

# Introduction to New York State Education Department (SED) Child Nutrition Programs



The mission of SED is to preserve the nutritional and fiscal integrity of Child Nutrition Programs by providing:

- Technical Assistance
- Professional Training
- Comprehensive Reviews
- Nutrition Evaluations

# Child Nutrition Programs

## National School Lunch Program (NSLP):

- "The National School Lunch Program is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced, low-cost or free lunches to children each school day. The program was established under the National School Lunch Act, signed by President Harry Truman in 1946."

## School Breakfast Program (SBP):

- "The School Breakfast Program provides cash assistance to states to operate nonprofit breakfast programs in schools and residential childcare institutions. The Food and Nutrition service administers the SBP at the Federal level. State education agencies administer the SBP at the state level, and local school food authorities operate the Program in schools."

## After School Care Program (Snack):

- "The National School Lunch Program offers cash reimbursement to help schools serve snacks to children in afterschool activities aimed at promoting the health and well-being of children and youth in our communities. A school must provide children with regularly scheduled activities in an organized, structured and supervised environment and include educational or enrichment activities (e.g., mentoring or tutoring programs). It does not include religious instruction or explicitly religious activities. Competitive interscholastic sports teams are not an eligible afterschool program. The programs must meet State/local licensing requirements, if available, or State/local health and safety standards. All programs that meet the eligibility requirements can participate in the National School Lunch Program and receive USDA reimbursement for afterschool snacks."

## Fresh Fruit and Vegetable Program (FFVP):

- To provide fresh fruits and vegetables, free of charge, to all enrolled students in elementary schools with the highest percentage of students certified for free and reduced-price benefits



# Child Nutrition Programs

## Extended Day Snack Program

- "A school operating longer than the traditional school day may be eligible for afterschool snack reimbursement through NSLP, provided that it operates a school day that is at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency in which the school is located."

## Special Milk Program (SMP):

- "The Special Milk Program provides milk to children in schools and childcare institutions who do not participate in other Federal meal service programs. The program reimburses schools for the milk they serve. Schools in the National School Lunch or School Breakfast Programs may also participate in the Special Milk Program to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the school meal programs."

## Summer Food Service Program (SFSP):

- "The Summer Food Service Program (SFSP) was established to ensure that low-income children continue to receive nutritious meals when school is not in session. Free meals, that meet Federal nutrition guidelines, are provided to all children 18 years old and under at approved SFSP sites in areas with significant concentrations of low-income children."



# Regulatory Authority

- 7 CFR
  - Part 210- National School Lunch Program
  - Part 215- Special Milk Program
  - Part 220- School Breakfast Program
  - Part 235- State Administrative Expense
  - Part 245- Free and Reduced Price Eligibility
  - Part 200- Audit Requirements
- Public Law 111-296 (Healthy, Hunger-Free Kids Act of 2010)
- 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
- All USDA, SED guidance, memos, and instructions



# Who is Eligible to Apply for Participation?

- Only recognized public and charter schools, not-for-profit non-public/private schools, and residential child care institutions (RCCIs) are eligible to apply for participation.
  - A “school” is defined in Federal Regulation 7 CFR 210.2 as: “an educational unit of high school grade or under, recognized as part of the educational system in the State and operating under public or nonprofit private ownership in a single building or complex of buildings.”
  - Must obtain a Basic Educational Data System (BEDS) code and as applicable, State Office of Religious and Independent Schools (SORIS) code.

# SED Policy

- ▶ Organizations receiving federal funding for multiple CN programs must do business using the same legal name that corresponds with the FEIN number for all CN programs. This legal entity name and FEIN number must be consistent with the organizations 501c3 provided to SED for participation in CN programs.
- ▶ Furthermore, the same legal corporate name with the same corresponding FEIN number in which the sponsoring organization is doing business with SED for CN program operations is required to incur program costs. Supporting documentation should be under this same FEIN number for workers compensation, disability insurance, A-133 audits, banks accounts and bills.
- ▶ Organizations operating with a DBA must be able to provide on request, supporting documentation that links the DBA to this same FEIN number that the organization is doing business with SED.
- ▶ Please be advised that failure to comply with this requirement and with federal and state Child Nutrition Program requirements may jeopardize future program participation.



# Funding

- The goal of every school should be to have a financially sound School Meals Program. To achieve this goal, it is important to ensure the income from all meals served covers the cost of producing these meals.
- Federal Funding
  - The USDA reimbursement provided for a free, reduced-price, or paid meal, along with the value of commodities (donated foods), is determined annually. Rates for the current academic year can be found on the SED Child Nutrition Programs website: [www.nysed.gov/cn/cnms.htm](http://www.nysed.gov/cn/cnms.htm)
- State Funding
  - The State Funds are distributed on a per-meal basis. The rate varies.

