



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

February 14, 2002

(X) Action Required
Due Date: 3/8/02
() Informational

BULLETIN NO. 15-02 CHILD NUTRITION SERVICES

TO: Educational Service District Superintendents
Chief School District Administrators
Assistant Superintendents for Business and/or Business Managers
School Food Service Supervisors
Administrators of Private Schools

FROM: Dr. Terry Bergeson, State Superintendent of Public Instruction

RE: Seamless Summer Feeding Waiver

The United States Department of Agriculture (USDA) has extended a pilot program that was originally tested in California and Florida. The program is referred to as the seamless summer feeding waiver and is now available to school districts nationwide. The purpose of the waiver is to feed children in low-income areas during the summer months (or during extended breaks of a year-round school schedule) by allowing school districts to use a combination of regulations that apply to the National School Lunch program (NSLP), the School Breakfast Program (SBP), and the Summer Food Service Program (SFSP). The waiver is designed to reduce the paperwork and administrative burden normally associated with operating the SFSP as it allows school districts operating under the waiver to follow the same meal patterns, point of service meal counting, and monitoring associated with the NSLP/SBP. All eligible meals are reimbursed at the NSLP/SBP free rate.

The Office of Superintendent of Public Instruction (OSPI), Child Nutrition Services is responsible for the administration of this program.

Many of our children depend on the breakfasts and lunches they receive at school to get the proper nutrition they require. It is just as important they receive nutritious meals in the months when school is not in session. To accomplish this, the school food authority (SFA) requests a waiver of significant portions of the SFSP federal regulations at 7 CFR Part 225. Specific provisions of the waiver are attached (Attachments 1 and 1a). In lieu of SFSP regulations that are waived, the SFA will follow corresponding requirements, where applicable, in the NSLP and SBP regulations at 7 CFR Part 210 and 220, respectively.

A side-by-side comparison of the SFSP and the seamless summer feeding waiver (Attachment 2) is attached to assist the SFA in deciding which program to operate.

OSPI, Child Nutrition Services will offer a two-hour overview of the waiver preceding the planned SFSP sponsor training workshops. The overview will be held from 10 a.m. to 12 noon for all those interested in learning more about the waiver. The overview is being held the same day as the SFSP workshop, so that sponsors who have not made a decision regarding which program they will operate may attend both the overview session and the SFSP workshop. The SFSP workshop, which begins at 1 p.m., is mandatory for all sponsors wishing to operate the SFSP.

Training will be held at the following locations:

- | | |
|----------------|---|
| March 13, 2002 | Educational Service District 105
Grant Room
33 South 2nd Avenue, Yakima |
| March 19, 2002 | Spokane School District
Boardroom B
200 North Bernard, Spokane |
| March 21, 2002 | Educational Service District 113
Grays Harbor
601 McPhee Road Southwest, Olympia |
| March 26, 2002 | Kelso School District
Husky Room
601 Crawford Street, Kelso |
| April 4, 2002 | OSPI Conference Center
Redwood Building Conference Room
457 SW 148th Street, Burien |

The seamless summer feeding waiver application, including the authorization and conditions, are to be completed and returned no later than March 8, 2002, if you wish to participate in the waiver.

In addition, if you would like to attend the waiver overview from 10 a.m. to 12 noon, please complete the attached waiver workshop registration form (Attachment 3) and return no later than March 8, 2002.

For further information, contact Donna Parsons, SFSP supervisor, at (360) 725-6222.

The agency TTY number is (360) 664-3631. This bulletin is also available on the agency Web site at the following <http://www.k12.wa.us/bulletinsmemos/>.

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OPERATIONS AND SUPPORT

Marcia L. Riggers
Assistant Superintendent

George C. Sneller, Director
Child Nutrition Services

TB:re

Attachment(s)

Seamless Summer Feeding Waiver Application

School Food Authority (SFA) must complete this application by March 8, 2002 and mail to:

Donna Parsons
Child Nutrition Services
Office of the Superintendent of Public Instruction
PO Box 47200
Olympia WA 98504

1. Indicate SFA name, address, and contact information:

SFA name: _____

Address: _____

Name of authorized SFA official: _____

Phone number: _____

Email address: _____

2. Indicate all Child Nutrition Programs operated by the SFA (check all that apply):

- Summer Food Service Program
- National School Lunch Program
- School Breakfast Program
- Child Care and Adult Food Program

3. Indicate distinguishing features of the SFA (check all that apply):

- Large SFA >40,000
- Urban
- Rural
- Provision 1
- Provision 2
- Other (please specify) _____

4. Signature required:

The seamless summer feeding waiver authorization and conditions (Attachment 1a) outlines the conditions for operating under the waiver. The authorized SFA official must sign and date this attachment and it must be included as part of the waiver request. If the SFA wishes to do something different from what is described, contact Donna Parsons, Summer Food Service Program supervisor, at (360) 725-6222.

