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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

August 11, 2020

(X) Action Required
Due date: September 30, 2020
(X) Informational

ADDENDUM TO BULLETIN NO. 052-20 CHILD NUTRITION SERVICES

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
School District Food Service Supervisors
Administrators of Select Private Schools
Charter Schools
Tribal Compact Schools

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: National School Lunch and School Breakfast Programs Application for 2020-21
School Year – Public School District/Private Schools

CONTACT: Program Specialists

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	Agency TTY	360-664-3631	
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PURPOSE/BACKGROUND

The Child Nutrition Services (CNS) department within the Office of Superintendent of Public Instruction (OSPI) is pleased to release the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) sponsor application materials for school year 2020-21.

We realize that in light of COVID-19, you may have questions and concerns regarding the operation of meal programs. The United States Department of Agriculture (USDA) continues to monitor and release additional guidance and waivers. We will continue to provide updates about changes to program requirements. To receive important updates, you must be on the CNS Mandatory Communications list. Please email samantha.brueske@k12.wa.us to be added to this distribution list.

Applications are due September 30, 2020.

Information about Free and Reduced-Price Meal Application materials can be found on the [Free and Reduced-Price Information page](#) of OSPI's website.

The Application Process

The application process is completed in the Washington Integrated Nutrition System (WINS). Paper application forms must be emailed to your program specialist. Your assigned program specialist is listed in the sponsor profile tab in WINS. Information about WINS, including training videos and job aids, can be found on the [CNS WINS webpage](#).

Local education agencies (LEAs) that change their legal name resulting in a new Federal Tax Identification Number (FEIN) must report changes to CNS before starting the application process.

WINS – Sponsor and Site Applications and Calendars

Sponsors should review and update all sponsor information in the "Sponsor Profile" tab in WINS. Review staff listed in the "Sponsor Staff" section and update/edit as necessary. **Ensure contact information, including email address, is current and correct.** Child Nutrition Services uses this information to communicate important information.

Renew your Application

1. Go to the [WINS website](#) and log in.
2. Select the "Applications" tab.
3. Select the "Renew Application" button.
4. Complete the "Sponsor Application" wizard.
5. Next, go to the "Current Overview" tab to view a list of sites.

For each site that will serve meals, complete a site application, site calendar, and review and update staff information.

Paper Application Forms

~~Paper application forms must be emailed to your assigned program specialist. The following documents should be completed and submitted:~~

- ~~• [Certification Regarding Lobbying](#) – The Certification Regarding Lobbying requires an original signature and must be completed by all sponsors.~~
- ~~• [Disclosure of Lobbying Activities](#) – Sponsors that participate in lobbying activities and receive more than \$100,000 in federal funds are required to complete this form.~~

These forms can be found on the CNS [New Sponsors](#) and [Fiscal and Claims](#) webpages.

Submitting Your Application

Complete your program application, site application(s), and site calendar(s). Then, go to the 'Current Overview' tab to submit your application. Once the status of your application shows as 'Submitted', your program specialist will be notified your application is ready for review.

Applications are due by September 30, 2020.

Applications received late or incomplete may not be approved in time to claim reimbursement for August/September meals.

Message for LEAs beginning the 2020-21 School Year in August 2020

Local Education Agencies that will have operating days in August 2020 will ((not)) need to create a revision to the 2019-20 site calendar(s) in WINS as part of the renewal process. ((When completing the SY20-21 site calendar, sponsors will be able to adjust the start date of the school year with an August date. Sponsors will then be able to combine August and September claims provided there were 10 operating days or less in August 2020.))~~An August calendar is required prior to submitting a claim for reimbursement. [Instructions for creating a revision and adding August operating days](#) can be found on the [CNS WINS webpage](#).~~

ADDITIONAL INFORMATION

Civil Rights Requirements for Public Schools

Local education agencies have requirements to inform potentially eligible persons of their rights to receive benefits. The USDA Civil Rights Non-Discrimination Statement must be placed on items **widely disseminated** to students and families. This includes, but is not limited to,

student handbooks, webpages, letters to families, brochures, computer-based applications, and bulletins.

Washington State has additional protected classes for public schools that are not outlined in the USDA Civil Rights Non-Discrimination Statement. **Local Education Agencies must put both the USDA, and the schools' non-discrimination statement on widely disseminated documents.**

Food Service Management Companies (FSMC) and Inter-District/Vendor Agreements

Sponsors may contract with a FSMC, which is a commercial enterprise or nonprofit organization that manages any aspect of the school's food service program. School food authorities must have their contract approved by OSPI prior to signature and to filing claims in WINS. The contract will include all services performed by the FSMC. Details regarding contract requirements can be found on the [CNS Food Service Management Companies](#) webpage.

Inter-district Agreements may be between a public and private school or between two public schools and describe meal services provided for an agreed upon fixed price per meal. Inter-district Agreements are also considered vended meal agreements.

Vended Meal Agreements exist between public/private schools or Residential Child Care Institutions and a commercial enterprise or nonprofit organization. In this case, the vendor is a merchandiser of complete meals and/or meal components which are sold at a set fixed price per meal/meal component. The Office of Superintendent of Public Instruction must approve all inter-district and vendor agreements prior to signature.