# Ways to Participate

- Two options for participation:
  - (1) Complete an application and set up an agreement with SED to operate as a School Food Authority (SFA); allowing full program responsibility, or
  - (2) Become a Recipient Agency (RA) sponsored by another SFA; sharing program responsibility.
    - A separate application is required and can be accessed by submitting an Application Request Form at: <http://www.cn.nysed.gov/content/child-nutrition-programs-application-submission-process>



# How will meals be provided?

- To determine which meal service appropriately serves the SFA, evaluate the facilities, contact similar SFA's utilizing the Child Nutrition Programs, and reach out to SED with any questions or concerns
- Meal service options:
  - (1) SFA will self-prepare school meals
  - (2) contract with another school or contract with a vendor for meals
  - (3) use a food service management company (FSMC)
    - Governed by special federal rules, and takes additional time to implement
    - Competitively bid process to obtain a management company to manage the food service operation in whole or in part
    - Must use SED IFB
    - Contract must be approved by SED prior to submitting a New SFA Application
    - SFAs will not be reimbursed for meals served prior to the FSMC contract being approved by SED.

# Method of Service



- ▶ Self-Prep - Meals are prepared and served on site
- ▶ Satellite - Meals are prepared within the SFA and delivered to each site
- ▶ Sat-Prep - Meals are prepared and served on site and sent to additional sites
- ▶ Vended - Prepared meals are delivered from an outside organization

A valid NYS Permit to Operate a Food Service is required to be submitted with all new SFA Applications for each site the SFA is applying for.

# 6-Cent Certification

- ▶ SFA's receive an additional 6-cents per lunch reimbursement for meals certified to be in compliance with the meal patterns.
- ▶ The 6-cent certification worksheets can be accessed on USDA's website at: <https://www.fns.usda.gov/school-meals/certification-compliance>
- ▶ You must submit completed worksheets and menus for breakfast and lunch
  
- ▶ If your SFA is seeking any of the following waivers to the meal pattern, you must submit a written request stating the reason for the request:
  - ▶ Dark Green Vegetable Wavier- substitute other vegetable subgroups for the dark green subgroup
  - ▶ Passover Grain Waiver- exemption from the enrichment and whole grain portions of the CNP grain requirement during Passover
  - ▶ Milk Waiver- allows for flexibility for meals that contain poultry or meat- must be in accordance with Jewish Dietary Law
  - ▶ Age & Grade Flexibility- allows for flexibility to serve meal pattern for the highest age/grade group in residence or alternative schools due to operational limitations to separating age/grade groups for safety concerns

# Staffing

- Staffing requirements may vary depending on number of students served and food production method
- Food Service Director
  - Directly responsible for the management of the day-to-day operations of the school nutrition program for all participating schools under the jurisdiction of the SFA.
- Food Service Manager
  - Directly responsible for the management of the day-to-day operations of the school nutrition program for a participating school(s) under the jurisdiction of the SFA.
- Program Staff
  - Individuals without managerial responsibility who are involved in routine operations of the school nutrition programs for a participating school(s). Program staff may include those individuals who prepare and serve meals, process transactions at the point of service and review free and reduced price applications.

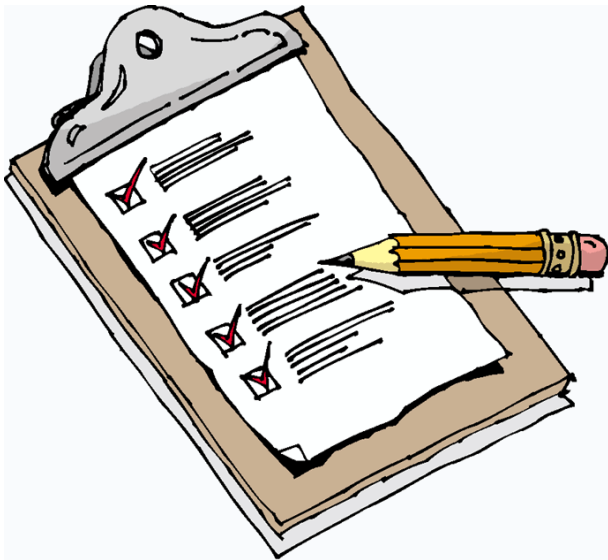
# Professional Standards

USDA has established minimum professional standards requirements for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs.