Include the following information for each waiver site (copy this page as needed).

Name: _____

Address: _____

Phone: _____

Percent of free/reduced-price enrollment eligibility for school meals:

$$\left(\frac{\text{total free}}{\text{total free}} + \frac{\text{total reduced-price}}{\text{total reduced-price}} \right) \div \frac{\text{total enrollment}}{\text{total enrollment}} = \frac{\text{total free \& reduced}}{\text{total enrollment}}$$

- The type of site:
 - Open
 - Restricted open
 - Closed enrolled (in non-needy areas only)
- Dates of operation: start _____ end _____
- Days of the week (circle all that apply)

Monday	Tuesday	Wednesday	Thursday	Friday
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- Meal service (circle all that apply)

Breakfast	A.M. Snack	Lunch	P.M. Snack	Supper
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- Organization to operate the site under the SFA sponsorship (include name of organization, contact name, phone):
- Estimated number of children to be served (estimated # of meals/estimated # operating days):
- How will the site (excluding closed enrolled sites) advertise the availability of meal services (including the hours, days, and weeks that meals will be served) for children in the community?

Seamless Summer Feeding Waiver Authorization and Conditions

An individual authorized by the school food authority (SFA) is required to sign and date the last page of this document and return it in its entirety by March 8, 2002, to Office of the Superintendent of Public Instruction, Child Nutrition Services, PO Box 47200, Olympia, WA 98504.

CONDITIONS

Description

The waiver combines features of the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and the Summer Food Service Program (SFSP). The purpose of the waiver is to feed children in low-income areas during the summer months or during extended breaks of a year-round school schedule. The waiver reduces paperwork and administrative burden that is normally associated with operating all three programs.

Request of Waiver

In order to participate in the seamless summer feeding waiver, the SFA must request a waiver of significant portions of the SFSP federal regulation 7 CFR part 225. In lieu of SFSP regulations that are waived, the SFA will follow corresponding requirements, where applicable, in the NSLP and SBP regulations 7 CFR part 210 and 220, respectively.

Sites

Waiver sites may be located at schools or other locations where SFSP meals would normally be served. Waiver sites must be located in needy areas, that is, where at least 50 percent or more of the children qualify for free or reduced-price school meals. Additionally, waiver sites may be located in non-needy areas, provided at least 50 percent of the children enrolled in these sites qualify for free or reduced-price school meals.

Special Provisions of the Seamless Summer Waiver

1. *General Program Administration and Sponsor Responsibilities* - As required in 7 CFR 225.14(c)(1) of the SFSP regulations, the SFA demonstrates financial and administrative capability for program operations and accepts final financial and administrative responsibility for total program operations at all sites.
2. *Site Eligibility* - Waiver sites must be located in needy areas, that is, where 50 percent or more of the children qualify for free or reduced-price school meals. All sites will be open to the community, except in some cases participation at an open site may be limited for reasons of safety, security, or control. Furthermore, some waiver sites may be located in non-needy areas in which at least 50 percent of the enrolled children qualify for free or reduced-price school meals. Residential camps do not qualify as waiver sites. No additional sites will operate under these waiver procedures without first receiving approval from the U.S. Department of Agriculture, Food and Nutrition Service (FNS) regional

office.

Schools operating under a traditional school calendar may operate waiver sites during the summer months when summer school is in session, provided all waiver sites are open to all children in the eligible area; these meals will be reimbursed at the free NSLP/SBP rates. However, summer school-only sites must operate under the NSLP/SBP and will be reimbursed at the free, reduced-price, or paid rates.

Year-round schools may operate waiver sites for off-track students, provided the sites are open to all children in the eligible area; these meals will be reimbursed at the free NSLP/SBP rates. However, meals for on-track students in year-round schools will be reimbursed at the free, reduced-price, or paid rates for NSLP/SBP.