Failure to submit an **approved and executed** FSMC, inter-district, and/or vended meal agreement(s) to OSPI by August 31, 2020, may result in the denial of the meal reimbursement and the cessation of USDA food deliveries. If you have questions, please email jeff.booth@k12.wa.us or call 360-725-6217.

Afterschool Snack Program

Afterschool snacks may be claimed for students through age 18 who are cared for in afterschool setting that provides regularly scheduled educational or enrichment activities that are structured and supervised.

Sites with 50% or more Free or Reduced-Price meal eligibility as of the most current October Building data are reimbursed at the free rate for the Afterschool Snack Program. Otherwise, the afterschool snack reimbursement will be by each student's meal eligibility category.

If an Afterschool Snack Program is located at a school that does not qualify at 50% or more, the school may be qualified by using data from another school within the same attendance area that does meet the 50% or more qualifier. USDA has provided additional guidance on determining attendance areas. Please consult your program specialist for assistance.

If a site is not located at a school (i.e. Boys and Girls Club, YMCA, etc.), data from a school within its attendance area must be used to determine the site's reimbursement rate.

Paid Lunch Equity Compliance

United States Department of Agriculture (USDA) requires LEAs to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced-price meals. To accomplish this, LEAs must determine the weighted average price of paid lunch meals. If the weighted average price was less than \$3.09 in school year 2019-20, LEAs must take immediate action.

Adult Meal Prices

It is recommended LEAs set an adult meal price to allow teachers, administrators, and parents to demonstrate their support of the Child Nutrition Programs by occasionally eating with their students.

The price for adult meals must be set high enough to cover the actual cost of the meal, including food, labor, supplies, and indirect cost rate, if applicable. The adult lunch price must be the actual cost (as described above) or the price charged to students paying the full meal price, plus the value of federal reimbursement for paid student meals (currently \$0.30) and the USDA Food Value (currently about \$.3125). Federal reimbursement rates and the USDA Food Value are released in July of each year, therefore, these rates may change.

For additional information, please review [the Adult Meal Pricing Reference Sheet](#).

((Certification Regarding Lobbying and Disclosure of Lobbying Activities))

((For program renewal school year 2020–21, returning sponsors no longer need to submit the Lobbying forms to their program specialist. This information will be gathered in WINS during the sponsor application process.))

Audit Requirements

Sponsors are required to maintain records that identify all federal funds expended and recorded on the Schedule of Expenditures of Federal Awards (SEFA) as identified by Catalog of Domestic Federal Assistance (CFDA). The CFDA number for NSLP is 10.555 and for SBP is 10.553. Sponsors must make grant records available for review and/or audit by officials of federal agencies, the State Auditor's Office, the Government Accountability Office, and OSPI or

designee.

Sponsors expending \$750,000 or more in federal funds from all federal sources combined in any fiscal year after December 26, 2014, must receive a single audit in accordance with 2 CFR Part 200, Subpart F. Audits must be completed within nine months of fiscal yearend and submitted to the Federal Audit Clearinghouse (FAC) by the earlier of 30 days following receipt of the audit report or nine months following the end of the fiscal year.

Due to the COVID-19 crisis, the federal Office of Management and Budget (OMB) has extended the filing of the single audit report with the FAC by up to six months (See [OMB Memorandum M-20-17](#)). Sponsors who have not yet filed their single audits with the FAC as of March 19, 2020 that have fiscal year-ends through June 30, 2020, can delay completing and submitting the Single Audit reporting package by up to six months beyond the normal due date. This extension does not require sponsors to seek OSPI approval. However, sponsors should document reason(s) for the delayed filing.

Tribes or tribal organizations can opt out of making their reporting packages publicly available on the FAC website (2 CFR 200.512 (b)(2)). However, if they choose this option, they must submit a copy of the audit report to the pass through agency – OSPI CNS, Attention: jeff.booth@k12.wa.us.

If you have any questions regarding audits, please email Jeff.Booth@k12.wa.us or call 360-725-6217.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact your program specialist, listed above, or call Child Nutrition Services at 360-725-6200. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Jamila B. Thomas
Chief of Staff

T.J. Kelly
Chief Financial Officer

Leanne Eko,
Director
Child Nutrition Services

CR: In

The Sponsor hereby agrees that it will comply with: i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); ii. Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); iii. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); iv. Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); v. Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 12131-12189); vi. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." (August 11, 2000); vii. All provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15 et seq.); viii. Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3); ix. Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Program applicant receives Federal financial assistance from USDA; and hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement. x. The USDA non-discrimination statement that 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, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of, and the permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Program applicant by USDA. This includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, and cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

By accepting this assurance, the Sponsor agrees to compile data, maintain records, and submit records and reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review and copy such records, books, and accounts, access such facilities and interview such personnel as needed to

ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sponsor, its successors, transferees and assignees as long as it receives assistance or retains possession of any assistance from USDA.

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.