

CHILD NUTRITION MANUAL FOR SCHOOLS FY2026

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**Oklahoma State Department of Education
Child Nutrition Programs Section
2500 North Lincoln Boulevard, Room 310
Oklahoma City, Oklahoma 73105-4599
Main: 405-521-3327
Fax: 405-521-2239**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or

2. fax: (833) 256-1665 or (202) 690-7442; or

3. email: program.intake@usda.gov

This institution is an equal opportunity provider.

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CHILD NUTRITION PROGRAMS

CHILD NUTRITION MANUAL

Foreword

The Child Nutrition Manual was developed by the Oklahoma State Department of Education (OSDE) Child Nutrition Programs (CNP) Section (hereinafter referred to as the *State agency*) with the intent to assist school personnel in understanding the policies and procedures of CNP. All items discussed in the manual specifically deal with the requirements of the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) and how implementation of these requirements may be accomplished.

National School Lunch Program

The National School Lunch Act (NSLA), passed in 1946, established school lunch programs across the nation. The purpose of the program is to safeguard the health and well-being of the nation's children and to encourage the consumption of agricultural abundance. The objectives of the NSLP are to make available to all students a lunch that is nutritionally adequate and acceptable, to provide assistance to participants to ensure that minimum meal requirements are met, and to ensure that all programs are accountable. Lunch meals are only reimbursable when school is in session. (Reference eCFR 210.1-210.33)

School Breakfast Program

Established by federal legislation in 1966, the SBP received permanent authorization by Public Law 94-105, enacted October 7, 1975. The purpose of this program is to make breakfast available for students who, for various reasons, come to school without an adequate breakfast. Breakfast meals are only reimbursable when school is in session. (Reference eCFR 210.1-210.33)

Other programs administered by the State agency in which schools can participate are as follows:

- Special Milk Program (SMP)—Milk is only reimbursable when school is in session (Reference eCFR 215.1-215.18)
- After-School Snack Program (ASSP)
- Seamless Summer Program (SSO)
- Summer Food Service Program (SFSP) (Reference eCFR 225.1-225.2)
- Fresh Fruit and Vegetable Program (FFVP)—Fresh fruits and vegetables are only reimbursable when school is in session (Reference FNS Instruction 786-7, Rev. 1)

The manual is updated annually, incorporating the latest changes, and is available to all program participants at the CNP Web site listed on the next page. If you have questions concerning any part of the manual, please contact the State agency at 405-521-3327.

The following Websites are provided for your information:

- CARS Website is ***<https://cnp.sde.ok.gov/OKNSLP/>***
- OSDE Website address is ***www.sde.ok.gov***
- Code of Federal Regulations Web site address is ***www.ecfr.gov***
- Food and Nutrition Service (FNS) Web site address is ***www.fns.usda.gov/cnp***
- Commodities Distribution Web site address is ***www.okdhs.org***
- Institute of Child Nutrition (ICN) Web site address is ***www.theicn.org***

Technical assistance

The State agency strives to provide SFAs and their staffs with quality service and on-site technical assistance. The State agency has an outstanding staff of Child Nutrition Program Specialist available to offer their expertise and guidance in all areas or issues pertaining to CNP. Some of the areas are as follows:

- (1) Qualifying for Severe Need Breakfast Program (SNB)
- (2) Analyzing meals per labor hour (MPLH) to determine food service labor productivity
- (3) Determining the highest free and reduced-price eligible students enrolled at school sites
- (4) Conducting a financial analysis of school food service income and expenditures
- (5) Conducting a nutrient analysis of site menus and identifying areas of improvement
- (6) Training new staff in Child Nutrition regulations
- (7) Qualifying for the Afterschool Snack Program (ASSP)
- (8) Completion of the annual National School Lunch Program (NSLP) and School Breakfast Program (SBP) Application and Agreement and Policy Statements
- (9) Assistance with the electronic claims software
- (10) Assisting with Menu Planning and Cycle Menus

Compliance Section

Notes

CHILD NUTRITION SCHOOL CONTACT INFORMATION

REGIONAL PROGRAM SPECIALIST: *Program Specialist are available to provide in-person technical assistance to Child Nutrition Programs (CNP) personnel.*

