



M E M O

To: School Meal Programs Directors

From: Brigette Hires, Assistant Director, School Meal Programs

Date: May 22, 2012

This document contains important School Meal Programs updates and changes. Please update records accordingly. Topics covered in this document include:

- **New Meal Patterns for School Lunch and Breakfast (page 2)**
- **Additional 6 Cents Reimbursement Certification Guidelines (page 2)**
- **Paid Lunch Equity Requirement (page 3)**
- **USDA Policy Memo Updates (page 3)**
- **Community Eligibility Option (CEO) (page 4)**
- **SFSP Mandatory Public Awareness Requirement for School Food Authorities (page 4)**
- **Seamless Summer Program Participation (page 5)**
- **Federal Farm to School Grants (page 5)**
- **Ohio Senate Bill 210 (SB 210) (page 5)**
- **Direct Certification Process for School Year 2012-2013 (page 6)**
- **2012 NSLP Summer Regional Workshops (page 7)**
- **USDA Policy Memo Publications Related to Procurement (page 8)**
- **End of the School Year Claims for Reimbursement: Combining May and June (page 8)**
- **Healthier US School Challenge Award Announcement (page 8)**
- **Stellar Award Will Not Be Available This School Year (page 8)**
- **USDA Civil Rights Requirement Updates (page 9)**
- **Process Requirements when Contracting with a Food Service Management Company (page 10)**

FEDERAL AND STATE LEGISLATION INFORMATION

NEW MEAL PATTERNS FOR SCHOOL LUNCH AND BREAKFAST

USDA recently updated policy memo SP 10-2012, Questions and Answers on the Final Rule, “Nutrition Standards in the National School Lunch and School Breakfast Programs” (published 4/27/2012). [Click here](#) for the policy memo. Amongst the information disseminated, the memo clarifies the use of juice in the school lunch program (page 7) and provides direction on determining the minimum and maximum weekly grain and meat/meat alternate component counts (page 20). Additional policy memos issued regarding new meal patterns are as follows:

- SP 16-2012, SUBJECT: Crediting Tofu and Soy Yogurt Products (published 2/22/2012)
- SP 20-2012, SUBJECT: Frozen Fruit Products and Nutrition Standards in the National School Lunch and School Breakfast Programs (published 2/24/2012)
- SP 26-2012, SUBJECT: Formulated Grain Fruit Products (published 4/17/2012)
- SP 30-2012, SUBJECT: Grain Requirements for the National School Lunch Program and School Breakfast Program (published 4/26/2012)

To assist schools in meeting the new meal pattern requirements, the Ohio Department of Education (ODE), Office for Child Nutrition (OCN) is conducting multiple on-site regional trainings in July and August 2012. See the “2012 NSLP Summer Regional Workshops” section on page 7 of this document for more details.

For more information about the new meal pattern changes, visit the [ODE website](#), search *reauthorization*.

ADDITIONAL 6 CENTS REIMBURSEMENT CERTIFICATION GUIDELINES

Section 201 of the Child Nutrition Reauthorization Act provides School Food Authorities (SFAs) with an opportunity to receive a performance based increase in reimbursement of 6 cents per student meal served. The 6 cents reimbursement is above and beyond the federal meal reimbursement amounts as declared by USDA annually and is tied to compliance to the new meal patterns. The first month of which a SFA can receive the additional 6 cents reimbursement is the month of October 2012. SFAs can begin submitting their documents for 6 cents certification after July 1, 2012.

To facilitate the 6 cents certification process, USDA recently published policy memo SP 31-2012, Child Nutrition Reauthorization 2010: Questions and Answers Related to the Certification of Compliance with Meal Requirements for the National School Lunch Program (published 4/27/2012). [Click here](#) for a copy. Amongst the information disseminated, the memo describes the steps that an SFA will take to pursue certification (specifically Questions 14 and 15 on page 4). The menu worksheet and nutrient analysis tool discussed on page 4 will be made available to SFAs around the beginning of June. The tools will be linked on the [ODE website](#), search *reauthorization*.