- Hiring and training standards
  - All SFAs **MUST** have a representative from the SFA acting in the program director capacity
  - Please visit the CNKC for detailed requirements and guidance
  - <http://www.cn.nysed.gov/content/professional-standards>
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- SFA must ensure compliance
  - Maintain documentation
    - SED Tracking Tool Link
    - USDA Tracking Tool
    - <http://www.USDA.usda.gov/school-meals/professional-standards>

# Administering CNP's



- ▶ Certification and Benefit Issuance- certification of student's eligibility for free and reduced-price meals to ensure eligible children receive meals to which they are entitled
- ▶ Verification-process to confirm selected students' eligibility for free and reduced-price meals
- ▶ Menu Planning- ensure meals meet meal pattern requirements, all goods and services are purchased using proper procurement and meal prices
- ▶ Meal Counting and Claiming-system to accurately count, record, consolidate and report the number of reimbursable meals claimed by category
- ▶ Resource Management-systemic approach to ensuring the overall financial health of an SFA's nonprofit school food service account

# Required Documents (not inclusive)

- ▶ Approved Application and Single Permanent Agreement
- ▶ Meal production records
- ▶ Standardized recipes
- ▶ Crediting documentation for food served (Nutrition Facts labels, CN labels, Product Formulation Statements)
- ▶ 6 cent certification documents
- ▶ Daily meal or milk counts by category of meals/milk served to each child at the Point Of Service (POS)
- ▶ Local Wellness Policy
- ▶ Revenue from children's payments, Federal reimbursement, food sold to adults, and a la carte sales
- ▶ Food service expenditures
- ▶ Free and reduced price applications - approved and denied (if applicable)
- ▶ Application verification, Verification Summary Report (if applicable)
- ▶ Benefit Issuance list of students eligible for free or reduced price meals (if applicable)
- ▶ Direct Certification lists
- ▶ Civil Rights poster and statement
- ▶ Health inspection reports
- ▶ Food Safety HACCP Plan
- ▶ Meal Charge Policy/Anti-meal shaming policy
- ▶ Training documentation
- ▶ Annual Self-reviews

# State-Level Direct Certification Matching Process (DCMP)

- ▶ Provides SNAP and Medicaid data pre-matched to student records/IDs.
- ▶ The NYSSIS system and State Match capabilities are available on the NYSED Web site, at the NYSED Application Business Portal

<https://portal.nysed.gov/abp>

- Please visit the CNKC for detailed requirements and guidance
  - ▶ <http://www.cn.nysed.gov/content/new-state-wide-direct-certification-matching-process-and-mandatory-reporting-snapmedicaid>

The screenshot displays the NYSED Application Business Portal (ABP) interface. At the top, there is a navigation bar with 'NYSED Home' and 'Portal Home' on the left, and 'Change Your Password' and 'Log Out' on the right. Below this is the NYSED logo and the text 'New York State EDUCATION DEPARTMENT Knowledge > Skill > Opportunity'. The main heading is 'Application Business Portal' with a sub-header 'You are logged in as JENNIFER KNAPP.' The interface is divided into three main sections: 'My Applications', 'Public Links', and 'Other Applications'. The 'My Applications' section lists links for 'SEDDAS User Guide', 'New York State Student Identification System (NYSSIS)', and 'SED Delegated Account System (SEDDAS)'. A 'Notice' box is present, stating: 'Notice: If the Superintendent or Principal has changed, please click here. (Does not apply to Summer School principals.)'. The 'Public Links' section includes links for 'Approved Preschool Special Education Programs Site Search', 'Inventory of Registered Programs', 'Look Up Postal Zip Codes', 'NYSED Public web site', 'Professional License Online Verification Searches', 'SEDFREF Query', 'Teacher Certification Help', and 'TEACH Public Inquiry System'. The 'Other Applications' section lists links for 'Child Nutrition Knowledge Center (CN)', 'Impartial Hearing Reporting System (IHRS)', 'Rate Setting Unit (RSU)', 'System to Track and Account for Children (STAC)', 'Teacher's Certification (TEACH)', and 'Teacher Access and Authorization'.



# Community Eligibility Provision (CEP)

- CEP is an option to allow high-poverty schools to feed more students and focus on meal quality rather than on paperwork.
- Claiming alternative in high poverty areas
  - Four year provision with potential grace year
  - Any school district can use this option if at least one of it's schools has 40% or more students certified for free meals without application (called "Identified Students")
  - The district may implement community eligibility in one school, a group of schools or district-wide
  - Must participate in both breakfast and lunch
  - All meals served to all students no charge
  - Please visit the CNKC for detailed requirements and guidance
    - <http://www.cn.nysed.gov/content/2018-19-cep-application-due-june-30-2018>





# Meal Charge Policy/Anti-Meal Shaming

- ▶ Required for SFA's that charge for meals
- ▶ Develop and adopt a plan to ensure students with unpaid school meal fees are not shamed or treated differently
- ▶ Please visit the CNKC for detailed requirements and guidance
  - ▶ <http://www.cn.nysed.gov/content/meal-charge-and-prohibition-against-meal-shaming-policy-template>

