

Old Capitol Building
PO Box 47200
Olympia, WA 98504-7200



Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

July 1, 2022

Action Required
Due date: September 30, 2022
 Informational

BULLETIN NO. 040-22 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 2022–23

CONTACT: Rachel Floyd, Special Programs Specialist
360-742-4155, rachel.floyd@k12.wa.us

PURPOSE/BACKGROUND

The Office of Superintendent of Public Instruction (OSPI), Child Nutrition Services (CNS), is pleased to release the Special Milk Program (SMP) application materials for school year 2022–23 (SY 2022–23). Funds for this program are provided by the Special Milk Program for Children, Catalog of Federal Domestic Assistance (CFDA) #10.556.

The SMP provides milk to children in schools, childcare institutions, and eligible camps that do not participate in other federal child nutrition meal service programs. The program reimburses schools and institutions for the milk they serve. The current rate of reimbursement is \$0.22 per half-pint of milk. Reimbursement rates may change, effective July 1, 2022, but have not yet been released.

Who is Eligible to apply for the Special Milk Program:

- 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.

- LEAs that serve milk to children enrolled in childcare centers. No other age groups, classes, or programs within the LEA may participate.

Applications are due September 30, 2022. Applications received late may not be approved in time to allow September milk to be claimed for reimbursement.

THE APPLICATION PROCESS

Specific information will be collected in the application process. *Attachment 1–Special Milk Program Application and Program Information* provides descriptions about terms used in the SMP and some of the information to be collected.

The SMP application process includes the following steps:

Submit Applications in the Washington Integrated Nutrition System (WINS)

a. Contact Information

New and returning sponsors must complete an online application in WINS. WINS is an online system used to collect application information and to process claims for reimbursement.

i. New Sponsors

Designate a WINS Sponsor Administrator by signing and submitting *the Access Rights/User Authorization for Child Nutrition Programs* form.

Once the authorization is processed, an email from noreply.WINS@k12.wa.us will be sent to the system administrator with a username and link to the WINS sign on webpage.

ii. Returning Sponsors

Staff Contact information must be entered or updated when completing the SMP sponsor application. Use the [Updating Sponsor Contacts Information Sheet](#) for detailed information on updating WINS.

b. Submitting Your Application

- Select the 'Renew Application' button on the 'Applications' tab and complete the Sponsor Application Wizard.
 - Review and update all sponsor information in the 'Sponsor Profile–Sponsor Information' section in WINS.
 - Staff Contact information must be entered or updated when completing the application.

- **Ensure contact information, including e-mail addresses, are current and entered correctly.**
- ii. Go to the '*Sponsor Profile–Current Overview*' tab to view a list of sites. For each site that will serve milk:
 - Complete a site application, including review and update of staff information
 - Create site calendars.
- iii. Upload application documents into WINS.
The application includes completing specific forms and documents depending on the type of sponsor. These forms must be uploaded into WINS. Use the [Adding Documents in WINS](#) guide for details on uploading documents into WINS. The WINS Sponsor Application will indicate what documents will need to be uploaded.

Local Education Agencies 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.

ADDITIONAL PROGRAM REQUIREMENTS

Counting Milk and Claiming Reimbursement

Milk counts are to be taken at the point of service where the student receives a reimbursable milk. Milk counts must be based on number of ½ pints (8 fl oz) of milks served to students and cannot be based on student attendance. Sponsors must track and document number of ½ pints milk served and submit the counts in their claims for reimbursement electronically through WINS.

Instructions for submitting claims in WINS are available on the CNS WINS webpage.

If you have a question relating to the claim, the reimbursement process, or how a payment is calculated, please contact Hydie Kidd, Fiscal Supervisor, at hydie.kidd@k12.wa.us.

Pricing and Non-Pricing Programs

Sponsors may choose to operate a pricing or non-pricing program.

Pricing programs charge students for milk. There are two options for pricing programs. Sponsors may claim all milk served at the paid milk rate or sponsors may claim milk served based on student eligibility status. Sponsors that choose to claim milk served based on student eligibility 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.

Available Materials

The United States Department of Agriculture (USDA) income guidelines, effective July 1, 2022 – June 30, 2023, and free milk applications/materials can be found on the [Special Milk Program webpage](#).

- **[2022–23 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 student(s) who have been approved for free milk benefits.

- **[Notice of Denied Eligibility for Free Milk](#)**

This letter may be used to notify households of student(s) who have been denied free milk benefits. Households with students who are denied must be given 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.

Civil Rights Requirements

LEAs participating in USDA school meal programs are required to inform potentially eligible persons of their rights to receive program benefits. The USDA Civil Rights Non-Discrimination Statement ([updated May 2022](#)) must be placed on program materials **widely disseminated** to students and families. This includes, but is not limited to:

- Student handbooks containing program information
- School nutrition services webpages
- Letters to families
- Menus and brochures
- Online meal application

Washington State has additional protected classes that are not outlined in the USDA Civil Rights Non-Discrimination Statement. **Public School Districts and Public Charter Schools must put both the USDA, and the schools' non-discrimination statement on widely disseminated program materials.**

Please review the [Civil Rights Reference Sheet](#) for more information on requirements in Child Nutrition Programs.

Translations and Limited English Proficiency (LEP)

Program materials and other communications with households must be in a language parents or guardians can understand. LEAs have the responsibility to be aware of language needs of LEP households that they serve.

LEP Resources

- The U.S. Department of Agriculture provides application [translations in 34 languages](#).
- The OSPI CNS [Limited English Proficiency Reference Sheet](#) provides details on requirements.

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

BULLETIN NO. 040-22 CNS

July 1, 2022

Page 6

Domestic Federal Assistance (CFDA). The CFDA number for NLSP 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, State Auditor's Office, 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 must receive an audit in accordance with 2 CFR Part 200, Subpart F. Audits must be completed within nine (9) 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 (9) months following the end of the fiscal year.

Indian 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 OSPI CNS, Attention: Jeff Booth.

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

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Rachel Floyd, Special Programs Specialist, at 360-742-4155 or email rachel.floyd@k12.wa.us. The OSPI TTY number is 360-664-3631.

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

Tennille Jeffries-Simmons
Chief of Staff

T.J. Kelly
Chief Financial Officer

Leanne Eko, RD, SNS
Executive Director
Child Nutrition Services

CR:ln

Attachment: Special Milk Program Application and Program Information

Assurance Statement

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.