ODE, OCN is offering a webinar about the 6 cents certification process on May 31st from 2:00-3:30PM. To register for a webinar, go to the [CRRS log in page](#). Instead of logging in, click on “click here to register for training”. Enter your CRRS login and password on the page that appears and follow the prompts to select the 6 Cents Certification webinar.

ODE, OCN will also conduct on-site menu planning/ 6 cents certification trainings on June 26 with a repeat session on June 28th. The trainings will run from 9:00AM – 1:00PM at Quest Business and Conference Center, 8405 Pulsar Place, Columbus. To register, go to the [CRRS log in page](#). Instead of logging in, click on “click here to register for training”. Enter your CRRS login and password on the page that appears and follow the prompts. For more details about on-site trainings, go to the [ODE website](#) and search *meal trainings*.

PAID LUNCH EQUITY REQUIREMENT

The USDA interim rule entitled, “National School Lunch Program: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010” (published 6/17/2011) requires SFAs participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for lunches served to students not eligible for free or reduced price meals. There are two ways to meet this requirement: either through the prices charged for “paid” lunches or through other non-Federal sources provided to the nonprofit school food service account.

To simplify the process, USDA published policy memo SP 22-2012 Paid Lunch Equity: School Year 2012-2013 Calculations and Tool and SY 2012-13 Paid Lunch Equity (PLE) tool (released 3/19/2012). [Click here for the memo](#). This memorandum provides guidance on the calculations SFAs must make in order to ensure they are in compliance with these requirements for School Year (SY) 2012-13.

SFAs can also reference USDA policy memo SP 39-2011 Child Nutrition Reauthorization 2010: Guidance on Paid Lunch Equity and Revenue from Nonprogram Foods to view common Questions and Answers regarding the paid lunch equity process. [Click here for a copy](#).

USDA POLICY MEMO UPDATES

In addition to the aforementioned memos, USDA has recently published the following policy memos that affect the school meal program processes:

- SP 11-2012, SUBJECT: Guidance on the Food Donation Program in Child Nutrition Programs (published 2/3/12). – The policy memo describes the ability for SFAs to donate unused foods to local food banks
- SP 13-2012, SUBJECT: Verification for Cause in the School Meals Programs (published 2/10/12). – The policy memo discusses the process of selecting student meal applications for verification under the “for cause” clause.
- SP 25-2012, SUBJECT: Disaster Response (published 4/10/2012) – Describes how SFAs can respond to situations resulting from damage or disruptions due to natural disasters such as hurricanes, tornadoes, and floods.

[Click here](#) to view all USDA Food and Nutrition Service (FNS) reauthorization policy memos.

COMMUNITY ELIGIBILITY OPTION

ODE, OCN has learned that Ohio was chosen for the Community Eligibility Option (CEO) for school year 2012-2013.

The CEO provides schools in high-poverty areas a means of sharing with USDA the cost of providing free breakfast and lunch to all students without applications. USDA's contribution is based primarily on the percentage of households in the community that participate in the Supplemental Nutrition Assistance Program (SNAP, formerly the food stamp program) and allows SFAs to discontinue collecting and processing paper student meal applications.

School buildings with at least 40% of children with access to the meal programs certified for meals through categorical eligibility (direct certification, head start participation, migrant status, homeless or runaway children and foster children certified using documentation from a foster agency) are eligible to participate. School Food Authorities can apply on behalf of individual buildings, a group of buildings together or for a district as a whole. [Click here](#) for a CEO Question and Answer document which provides a description of CEO and how a school qualifies to participate.

For more information including a link to a recorded informational webinar, please reference the CEO webpage on the [ODE website](#), click on Learning Supports, then click on Food and Nutrition and then click on School Meal Programs. Choose "Community Eligibility Option".

REQUIREMENT FOR SCHOOLS TO ADVERTISE SFSP PROGRAMS AND CALL FOR PARTICIPATION IN THE SEAMLESS SUMMER PROGRAM

SFSP MANDATORY PUBLIC AWARENESS REQUIREMENT FOR SFAS

Per USDA Policy Memo SP 15-2011, Outreach to Households on the Availability of Summer Food Service Program Meals, SFAs must cooperate with Summer Food Service Program (SFSP) service institutions that operate in their area 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, which provide information on the availability and location of SFSP meals. [Click here](#) for a template flyer that can be used to inform families of SFSP providers in the area.