VACANT	Craig—18 Nowata—53 Ottawa—58 Tulsa (1/2)—72 Washington—74	LEIGHANN RAUSCH 405-301-5786 LeighAnn.Rausch@sde.ok.gov	Canadian—09 Oklahoma (1/4)—55
BECKY GILBERT 405-301-7838 Becky.Gilbert@sde.ok.gov	Beaver—04 Cimarron—13 Custer—20 Dewey—22 Ellis—23 Garfield—24 Harper—30 Major—44 Texas—70 Woodward—77	MONA KING 405-219-9015 Mona.King@sde.ok.gov	Cherokee—11 Delaware—21 Mayes—46 Wagoner—73
JERI BUCHANAN 405-246-8342 Jeri.Buchanan@sde.ok.gov	Beckham—05 Comanche (1/2)—16 Cotton—17 Greer—28 Harmon—29 Jackson—33 Kiowa—38 Roger Mills—65 Tillman—71 Washita—75	NIKKI ASSAD 405-248-8365 Nikki.Assad@sde.ok.gov	Cleveland—14 Oklahoma (1/4)—55
JILL HARDIN 405-239-0598 Jill.Hardin@sde.ok.gov	Choctaw—12 LeFlore—40 McCurain—48 Pushmataha—64	PAULINE GRESHAM 405-834-2962 Pauline.Gresham@sde.ok.gov	Caddo—08 Comanche (1/2)—16 Grady—26 McClain—47
KAREN WALKER 405-301-7689 Karen.Walker@sde.ok.gov	Atoka—03 Bryan—07 Coal—15 Hughes—32 Murray—50 Pontotoc—62 Seminole—67	RHONDA STEVENS 405-219-9637 Rhonda.Stevens@sde.ok.gov	Creek—19 Rogers—66 Tulsa (1/2)—72
KATHY KUCK 405-249-7918 Kathy.Kuck@sde.ok.gov	Blaine—06 Kingfisher—37 Logan—42 Oklahoma (1/4)—55	SANDY BULLARD 405-246-5648 Sandy.Bullard@sde.ok.gov	Lincoln—41 Oklahoma (1/4)—55 Pottawatomie—63
KRISTEN SCHOELING 405-249-0274 Kristen.Schoeling@sde.ok.gov	Alfalfa—02 Grant—27 Kay—36 Noble—52 Osage—57 Pawnee—59 Payne—60 Woods—76	VACANT	Carter—10 Garvin—25 Jefferson—34 Johnston—35 Love—43 Marshall—45 Stephens—69
		TAMMY FLUTE 405-249-0964 Tammy.Flute@sde.ok.gov	Adair—01 Haskell—31 Muskogee—51 Sequoyah—68
		TINA BRANSCUM 405-394-4425 Tina.Branscum@sde.ok.gov	Latimer—39 McIntosh—49 Okfuskee—54 Okmulgee—56 Pittsburg—61

State Agency Telephone Number: 405-521-3327

Fax Number: 405-521-2239

CARS website: <https://cnp.sde.ok.gov/oknslp/>

SCHOOL DEPARTMENT AT OSDE: *(All listed below assist with application approval and questions)*

BECKY GRAY	Program Manager, Schools	Becky.Gray@sde.ok.gov
KAREN DAVIS	FSMC & Audit Specialist	Karen.Davis@sde.ok.gov
ALICIA YOUNG	Claims and CEP/Provision Specialist	Alicia.Young@sde.ok.gov
RHONDA STEVENSON	Equipment Grant & FFVP Specialist	Rhonda.Stevenson@sde.ok.gov

**REIMBURSEMENT RATES
SCHOOL BREAKFAST PROGRAM (SBP),
NATIONAL SCHOOL LUNCH PROGRAM (NSLP),
SPECIAL MILK PROGRAM (SMP), AND
AFTER-SCHOOL SNACK PROGRAM (ASSP)**

The United States Department of Agriculture (USDA) has announced the Child Nutrition Programs' (CNP) reimbursement rates. Reimbursement rates are revised annually to account for changes in the Consumer Price Index (CPI). The following rates are effective **July 1, 2025**.