3. *Participant Eligibility* - All persons meeting the definition of children in the SFSP federal regulation 7 CFR part 225.2 may receive meals at waiver sites, on a first-come, first-served basis. This includes all persons in the community who are 18 years of age and under and those persons over age 18 who meet the state agency definition of mentally or physically disabled persons as defined in 7 CFR 225.2.
4. *Meal Service* – The SFA will follow NSLP meal service requirements for lunch or snacks (7 CFR 210.10) and SBP meal service requirements (7 CFR 220.8) for breakfast, except:

The number and types of meals will comply with the SFSP requirements (7 CFR part 225.16(b))

-and-

Meals at approved waiver sites will be served free to all children in accordance with the SFSP regulations (7 CFR part 225.6(e)(4)).

Consistent with these SFSP regulatory provisions and state agency approval, the SFA will serve one or two meals at no charge. Allowable meals include breakfast, lunch, snack, or supper. However, the SFA may not claim both lunch and supper meals at the same site on the same day.

Consistent with the NSLP and SBP regulations and instructions, the following provisions will apply to meal service at waiver sites:

- The NSLP and SBP meal requirements will be used.
- Second meals are not reimbursable and cannot be claimed.
- Production and menu records will be maintained that show compliance with the meal requirements.
- The designated lunch period will be between the hours of 10 a.m. and 2 p.m., unless otherwise exempted by FNS.
- At its option, the SFA may allow “offer versus serve” meals at the waiver sites.
- Off-site consumption of meals will not be allowed, except as part of a scheduled event, such as a planned field trip.

5. *Claims and Reimbursements* - The SFA will claim meals at the "free" rate prescribed by USDA for the NSLP (including snacks) and SBP. All lunches and suppers will receive the standard commodity support rate available for the NSLP.
6. *Monitoring* - The SFA will review the meal counting, claiming, and meal pattern compliance for each waiver site within three weeks of the start of operations. Additionally, the SFA will follow the requirements for site monitoring at 7 CFR 210.8 of the NSLP regulations. FNS will provide further guidance in the near future on handling edit checks of the meal counts prior to submission of a claim for reimbursement.

7. *Additional Reporting/Reviews/Evaluation:*

- State Agency Oversight - The state agency will include sites operated under this waiver in the management review requirements described at 7 CFR 210.18 of the NSLP regulations. If a coordinated review effort (CRE) is conducted of the SFA, at least one waiver site will be visited while it is in operation.
- FNS Evaluation - FNS reserves the right to conduct an evaluation of these waiver sites. The evaluation may include periodic special reviews. The state agency and the SFA agree to cooperate as necessary, including making all applicable records and operations available for review.
- Additional Reports - FNS may request additional information for evaluation purposes. In the event additional information on waiver site operation is required, FNS will allow sufficient time for the state agency and the SFA to comply with the request. The state agency and the SFA agree to comply with FNS requests for additional information for evaluation purposes.

8. *Specific regulatory requirements to be waived:*

Exempted SFSP Regulations - **To operate the seamless summer feeding waiver, the SFA requests a waiver from the following regulatory provisions in 7 CFR Part 225:**

- 7 CFR 225.6 State agency responsibilities, paragraphs (b), (c), (e), (f), (h) except paragraphs (e)(4) and (e)(7).**
- 7 CFR 225.7 Program monitoring and assistance, entire section.**
- 7 CFR 225.8 Records and reports, entire section.**
- 7 CFR 225.9 Program assistance to sponsors, entire section.**
- 7 CFR 225.10 Audits and management evaluations, entire section.**
- 7 CFR 225.11 Corrective action procedures, entire section.**
- 7 CFR 225.12 Claims against sponsors, entire section.**
- 7 CFR 225.13 Appeal procedure, entire section.**
- 7 CFR 225.14 Requirements for sponsor participation, entire section except paragraphs (c)(1), (c)(2), (c)(3), and (d)(2).**
- 7 CFR 225.15 Management responsibilities of sponsor, entire section.**
- 7 CFR 225.16 Meal service requirement, entire section except paragraph (b).**
- 7 CFR 225.17 Procurement standards, entire section.**
- 7 CFR 225.18 Miscellaneous administrative provision, entire section.**

Non-exempted SFSP provisions - The SFSP federal regulatory provisions, as identified in item 1 above, which remain in force include:

7 CFR 225.6(e)(4), section 225.6 covers state agency responsibilities. Paragraph (e) covers the state-sponsor agreement. Paragraph (e)(4) requires that the sponsor agree to serve meals at no cost.