If your school district has an automated phone system considering sending a message to all of the students homes to inform parents and guardians of the availability of the SFSP.

For more information, access the [SFSP Outreach Toolkit](#).

Contact your School Meal Programs Regional Consultant at 1-800-808-6325 if you have questions.

SEAMLESS SUMMER PROGRAM PARTICIPATION

Will kids be at your school(s) for enrichment opportunities this summer? Does your school(s) have 50% or more of enrolled students qualifying for free or reduced meals? It is not too late to sign up for the Seamless Summer Program! SFAs that are willing and able to feed children this summer should consider participating in the Seamless Summer Program. Information about the program including fact sheets and application materials may be found on the [ODE website](#), search *Seamless*.

FEDERAL FARM TO SCHOOL GRANTS

The USDA is currently accepting applications for the new Farm to School grant program. The Healthy, Hunger-Free Kids Act of 2010 established funding for grants to support the planning and implementation of Farm to School programs. In this first funding cycle, USDA anticipates awarding up to \$3.5 million in grant funding to support efforts that improve access to local foods in eligible schools.

Grant funds will be made available on a competitive basis, subject to availability of Federal funds. Applicants are encouraged to first submit a letter of intent and then apply for either a planning grant or an implementation grant. Planning grants are expected to range from \$20,000 – \$45,000 and represent approximately 25 percent of the total awards. Implementation grants are expected to range from \$65,000 – \$100,000 and represent approximately 75 percent of the total awards. Both grant types require at least a 25 percent funding match. [Click here](#) for more information about the grant process and to download a copy of the application.

OHIO SENATE BILL 210 (SB 210)

An annual compliance report template to address Ohio Revised Code 3313.814, Nutrition Standards for Food and Beverages Sold Outside of School Meals (also known as Senate Bill 210), is now available. The report is available in the format of a survey and must be accessed in the ODE SAFE account portal. The SAFE portal is very similar to CRRS. CRRS is used by schools to report school meal program data and claims and SAFE is used by schools to report school based data. ***The persons at the school/ district that will have access to this survey report are public school district superintendents and/or charter and non-public school principals.*** The report is available in SAFE under the “FSL” section.

If your agency is a Residential Child Care Institution (RCCI) or Special Milk Only school, you do not need to fill out this survey.

The survey will be open in SAFE through at least June 30, 2012. Please contact your School Meal Programs Regional Consultant if you have any questions.

Please note the following reminder about SB 210:

The National School Lunch Program Regulations related to Foods of Minimal Nutritional Value (FMNV) prohibit the sale of foods of minimal nutritional value in the food service areas during the operation of any of the Child Nutrition Programs. Carbonated beverages (even diet-types) are defined as a FMNV per the federal regulations unless a product has received an exemption from USDA.

The list of exempted foods to the FMNV rule are published yearly and available on the ODE, School Meal Programs website under the heading "Guidance, Policy Memoranda and FNS Instructions. The current memorandum is titled Exemptions Under the Competitive Foods Regulation (Effective 4/19/2012). Per the FMNV regulations, state law cannot be less restrictive than federal law. As such, all schools operating the School Meal Programs must ensure that carbonated beverages that have not received an exemption to the FMNV regulations are not served in the meal program serving and dining/eating area(s) during meal program hours.

DIRECT CERTIFICATION PROCESS FOR SCHOOL YEAR 2012-2013

National School Lunch Program federal regulations *require* all SFAs participating in the National School Lunch Program that utilize free and reduced price student meal applications for meal eligibility determinations to complete the Direct Certification process at least three times each school year. SFAs should plan to complete the match process close to the beginning of the school year, approximately 3 months into the school year, and again approximately 6 months into the school year. Although SFAs are required to run the match process three times a year, SFAs are highly encouraged to take advantage of the monthly list update in CRRS and run the match process on a monthly basis as to maximize the opportunity to Directly Certify children who qualify for the benefits.

