USDA initiative to support the child nutrition programs through training and technical assistance. The organization offers grants, training materials, and recipes school can use https://www.fns.usda.gov/TN

F Technical assistance

The State Agency strives to provide SFAs and their staffs with quality service and on-site technical assistance. The State Agency has an outstanding staff of area coordinators available to offer their expertise and guidance in all areas or issues pertaining to CNP. Some of the areas are as follows:
(1) Qualifying for SNB Program
(2) Analyzing meals per labor hour (MPLH) to determine food service labor productivity
(3) Determining the highest free and reduced-price eligible students enrolled at school sites
(4) Conducting a financial analysis of school food service income and expenditures
(5) Conducting a nutrient analysis of site menus and identifying areas of improvement
(6) Training new staff in CNP duties
(7) Qualifying for the ASSP
(8) Completion of the annual NSLP and SBP Application and Agreement and Policy Statements
(9) Assistance with the electronic claims software

PROFESSIONAL STANDARDS FOR SCHOOL NUTRITION PROGRAMS

The Healthy, Hunger-Free Kids Act of 2010 requires USDA to create professional standards for state and local school nutrition program personnel. Local school program personnel should be sure to refer to the final rule and consult with the State Agency if they have specific questions.

The goal of the training and hiring standards is to ensure the success of the NSLP and SBP by assisting SFAs in:

- Recruiting, hiring, training, and retaining qualified school nutrition staff.
- Enhancing the image of school nutrition professionals and their influence in the community.
- Building skills and empowering staff to lead and efficiently operate school nutrition programs.

A. Standards for School Nutrition Employees, Directors, Managers, and Staff)

1. Professional standards apply to all school nutrition employees, whether the SFA operates the school nutrition program or contracts with an FSMC. Compliance with the professional standards is included as a part of the Administrative Review.

.2. Job Categories

Professional standards vary by three job categories: directors, managers, and staff. The definitions are general enough to cover most local school nutrition program employees.

- ***Directors*** plan, administer, implement, monitor, and evaluate all district-wide aspects of school nutrition programs

.
- ***Managers*** have direct responsibility for the day-to-day operations at one or more schools

.
- ***Staff*** prepare and serve meals, process transactions at point of service, and review the free/reduced-price applications, along with other routine work.

Table 1: Summary of Annual Required Minimum Training Hours for School Nutrition Employees

JOB CATEGORY	ANNUAL REQUIREMENTS*
Directors	12 hours
Managers	10 hours
Staff	6 hours
Part-time Staff (working less than 20 hours per week)	4 hours
Midyear Hires in All Categories (January 1 or later)	One-half of training requirement for each job category

*Annual requirements apply to the 12 months between July 1 and June 3. If a schools uses a Food Service Management Company (FSMC), both the district and FSMC must designate a Director and both must have 12 hours of Professional Development hours annually.

B. Training Topics by Key Areas

USDA has suggested job-specific training topics that align with four key areas: nutrition, operations, administration, and communications/marketing. See chart below.

Table 2: Training Topics by Key Areas

KEY AREAS	TRAINING TOPICS
Nutrition	Menu Planning Nutrition Education General Nutrition
Operations	Food Production Records Serving Food Cashier and Point of Service Purchasing/Procurement Receiving and Storage Food Safety and Hazard Analysis and Critical Control Point (HACCP)
Administration	Free and Reduced-Price Meal Benefits Program Management Financial Management Human Resources and Staff Training Facilities and Equipment Planning
Communications & Marketing	Communications and Marketing

See the FNS Professional Standards Web site for suggested learning objectives for each training topic:

http://www.fns.usda.gov/school-meals/professional-standards

C. Record-Keeping Requirements

The regulation does not specify the kind of records that must be kept. Records that list the employee name, employer/school, training title, topic/objectives, training source, dates, and total training hours would be appropriate to demonstrate compliance with training requirements. Records must be maintained and made available to the State Agency upon request. They may be kept electronically in a local database, in paper files, or through the USDA Training Tracking Tool. The Oklahoma State Agency allows a 2-year period to complete training, but some training hours must be completed each year. Any excess annual training hours may be carried over to an immediately previous or an immediately subsequent school year. This is intended to help provide flexibility while ensuring that the SFA employees receive a reasonable amount of training each school year. Documentation of professional standards training is now part of the AR, so while it is ideal for individual staff members to keep track of their own training, you must ensure it is available for State Agency review.