Reimbursable Lunches Served to Students

Free Lunches	\$4.43
Reduced-Price Lunches	4.03
Full-Price Lunches	.42

Schools that served 50 percent or more of their lunches free or at a reduced price in second preceding school year (2023-2024)

Free Lunches	\$4.45
Reduced-Price Lunches	4.05
Full-Price Lunches	.44

Above Rates Do Not Include the Additional Incentive Payment (\$.09)

Reimbursable Breakfasts Served to Students

Free Breakfasts	2.17
Reduced-Price Breakfasts	2.07
Full-Price Breakfasts	.39

Commodities Per Student Lunch

\$.450

Severe Need Breakfasts

Free Breakfasts	\$2.84
Reduced-Price Breakfasts	2.54
Full-Price Breakfasts	.69

School sites within a district that served 40 percent or more of their lunches free or at a reduced price in second preceding school year (2023-2024)

Special Milk Program

Nonpricing Program	\$.2700
Option 1 Pricing Program	NA
Option 2 Pricing Program	.2700

Per half-pint served
Per full-price half-pint served and average cost of free half-pint served
Per half-pint served

After-School Snack Program

Free Snack	\$ 1.21
Reduced-Price Snack	.60
Full-Price <i>Not Eligible</i> Snack	.11

REPORTING DATES CHECKLIST

The following reports are to be submitted electronically in the CARS system to the State Department of Education, hereinafter referred to as the *State agency*, on or before the denoted date of each year.

Date Due	Report	Date Submitted
Before Application Renewal Approval	Food Safety Inspection Report	
Before Renewal Application Approval	Paid Lunch Equity (PLE) Tool (Paid student prices for Schedule B) <i>Information must be submitted to CNP.</i>	
Available on or after July 1st	Renewal Application, Agreement, Policy Statement, and changes to the Permanent Policy Statement in CARS.	
Tenth of Each Month	Monthly Claim for Reimbursement (Cannot claim until Renewal Application is approved by CNP.	
August 1st (if applicable)	Provision 1, 2, or 3 Application (Only for sites participating) <i>Application located in Other Documents</i>	
August 4 or when available by The WAVE	Direct Certification is accessible Online at https://sde.ok.gov/wave-system . SFAs must pull direct certification at least 3 times annually	
July 1 - August 26, 2025	Fresh Fruit and Vegetable Program (FFVP) Application in CARS	
Fifteenth of Each Month	Monthly Claim for Reimbursement—Fresh Fruit and Vegetable Program (FFVP) Grant	
October 1st	Verification Process to begin	
October 31st	Civil Rights Checklist: page C-12 (Keep on file at the SFA)	
Opens After October Claim Has Been Processed	Low-Income Student Count Report (Must be completed prior to submission of November claim) <i>Submit a copy signed by the Superintendent to CNP.</i>	
November 15th	Verification Process to be completed	
Before December Claim Can Be Submitted	Verification Summary Report	
January	Registration for Summer Food Service Program training	
February 1st	On-Site Reviews (Only for schools with more than one eating site; a review must be completed for each lunch site and 50 percent of breakfast sites): pages C-54-61 Keep on file at the SFA	
Week of April 6th	Print Direct Certification list from the WAVE for CEP	
April 30th	Summer Food Service Program (SFSP) Application must be submitted	
May 15th	Seamless Summer Option Application must be submitted in CARS	
June 30th (if applicable)	Community Eligibility Provision (CEP) Application Located in Other Documents	
June 30th	Food Service Management Company (FSMC) Contract Renewal Form. Must use OSDE's renewal form in Other Documents. <i>Submit to Karen Davis</i>	
July - August	ABVM or District-Wide Provision ABVM Training (<i>one person from each district is required to attend or complete</i>) If not taken in-person, it is available on OSDE Connect.	