As a reminder, per USDA policy memo SP 25-2010, any children who reside in a household with a Directly Certified child may have the benefits extended to them (even if a child's name does not appear independently on the Direct Certification match list). Children of whom benefits have been extended to them should be coded on the SFA Benefit Issuance list as Directly Certified. The SFA must maintain documentation to support the extension of benefits to a child(ren) living in a household with a Directly Certified child. District enrollment records or a copy of the household free and reduced price student meal application are two examples of approved support documents.

Commencing in School Year 2012-2013, the first Direct Certification match process must be completed prior to the approval of the SFA's 2012-2013 CRRS application. The SFA must report the date that the first Direct Certification match process was complete on the Sponsor Application.

The 2012-2013 school year Direct Certification manual will be made available on the [ODE website](#) by late June 2012. SFAs with questions about the Direct Certification match should contact their ODE, OCN Regional School Meal Programs Regional Consultant.

UPCOMING ODE OCN WORKSHOPS AND CONFERENCES

2012 NSLP SUMMER REGIONAL WORKSHOPS

ODE OCN is conducting summer regional workshops in July and August 2012. Developed for school food production staff, the workshops will focus on the new meal pattern for school lunch, and food safety. Each workshop will run from 8:30AM (registration will begin at 8:00AM) until 1:00PM. The dates and locations are as follows:

1. **July 24** - WEC (Worthington Educ Ctr) Building
200 East Wilson Bridge Road, Worthington, Ohio 43085
2. **July 25** - Jackson High School
500 Vaughn Street, Jackson, Ohio 45640
3. **July 26** - Miami Valley Career and Technology Center, Student Activity Center
6800 Hoke Road, Clayton, Ohio 45315
4. **July 31** - Findlay Inn and Conference Ctr Downtown
200 East Main Cross, Findlay, Ohio 45840
5. **August 2** - Kings Local High School
5500 Columbia Road, Kings Mill, Ohio 45034
6. **August 6** - Maumee Bay Lodge and Conference Ctr
1750 State Park Road #2, Maumee, Ohio 43616
7. **August 7** - Ravenna High School
6589 North Chestnut Street, Ravenna, Ohio 44266
8. **August 8** - Glen Oak High School
1801 Schneider Rd NE (enter Door #17), Canton, Ohio 44721

To register, go to the Claims Reimbursement and Reporting System (CRRS) log in screen (the screen where a user types in their user name and password). Instead of logging into CRRS, click on "Click here to register for training" directly below the user name and password entry prompts. On the next screen, type in your CRRS user name and password in the prompts on the left side of the screen and click continue. Next, click on the radio button beside the "NSLP – 2012 NSLP Summer Regional Workshops" option and click continue. Follow the prompts to select the meeting location you will like to attend and to enter your registration information. Upon entering and submitting your registration information, a confirmation page will appear verifying your registration. Print a copy of the confirmation page to reference at a later date as needed. At the bottom of the confirmation page you will have an opportunity to click "Add Attendee" to register additional people if desired.

If you need to change or cancel your registration, go back to the CRRS log in screen and click "Click here to register for training". On the next screen, type in your confirmation number and last name in the prompts on the right side of the screen and click "modify registration". Please contact your School Meal Programs Regional Consultant if you have any questions.

USDA POLICY MEMO PUBLICATIONS RELATED TO PROCUREMENT

The following published USDA policy memos addressing general procurement practices for the Child Nutrition Programs are now available to SFAs:

- SP 19-2012 Soliciting Bids from Commercial Distributors for End Products (published 2/24/2012)
- SP 14-2012, SUBJECT: Procurement Questions Relevant to the Buy American Provision (published 2/13/2012)
- SP 18-2011, SUBJECT: Procurement Geographic Preference Q&As (published 2/1/2011)

SCHOOL MEAL PROGRAM NOTES

END OF THE SCHOOL YEAR CLAIMS FOR REIMBURSEMENT: COMBINING MAY AND JUNE

SFAs are reminded that the May and June 2012 claims for reimbursement in CRRS may be combined together into the **MAY** claim if there are 10 or less operating days in the month of June. Be sure to indicate the total amount of operating days on the May claim (add the number of May operating days and June operating days together and record the combined number on the may claim) in addition to reporting the combined meal totals by category.