7 CFR 225.6(e)(7), paragraph (e)(7) requires the sponsor to agree to claim reimbursement only for the types of meals agreed upon with the state agency and served without charge to children at approved sites during the approved meal service period. This paragraph also prohibits permanent changes to the serving time of any meal unless approved by the state agency.

7 CFR 225.14(c)(1), paragraph (c)(1) requires that sponsors demonstrate financial and administrative capability to operate the program and requires sponsors to accept final financial and administrative responsibility for the total program operations at all sites.

7 CFR 225.14(c)(2), paragraph (c)(2) requires that sponsors must not have been declared seriously deficient in operating the program.

7 CFR 225.14(c)(3), paragraph (c)(3) requires that sponsors will conduct a regularly scheduled food service for children from areas in which poor economic conditions exist (except for camps).

7 CFR 225.14(d)(2), paragraph (d)(2) requires that meals served in schools must be open to children in the community, as well as children enrolled in summer school.

7 CFR 225.16(b), section 225.16 covers the meal service requirements and establishes limits on the number of meals that may be served.

9. *NSLP and SBP Regulations* - Although the federal regulations governing the NSLP and the SBP are not exempted under this waiver, some provisions may be difficult to follow for waiver sites. Therefore, OSPI/FNS will provide technical assistance as necessary to the SFA in adapting requirements.

AUTHORIZATION

The SFA agrees to the waiver conditions.

Authorized SFA Official (Signature and Title)

Date

OSPI use only:	
_____ Approved by	_____ Date

Side by Side Comparison

Summer Food Service Program (SFSP) versus
Seamless Summer Feeding Waiver

Topic	SFSP	Seamless Summer Feeding Waiver								
Agreement	<ul style="list-style-type: none"> Agreement taken with the SFSP administering agency. 	<ul style="list-style-type: none"> Agreement must operate under the Office of Superintendent of Superintendent (OSPI). State submits waiver request on behalf of School Food Authority (SFA). 								
Duration of Approval	<ul style="list-style-type: none"> Per state agreement and application requirements. 	<ul style="list-style-type: none"> Approval granted on yearly basis (through FY 2004). 								
Type of Meals	<ul style="list-style-type: none"> Breakfast Lunch/Supper Snack (supplement) 	<ul style="list-style-type: none"> Same 								
Maximum Number of Meals	<ul style="list-style-type: none"> Two Any combination except lunch and supper. Three meals for residential camps and migrant sites. 	<ul style="list-style-type: none"> Same, except no residential camps under the waiver. 								
<u>Commodities</u>	FY 2002 rate <ul style="list-style-type: none"> 1.5 cents for each meal. May receive bonus commodities. 	FY 2002 rate <ul style="list-style-type: none"> 15.5 cents for each lunch or supper. May receive bonus commodities. 								
Reimbursement Rates	<u>FY 2002 rate</u> <u>Operational</u> The reimbursement rate is: Breakfast \$1.32 Lunch/supper \$2.30 Snack \$0.53 <ul style="list-style-type: none"> Operational reimbursement is based on lesser of costs or meals times rates. 	<u>FY 2002 rate</u> <u>SBP Rates</u> Non Severe - \$1.15 Severe Need – up to \$1.37 <ul style="list-style-type: none"> Non-Severe Need - reimbursement based on meals times rates. Severe Need – reimbursement based on lesser of costs or meals times rates. 								
	<u>Administrative</u> Depending on the type of site, sponsors can receive up to: <div style="text-align: center;"> <table border="0"> <tr> <td></td> <td style="text-align: center;"><u>Rural/Self Prep</u></td> <td style="text-align: center;"><u>Other</u></td> </tr> <tr> <td>Breakfast</td> <td style="text-align: center;">\$0.13</td> <td style="text-align: center;">\$0.1025</td> </tr> <tr> <td>Lunch/Supper</td> <td style="text-align: center;">\$0.24</td> <td style="text-align: center;">\$0.20</td> </tr> </table> </div>		<u>Rural/Self Prep</u>	<u>Other</u>	Breakfast	\$0.13	\$0.1025	Lunch/Supper	\$0.24	\$0.20
	<u>Rural/Self Prep</u>	<u>Other</u>								
Breakfast	\$0.13	\$0.1025								
Lunch/Supper	\$0.24	\$0.20								

Topic	SFSP	Seamless Summer Feeding Waiver
	Snack \$0.065 \$0.0525 <ul style="list-style-type: none"> • Administrative reimbursement is based on the lesser of cost, meals times rates, or approved budget. 	NSLP & Snack reimbursement based on meals times rates.