The following reports must be completed, if applicable to your district. These are to be maintained at the SFA:		☐
Twice a Year:	On-Site Review for After-School Snacks (only for sites participating) : page C-121 (First review must be conducted in the first 4 weeks of operation and the second anytime during operation)	☐
Annually	SFA must complete Food Service Management Company monitoring form	

LIST OF CHILD NUTRITION AND RELATED ACRONYMS

ADA	Average Daily Attendance	LEA	Local Education Agency
ADM	Average Daily Membership	LWP	Local Wellness Policy
AF	Attendance Factor	NCLB	No Child Left Behind
AR	Administrative Review	NSLA	National School Lunch Act
ASSP	After-School Snack Program	NSLP	National School Lunch Program
CACFP	Child and Adult Care Food Program	OCAS	Oklahoma Cost Accounting System
CARS	Claiming, Application, and Review System	OMB	Office of Management and Budget
CEP	Community Eligibility Provision	OSDE	Oklahoma State Department of Education (also known as the <i>State Agency</i>)
CFDA	Catalog of Federal Domestic Assistance	OvS	Offer vs Serve
CN	Child Nutrition	PLE	Paid Lunch Equity
CNA	Child Nutrition Act	PFS	Product Formulation Statement
CNP	Child Nutrition Programs	RCCI	Residential Child Institution
CPI	Consumer Price Index	RDA	Recommended Dietary Allowance
DGA	Dietary Guidelines for Americans	RFP	Request for Proposal
DHS	Department of Human Services	SA	State Agency (also known as the State Department of Education)
DoD	Department of Defense	SBP	School Breakfast Program
EC	Early Childhood	SFA	School Food Authority
EPA	Environmental Protection Agency	SFSA	School Food Service Account
ESSA	Every Student Succeeds Act	SFSP	Summer Food Service Program for Children
FBG	Food-Buying Guide	SMP	Special Milk Program
FDA	Food and Drug Administration	SNAP	Supplemental Nutrition Assistance Program (formerly Food Stamp)
FDPIR	Food Distribution Program on Indian Reservations	SNB	Severe Need Breakfast
FFVP	Fresh Fruit and Vegetable Program	SOP	Standard Operating Procedures
FNS	Food and Nutrition Service (USDA)	SWRO	Southwest Regional Office
FSIA	Family-Size and Income Application	SY	School Year
FSIS	Food Safety and Inspection Service (USDA)	TANF	Temporary Assistance to Needy Families
FSMC	Food Safety Management Company	USDA	United States Department of Agriculture
FY	Fiscal Year	WGR	Whole-grain Rich
HACCP	Hazard Analysis of Critical Control Points (USDA)	WIC	Special Supplemental Nutrition Program for Women, Infants, and Children
ICN	Institute of Child Nutrition		
IEG	Income-Eligibility Guidelines		
IEP	Individual Educational Plan		
IFB	Invitation for Bid		
ISP	Identified Student Percentage		

INTERACTIVE FORMS AND CNP RESOURCES ARE LOCATED IN OTHER DOCUMENTS IN CARS.

<https://cnp.sde.ok.gov/oknslp/PrintDocuments.aspx>

(Login access is not required for Other Documents)

CHARTER SCHOOL PROCEDURES FOR CHILD NUTRITION PROGRAMS (CNP)