F. Hiring Standards for New School Nutrition Program Directors *(See Table 3 on page **C-148**)*

The professional standards also include minimum hiring criteria for new school nutrition program directors. The hiring standards aff ect directors hired on or after July 1, 2015. Directors hired prior to July 1, 2015:

- Can remain in their current positions without meeting the hiring standards.
- May fill a new director position for the same LEA enrollment category or smaller without meeting the hiring standards.
- Must meet the hiring standards for the larger LEA enrollment category when applying for a director position within that enrollment category.
- For LEA enrollments less than 500, the State Agency may approve the hire of a candidate with a high school diploma (or (GED) and less than the required years of experience, if the best qualified candidate.

Hiring criteria depend on LEA enrollment size. As enrollment increases, program demands and complexity follow. Thus, minimum requirements are higher for LEAs with enrollments of 10,000 or more students than for smaller districts.

G. Allowable Training Methods for Job-Specific Training

- Online courses
- Structured, on-the-job training
- In-service training
- Local school nutrition organization educational events
- State Agency-sponsored training
- Training you conduct for staff
- Meetings sponsored by food service partners (vendors and commodity groups), including exhibits (as allowed by your State Agency)
- College courses with job-specific content

A full 60 minutes of training counts as one training hour, but shorter time periods are allowed. For example, four 15-minute in-service training sessions equal one training hour. Not all activities will count toward trainings they all must be job-specific.

Any financing of training for Child Nutrition personnel is an allowable use of the school food service account with one exception—Child Nutrition funds CANNOT be used to meet the standards for hiring new personnel such as completion of a college degree.

TABLE 3: MINIMUM HIRING STANDARDS FOR NEW SCHOOL FOOD AUTHORITY (SFA) NUTRITION DIRECTORS			
Local Educational Agency (LEA) Student Enrollment Categories	**Category 1** **2,499 or Less**	**Category 2** **2,500-9,999**	**Category 3** **10,000 or More**
Minimum Education Standards	Bachelor's Degree* in specific/related major** (experience preferred but not required) **OR** Bachelor's Degree* in any other major ***and*** state-recognized certificate for school nutrition program directors **OR** Bachelor's Degree* in any major ***and*** **1 year** of relevant experience **OR** Associate's Degree* in specific/related major** ***and*** **1 year** Of relevant school nutrition experience **OR** High School Diploma (or GED) ***and*** **3 years***** Of relevant school nutrition experience	Bachelor's Degree* in specific/related major** (experience preferred but not required) **OR** Bachelor's Degree* in any other major ***and*** state-recognized certificate for school nutrition program directors **OR** Bachelor's Degree* in any major ***and*** **2 year** of relevant experience **OR** Associate's Degree* in specific/related major** ***and*** **2 year** Of relevant school nutrition experience	Bachelor's Degree* in specific/related major** (experience preferred but not required) **OR** Bachelor's Degree* in any other major ***and*** state-recognized certificate for school nutrition program directors **OR** Bachelor's Degree* in any major ***and*** **5 year** of relevant experience
Food Safety Training	At least 8 hours within 5 years prior to within 30 days of start date		

* Or equivalent educational experience; consult your State Agency for more information.

** Specific/related major: Academic major or concentration in food and nutrition, foodservice management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field.

*** For an SFA whose enrollment ia less than 500, the State Agency may approve the hire of a candidate with a high school diploma (or (GED) and less than the required years of experience, if the best qualified candidate. (Memo SP 05-2020)

STAFFING STANDARDS

As automation of preparing and serving food and use of prepared foods are increased, the staffing standards should be changed to reflect an increase in productivity. Frequently, the automation and prepared or convenience foods are added one at a time (or slowly)—and the labor cost is not reduced. Unnoticed, the work will expand to fill the time available. Consequently, in a short time the staff will argue that it is not possible to do the work with less labor hours. The staffing guidelines are found below.

In most instances, satellite sites that receive their food in bulk for portioning on-site, sites that receive cooked or chilled food or cooked or frozen food for finishing off, and sites that receive preplated meals ready to heat and serve or ready-to-serve will have better productivity than those preparing food on-site. Increased productivity rate, or meals per labor hour (MPLH), and reduced labor costs will be realized when the volume prepared at a location is great enough and when there have been reductions in specialized staff; e.g., bakers, cooks, and managers. Satelliting to only one site from another site may not produce sufficient volume to result in savings.

On-site production requires the most labor and has a lower productivity level than efficient satellite systems. As labor costs increase, ways must be found to eliminate the number of labor hours needed to do the job. Many SFAs are examining the many different systems of delivering food and reducing labor hours. The staffing information on the following page shows the average productivity of on-site and finishing kitchens serving 350 lunches. (A finishing kitchen is one that receives all food prepped, or prepared, ready for heating and serving.)

