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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

July 24, 2020

Action Required
Due date: September 30, 2020
 Informational

BULLETIN NO. 054-20 CHILD NUTRITION SERVICES

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
Special Milk Program, Public Schools
Special Milk Program, Select Private Schools
Special Milk Program, Non-Residential Child Care Institutions

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Special Milk Program Application Renewal for School Year 2020–21

CONTACT: Rachel Floyd, School Meals Program Specialist Lead
360-742-4155, rachel.floyd@k12.wa.us

PURPOSE/BACKGROUND

The Child Nutrition Services (CNS) department within the Office of Superintendent of Public Instruction (OSPI) is pleased to release the Special Milk Program (SMP) application materials for school year 2020-21.

In light of COVID-19, you may have questions and concerns regarding the operation of child nutrition programs. The United States Department of Agriculture (USDA) continues to monitor and release additional guidance and waivers. We will continue to provide updates and 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.

The SMP application is due September 30, 2020. Applications received late may not be approved in time to allow September milk to be claimed for reimbursement.

Sponsors that only serve milk and do not participate in any other federal child nutrition meal service programs are eligible for the SMP. Local education agencies (LEAs) that serve milk to split-session kindergarten students that do not have access to either the breakfast or lunch programs, or serve milk to children enrolled in child care centers, are eligible for the SMP. No other age groups, classes, or programs within the LEA may participate.

The Application Process

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

LEAs that change their legal name resulting in a new Federal Tax Identification Number (FEIN) must report this change to Child Nutrition Services (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 e-mail address, is current and correct.** Child Nutrition Services uses this information to communicate important information directly to your institution.

To submit sponsor applications for school year 2020–21:

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 milk, complete a site application, site calendar, and review/update staff information.

Paper Application Forms

Email completed paper application forms to your program specialist. To locate your specialist, you must go to the [WINS website](#) and log in. Your specialist's name is located under the "Programs" section on the right side of your screen.

The following documents should be completed and emailed to your specialist:

- [Certification Regarding Lobbying](#) – Requires an original signature and must be completed and submitted 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 the Disclosure of Lobbying Activities form.

These forms are located on the [CNS New Sponsors webpage](#).

Submitting Your Application

After you have uploaded your documents and completed your program application, site application(s), and site calendar(s) in WINS you must submit your application. To do this, select 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 September 30, 2020.**

Message for LEAs Beginning the 2020–21 School Year in August 2020

LEAs that will have operating days in August 2020 will need to create a revision to the 2020–21 site calendar(s) in WINS as part of the renewal process. 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

Milk served in the SMP must be 1% or non-fat and may be plain or flavored.

Counting Milk and Claiming Reimbursement

Milk counts are to be taken at the point of service (i.e., as the student receives a reimbursable milk). Milk counts cannot be based on attendance. Sponsors must submit claims for reimbursement electronically through WINS. Instructions for submitting claims in WINS are available on the [CNS WINS webpage](#).

Pricing and Non-Pricing Programs

Sponsors may choose to operate a pricing or non-pricing program. Pricing programs charge students for milk. All milk served is claimed at the paid milk rate.

Alternatively, sponsors may choose to claim based on student eligibility status. Sponsors that choose to claim based on student eligibility status must annually distribute Household Applications for Free Milk to all student households.

Non-pricing programs do not charge students for milk. Sponsors may choose to **not** collect Household Applications for Free Milk and then claim all milk served at the paid rate. Household application materials are updated each year and reflect changes to income guidelines and program regulations. The United States Department of Agriculture (USDA) income guidelines, effective July 1, 2020 – June 30, 2021, and free milk applications and other materials can be found on the [Special Milk Program webpage](#).

The following materials are available:

- **2020–21 Household Application for Free Milk**
This application allows households to apply for free milk. There is also a prototype, including translated versions in multiple languages, available through the [USDA's Food and Nutrition Service website](#). Although these materials are specifically for school meals, they can be used to gather household information to determine eligibility for free milk. LEAs must process applications within 10 working days. The determining official is the individual(s) responsible for reviewing and approving free milk applications. A hearing official is the individual responsible for reviewing and making a determination regarding an appeal to a benefit determination. The hearing official cannot be the same individual as the determining official. The Letter to Household should include the name of the hearing official.
- **Letter to Households**
This letter provides instructions for completing the application for free milk benefits.
- **Notice of Eligibility for Free Milk**
This letter may be used to notify households of students who have been approved for free milk benefits.
- **Notice of Denied Eligibility for Free Milk**
This letter may be used to notify households of students who have been denied for free milk benefits. Households with students who are denied must be provided written notification of the denial.
- **Public Release for Free Milk**
Regulations require sponsors to notify the public when the SMP is available. The Office of Superintendent of Public Instruction provides a public release to the media that meets this regulation. However, LEAs are encouraged to provide a public release and a supply of Household Application for Free Milk forms to local organizations that provide assistance to low-income families such as: food banks; Women, Infants, and Children (WIC) clinics; post offices; and employment security offices.

Translations and Limited English Proficiency (LEP)

The application materials and other communications with households concerning eligibility determinations must be in a language parents or guardians can understand. Local education agencies have the responsibility to be aware of language needs of LEP households.

Limited English Proficient households must have access to the same information as other households, and it must be in a manner they can easily understand. The United States Department of Agriculture provides application translations in 34 languages. Although these materials are specifically for school meals, they can be used to gather household information to determine eligibility for free milk. These materials are located on the [USDA website](#).

Audits

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 SMP is 10.553. Sponsors must make grant records available for review and/or audit by officials of federal agencies, State Auditor's Office, Government Accountability Office, and OSPI or designee.

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 Federal Audit Clearinghouse (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 and 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.

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 year-end and submitted to the FAC by the earlier of 30 days following receipt of the audit report or nine months following the end of the fiscal year.

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.

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INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact your program specialist, listed above, or OSPI 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, RD, SNS
Director
Child Nutrition Services

CR:ln

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.