- A. A charter school is treated as its own LEA or school district for all federal programs, including Child Nutrition. **NOTE: If the charter is operating as an RCCI, all requirements must continue to be met. Go to [pages C-91-98](#).**
1. The charter school is assigned a county/district code. The charter school completes its own application/agreement policy statement with the CNP Section of the State agency.
 2. The charter school is responsible for the distribution and collection of the free/reduced-price applications, the approval of these applications, Direct Certification activity, and any issuance of benefits for the charter school students. **NOTE: If the charter is also operating as an RCCI, the Statement of Facts form will suffice as documentation of eligibility (see [page C-94](#)).**
 3. The charter school can operate its own child nutrition program (self-operating) or it can contract for its meal services:
 - a. Every meal claimed for reimbursement must meet minimum meal pattern requirements.
 - b. A charter school may contract its meals with a school district participating in the National School Lunch Program (NSLP)/School Breakfast Program (SBP) that is **NOT** under any food service management company (FSMC) contract—in this case, a simple contract, **National School Lunch/School Breakfast Programs Agreement to Furnish Food Service**, (located in *Other Documents under the Procurement Section*) can be used. The charter school is not obligated to bid this service competitively as long as the service is provided by a school district that is self-operating.
 - c. A charter school is not allowed to contract its meals/food services with a school district that is **NOT** participating in the NSLP/SBP unless these services are bid competitively. Further, a charter school is not allowed to contract its meals/food services with a school district that **IS** participating in the NSLP/SBP that **IS** under an FSMC contract. This would cause a **SUBSTANTIVE** change to the FSMC contract that would require the school district to have to rebid its FSMC contract.
 - d. A charter school may contract its food service operations with an FSMC—in this case, the **Food Service Management Company (FSMC) Request for Proposal (RFP)/Contract** prototype **must** be used.
 - e. A charter school may contract for food delivery only (not preparation) with an outside entity—in this case, the National School Lunch/School Breakfast Programs **Agreement to Furnish Food Service** located in *Other Documents under the Procurement Section* may be used. This service must be procured under federal procurement regulations.
 4. The charter school will collect all of its own meal counts and eligible counts each month to report on its own claim for reimbursement. The federal reimbursement from its claim will be deposited into whatever bank account the charter school has set up with the State agency. However, all State Match funds will be deposited into the sponsor's account.
 5. The charter school is responsible for establishing and implementing the following policies and plans:
 - a. Wellness Policy
 - b. Hazard Analysis Critical Control Point (HACCP) Plan
 - c. Procurement Plan

6. The charter school is responsible for the submission of all CNP reports:
 - a. Claim for reimbursement
 - b. Food safety inspection report
 - c. Low-income report
 - d. Verification report
 - e. PLE (Paid Lunch Equity)

B. Additional Two-Cent Reimbursement

An LEA, in the second preceding year, that served 60 percent of its lunches to students who qualified for free or reduced-price meals will automatically receive an additional \$.02 for each lunch claimed. This means that a new charter LEA must be in its third year of participation before the additional reimbursement is paid.

C. Severe Need Breakfast (SNB)

Each site under a charter LEA **MAY** receive additional reimbursement for breakfast. A site, in the second preceding year, that served 40 percent of its lunches to students who qualified for free or reduced-price meals will receive additional funding for each breakfast claimed. This means a new charter school site must be in its third year of participation before it would qualify for the additional breakfast funding.

D. USDA Foods—Commodities

Once a charter school LEA has been approved to participate in CNP for a full school year, the meal counts from that LEA will be sent to the Department of Human Services (DHS) to determine the USDA Foods allocation for the **FOLLOWING** school year. This means that the charter LEA will participate in CNP for one year before USDA Foods are received. Once the charter school begins to receive USDA Foods, if it is contracting its meals with another school district, the charter school must allow the district to have the USDA Foods and the rate per **LUNCH** that the charter school is paying the district will be reduced by the USDA Foods rate.

E. Procurement

CNP funds are federal, therefore, charter schools must follow federal procurement regulations when purchasing anything acquired with CNP funds. Procurement information is located in the Procurement section of the Training Manual.

F. Child Nutrition staff from the State agency will conduct a review of each SFA once every 5 years.

G. Record Maintenance

1. All records pertaining to CNP must be maintained for a period of three years after the fiscal year has ended.
2. Records involved in a state or federal review or audit must be maintained until the review/audit issues are resolved.

CIVIL RIGHTS

United States Department of Agriculture (USDA)/Food and Nutrition Service (FNS) Instruction 113-1 (dated 11/8/05) delineates the civil rights requirements for participants in Child Nutrition Programs (CNP). The following is required at the local school food authority (SFA) level.

A. Public Information Responsibilities

1. Ensure that all forms of communication and printed program information that are disseminated include the following nondiscrimination statement. If material is too small to permit the full statement, **this institution is an equal opportunity provider *will be included at a minimum in print size no smaller than the text.***

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or

2. fax (833) 256-1665 or (202) 690-7442; or 3. email program.intake@usda.gov

This institution is an equal opportunity provider.