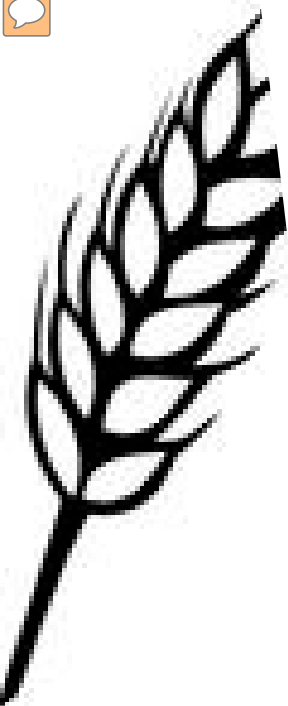
# Breakfast After The Bell (BAB)

- Who**
- Required: Public schools with at least 70% or more free and reduced-price eligible students in prior year
  - Optional: All other schools

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- What**
- Offer all students a breakfast after the instructional day has begun

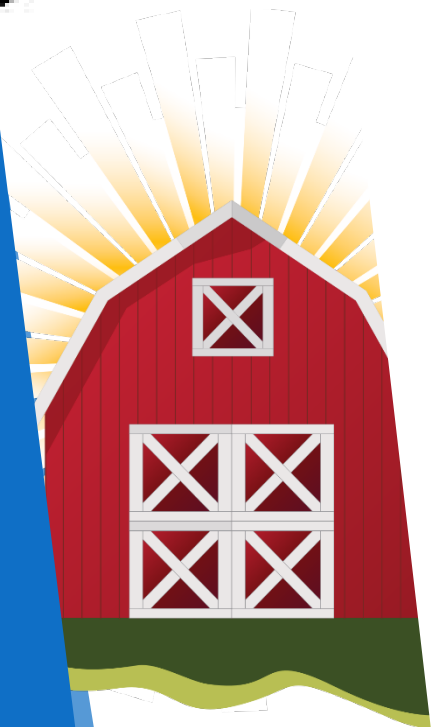
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- SED**
- May- notify schools
  - Monitor compliance
  - December- publish BAB participation information

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- Next Steps-SFA**
- Please visit the CNKC for detailed requirements and guidance
  - <http://www.cn.nysed.gov/content/breakfast-after-bell-implementation-and-reporting-breakfast-delivery-methods>



## 30% NYS

- ▶ SFAs that are self-prep or have a FSMC
- ▶ Not available for SFAs that procure vended meals
- ▶ State reimbursement not to exceed \$.25/lunch meal
- ▶ 30% total lunch food costs in previous school year from NYS farmers, growers, producers, or processors
- ▶ Apply to SED annually for additional subsidy
- ▶ Payment through Child Nutrition claims for reimbursement
- ▶ Please visit the CNKC for detailed requirements and guidance
- ▶ <http://www.cn.nysed.gov/content/additional-state-subsidy-purchasing-new-york-state-food-products>



# Record Keeping



- ▶ SFA records shall be retained for a period of 3 years after submission of the final claim for reimbursement for the fiscal year to which they pertain. However, if audit findings have not been resolved the records shall be retained beyond the 3 year period as long as required for resolution of the issues raised by the audit.
- ▶ Please be advised that these records must be readily retrievable or immediately available upon request.

# Civil Rights



Annual Civil Rights training must be provided by the SFA for all staff who deal directly with program applicants and participants.



“Justice For All” poster must be displayed



Racial Ethnic data collection/ Civil Rights Compliance Report



Please view the Civil Rights folder on the CNKC for further guidance.

# Non-Discrimination Statement

- ▶ 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, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
- ▶ Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.
- ▶ To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:
  - ▶ (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
  - ▶ (2) fax: (202) 690-7442; or
  - ▶ (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).
- ▶ This institution is an equal opportunity provider.

# How To Apply to be an SFA

- ✓ Review the Introduction to the Child Nutrition Programs PowerPoint
  - Review webinars, tutorials, snip-its available on the Child Nutrition Knowledge Center under the 'Trainings' tab
- ✓ Submit the New Application Request Form, found at:  
<http://www.cn.nysed.gov/content/child-nutrition-programs-application-submission-process>
- ✓ Once submitted, an application packet will be e-mailed to your SFA
- ✓ Complete the New SFA Application and required documents
- ✓ Conduct DCMP
- ✓ If you are applying for CEP, complete the CEP application
- ✓ Submit a complete application to the following e-mail: [cn@nysed.gov](mailto:cn@nysed.gov) by June 30, 2019
  - Applications submitted after this date will not be accepted
  - Please do not mail a paper copy
- ✓ If an application is approvable, SED will send your SFA a Single Permanent Agreement. You must read and sign this agreement and mail back to the Child Nutrition office with an original signature.
- ✓ If approved, your SFA will be sent an approval letter



NYS Child Nutrition Program Administration

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