As a reminder, the only times that SFAs may combine claims for reimbursement for the NSLP or SBP program is August and September (and reported under the September claim) and May and June (reported in the May claim), and this may occur if there are 10 or less operating days in the month of August and in May.

HEALTHIERUS SCHOOL CHALLENGE OHIO AWARD WINNERS

Licking Heights School District in Licking County is the newest Ohio school district to be approved for awards from the USDA HealthierUS School Challenge Award Program!

Four schools were approved at different award levels. These schools include: Licking Heights Central Middle School (Silver), Licking Heights High School (Silver), Licking Heights South Elementary School (Bronze) and Licking Heights West Elementary School (Bronze).

ODE, OCN congratulates Ginger Parsons, Food Service Director and the school food service staff of Licking Heights School District for achieving the HealthierUS School Challenge Awards!

[Click here](#) for information about the HUSSC and application materials.

STELLAR AWARD WILL NOT BE AVAILABLE THIS SCHOOL YEAR

Due to the multitude of changes occurring in the school meal programs, the Stellar Award program will not be available this school year. SFAs are highly encouraged to apply for the Healthier US School Challenge aware program. [Click here](#) for information about the HUSSC and application materials.

USDA CIVIL RIGHTS REQUIREMENT UPDATES

USDA has recently published SP-32 2012: Prohibition of Separation by Gender During Child Nutrition Program Meal Service. [Click here](#) for the memo. Per the memo, any school or facility accepting federal funding through the child nutrition or other federal program may not separate children by gender during school meal service.

Please note, the USDA non-discrimination statement must appear on all school meal programs communications that an SFA makes available to the public. This includes the student meal application and letters to the parents, any student menus that are made available to the public, and any SFA websites of which school meal program information is available. For websites, it is not required that the nondiscrimination statement be included on every page of the program information Web site. At the minimum, the nondiscrimination statement, or a link to it, must be included on the home page of the program information.

Please note that the non- discrimination statement has recently changed. SFAs must update all of their materials accordingly. The non-discrimination statement is as follows:

“In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer”.

If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text:

“This institution is an equal opportunity provider and employer.”

A nondiscrimination statement is not required to be printed on items such as cups, buttons, magnets, and pens that identify the program, when the size or configuration makes it impractical. Contact your School Meal Programs Regional Consultant if you have additional questions.

PROCESS REQUIREMENTS WHEN CONTRACTING WITH A FOOD SERVICE MANAGEMENT COMPANY

SFAs who wish to procure a Food Service Management Company (FSMC) must submit all bid documents to ODE, OCN for approval prior to the public bid solicitation. Additionally, ODE, OCN must review all FSMC contract documents prior to signature execution. This includes initial contract documents and renewal contract documents. ODE, OCN has sample bid and contract documents available on the [ODE website](#), search FSMC.

The following recently published USDA policy memos addressing procurement practices related to FSMCs are now available to SFAs:

SP 12-2012, SUBJECT: Procurement Questions and Answers to Assist in the Implementation of the final rule titled *Nutrition Standards in the National School Lunch and School Breakfast Programs* (published February 23, 2012)

SP 05-2011, SUBJECT: Further Clarification in Crediting for, and Use of, Donated Foods in Contracts with Food Service Management Companies (published October 22, 2010)

SP 01-2011, SUBJECT: Reaffirming the Requirement that School Food Authorities Comply with Federal Regulations Affecting Rebates, Discounts, and Other Applicable Credits in All Cost Reimbursable Contracts (REVISED April 5, 2011)

SP 44-2009, SUBJECT: Guidance in Crediting for, and Use of, Donated Foods in Contracts with Food Service Management Companies (published September 24, 2009)

[Click here](#) to view copies of these and other USDA policy memos. If you have any questions regarding procurement with a FSMC please call ODE, OCN at 1-800-808-6325.