Sample Staffing Guidelines for On-Site Production

NUMBER OF EQUIVALENTS*	MEALS PER LABOR HOUR (MPLH)/TOTAL HOURS			
	CONVENTIONAL SYSTEM**		CONVENIENCE SYSTEM***	
	MPLH	TOTAL HOURS	MPLH	TOTAL HOURS
10 - 100	12	8	16	6
101 - 150	12	8 - 12	16	6 - 9
151 - 200	12	12 - 16	16	9 - 12
201 - 250	14	14 - 17	17	12 - 14
251 - 300	14	17 - 21	18	14 - 16
301 - 400	15	20 - 26	18	17 - 21
401 - 500	16	25 - 31	19	21 - 25
501 - 600	17	29 - 35	20	25 - 30
601 - 700	18	33 - 37	22	27 - 31

* Meal equivalents include breakfast and à la carte sales. Two breakfasts equate to one lunch, and three snacks equate to one lunch.

** The conventional system is preparation of food from raw ingredients on the premises (using some bakery bread and prepared pizza and washing dishes).

*** The convenience system is using the maximum amount of processed foods (for example: using all bakery breads, breaded chicken, preportioned condiments, and using disposable dishes).

Staffing for an Elementary Site With On-Site Production

Number Serving . . . . . .350 Lunches
. . . . . 40 Breakfasts
Staff. . . . . .12 Meals Per Labor Hour
Labor Hours . . . . . 31 Labor Hours

Manager . . . . . 7 hours
Baker. . . . . .5 Hours
Cook . . . . . .6 Hours
Cashier . . . . . .3 Hours
Salads/Server. . . . . .5 Hours
Dish Washer/Assistant . . . . . .5 Hours
TOTAL LABOR HOURS. . . . . .31 Hours

NOTE: If 31 hours @ $8.50 (including fringe benefits), labor costs are $263.50, or $.75 per lunch.
If 31 hours @ $12.88 (including fringe benefits), labor costs are $399.28, or $1.08 per lunch.

Staffing for an Elementary Site With a Finishing Kitchen

Number Serving . . . . . .350 Lunches
. . . . . 40 Breakfasts
Staff. . . . . .26 Meals Per Labor Hour
Labor Hours . . . . . 14 Labor Hours

Manager . . . . . 6 hours
. . . . . (Breakfast)*
Server/Preparation. . . . . .5 Hours
Cashier . . . . . .3 Hours
TOTAL LABOR HOURS. . . . . .14 Hours

NOTE: If 14 hours @ $8.50 (including fringe benefits), labor costs are $119.00, or $.32 per lunch.
If 14 hours @ $12.88 (including fringe benefits), labor costs are $180.32, or $.49 per lunch.

*Manager comes in an hour early and serves breakfast.

STAFFING STANDARDS EXAMPLE
(See the back of this example for a blank form to use to calculate your district's staffing standards.)

Use the following data to determine the meals per labor hour (MPLH):

Number of days in sample month	=	22	
Total number of breakfasts in sample month	=	5,720	
Total number of lunches in sample month	=	7,150	
Total number of snacks in sample month	=	3,500	
Average number of daily lunches served	=	325	(7,150 divided by 22)
Average adjusted number of daily breakfasts served = (2 breakfasts = 1 lunch)		130	(2,860 divided by 22)
Average adjusted number of daily snacks served = (3 snacks = 1 lunch)		53	(1,166 divided by 22)
Number of meal equivalents (average number of lunches plus adjusted number of breakfasts and adjusted number of snacks)	=	508	
4 food service workers work 6 hours each	=	24	hours
1 manager works 8 hours, but 2.5 is allotted to paperwork	=	5·5	hours
		29·5	hours

508	divided by	29·5	=	17·22
Number of Meal Equivalents		Number of Labor Hours		Meals Per Labor Hour (MPLH) or Productivity Rate

STAFFING STANDARDS

Use the following data to determine the meals per labor hour (MPLH):

Number of days in sample month = _____

Total number of breakfasts in sample month = _____

Total number of lunches in sample month = _____

Total number of snacks in sample month = _____

Average number of daily lunches served = _____

Average adjusted number of daily breakfasts served= _____
(2 breakfasts = 1 lunch)

Average adjusted number of daily snacks served = _____
(3 snacks = 1 lunch)

Number of meal equivalents (average number of lunches plus adjusted number of breakfasts and adjusted number of snacks) = _____

_____ = _____ hours

_____ = _____ hours

_____ = _____ hours

_____	divided by	_____	=	_____
Number of Meal Equivalents		Number of Labor Hours		Meals Per Labor Hour (MPLH) or Productivity Rate

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