Topic	SFSP	Seamless Summer Feeding Waiver
Monitoring Required by SFA	<ul style="list-style-type: none"> • Required to perform pre-operational visits before a site operates the summer program. • Must visit all sites once during first week of operation. • Must review once during first four weeks of operation and then monitor at a “reasonable” level. 	<ul style="list-style-type: none"> • Annual review of meal counting, claiming and meal pattern compliance within three weeks of start of operations.
Monitoring Required by State	<ul style="list-style-type: none"> • <u>Subject to review by state at least once every three years. It may be more frequent based on program size and/or prior problems identified by the state.</u> 	<ul style="list-style-type: none"> • <u>CRE every five years.</u> • At least one waiver site must be included in a CRE review.
Type of Sites and How Eligibility is Determined	<ul style="list-style-type: none"> • <u>Open or Restricted- Open: Based on 50 % F/RP enrollment of the attendance area of a school or census block-group data.</u> • Closed enrolled: 50% of children enrolled in needy or non-needy areas and are eligible for F/RP benefits. • Residential Camps: Only meals for children that qualify for F/RP benefits are reimbursed. 	<ul style="list-style-type: none"> • <u>Open or Restricted- Open: same as SFSP.</u> • <u>Closed enrolled: same eli criteria, except must be lo non-needy areas only.</u> • Residential Camps: not eligible for waiver.
Meal Pattern	<ul style="list-style-type: none"> • Meal pattern must meet 7 CFR 225.16(d) standards. However, schools may use NSLP/SBP menu planning approaches. 	<ul style="list-style-type: none"> • NSLP/SBP meal patterns • Snacks meal pattern
Eligible Participants	<ul style="list-style-type: none"> • Children in low-income areas 18 years or younger. A person 19 or older that meets the state definition of having a physical or mental disability is eligible. 	<ul style="list-style-type: none"> • Same as SFSP
Public Notification	<ul style="list-style-type: none"> • SFA/sponsor is required to send public media notice regarding program and eligibility. 	<ul style="list-style-type: none"> • Public media notice may be done but is not required. • SFA must state in waiver request how each site

		(excluding closed enrolled sites) will advertise availability of meals to the neighborhood community.
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Attachment 3

2002 Seamless Summer Feeding Waiver

WAIVER WORKSHOP REGISTRATION

Complete this form if you plan to attend the seamless summer feeding waiver workshop. Return this form by March 8, 2002, by **fax (360) 664-9397** or mail to:

Child Nutrition Services
Office of Superintendent of Public Instruction
PO BOX 47200
Olympia WA 98504-7200

If you have questions or would like a waiver request packet sent to someone, please call Donna Parsons at (360) 725-6222. The agency TTY number is (360) 664-3631.

Name of contact _____

Organization _____

Organization mailing address _____

City, State, Zip County _____

Phone number () _____ Fax number () _____

Email address _____

Which training site will you attend: _____

Name and title of those attending waiver training: _____

Waiver training will be held from 10 a.m. to 12 noon for all those interested in learning more about the seamless summer feeding waiver. The waiver training session will be held the same day as the SFSP workshop so that sponsors, who are still undecided which program to participate in, may attend both sessions, as training for the SFSP is mandatory.

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Training will be held at the following locations:

March 13, 2002	Educational Service District 105 Grant Room 33 South 2nd Avenue, Yakima
March 19, 2002	Spokane School District Boardroom B 200 North Bernard, Spokane
March 21, 2002	Educational Service District 113 Grays Harbor Room 601 McPhee Road Southwest, Olympia
March 26, 2002	Kelso School District Husky Room 601 Crawford Street, Kelso
April 04, 2002	OSPI Conference Center Redwood Building Conference Room 457 SW 148th Street, Burien