2. Inform parents or guardians of students in sites participating in the CNP, as well as local minority and grass roots organizations, of the availability of program benefits and services, the nondiscrimination policy, and all significant changes in existing requirements that pertain to program eligibility and benefits.
3. Display in a prominent place, where meals are served, the nondiscrimination poster developed by USDA. The poster is required to measure 11 inches x 17 inches.
4. Make available to the public, and to participants and potential participants upon request, information about program requirements and the procedures for filing a complaint in English and/or in the appropriate translation to non-English-speaking persons.

B. Data Collection

1. Develop a method for collection of data. Methods include a determination of the information by voluntary self-identification by an applicant on the Application for Free and Reduced-Price School Meals.
2. Maintain information on file for three years.
3. Establish procedures to ensure that the information is made available only to authorized state and federal personnel during reviews or as a part of federal- or state-approved surveys.
 - a. The nondiscrimination statement must be included on all of the forms that sites send to parents. The public release will satisfy the provisions of Item A2 (previous page).
 - b. A Civil Rights Compliance Checklist is included on **page C-12**. This checklist, which is to be completed by each school site by October 31 of each year and maintained by each SFA, furnishes an overview of the requirements.

C. Civil Rights Complaints

1. All written or verbal complaints alleging discrimination on the basis of race, color, national origin, age, disability, and sex (including gender orientation and gender identity), shall be processed within 90 days upon receipt in the manner prescribed by this instruction.
2. The Office of Minority Affairs (OMA) has been delegated the authority to determine the manner in which all civil rights complaints, investigations, preliminary inquiries, and compliance reviews are to be handled. Regardless of the administrative or operational level of the CNP where a civil rights complaint is filed, it must be forwarded in accordance with Item D2 (below) to the Office of the Assistant Secretary for Civil Rights (CR) Division, for submission to the OMA. The OMA will prepare and issue letters of acknowledgement to the complainant(s).
3. A preliminary inquiry or an investigation will be conducted on all valid complaints to substantiate or refute the allegations.

D. Procedure for Filing Complaints of Discrimination

1. ***Right to File a Complaint:*** Any person alleging discrimination based on race, color, national origin, age, disability, and sex (including gender orientation and gender identity) has a right to file a complaint ***within 180 days*** of the alleged discriminatory action. Under special circumstances, this time limit may be extended by OMA.
2. ***Acceptance:*** All complaints must be in writing and signed by the complainant. All complaints shall be accepted by the SFA, the State agency, or Food and Nutrition Service Regional Office (FNSRO). The complaints will be forwarded at once to the CR Division. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed and to indicate the possibility of a violation. Please see a Civil Rights Complaint Form on **page C-13-14**. The person who has allegedly been discriminated against must complete and sign the form.

Complaints based on age (or a combination of age and other bases) must ALL be forwarded to FNS Civil Rights Division within 5 working days of receipt regardless of the complaint procedure. Civil Rights complaints must be maintained in a log separate from other program complaints. Confidentiality is extremely important.

E. Required Civil Rights Staff Training

1. Annual training on civil rights is required for **ALL SFA employees involved or assisting with Child Nutrition activities**. Training information can be accessed through CARS in Other Documents.
2. Documentation with names of participants must be maintained at the SFA to validate all staff training.
 - Sign-In Sheets
 - Training Certificates
 - Professional Development Tracking Tool

F. Civil Rights Compliance Checklist

Each site must have a checklist completed every year by October 31st. The form is located on **page C-12**. **Use the student information system to determine race and ethnicity**. Do not use visual observation.

G. Complaint Filing Form

If someone has a Civil Rights complaint, the Civil Rights Complaint Filing form needs to be completed and sent to USDA. The form is located on **page C-13-14**.

CIVIL RIGHTS COMPLIANCE CHECKLIST

SCHOOL YEAR _____

United States Department of Agriculture (USDA) regulations outline each site's responsibility with regard to civil rights compliance in the Child Nutrition Programs (CNP). The following checklist furnishes a quick overview of requirements.

	YES	NO	NA*
1. Does the letter to households include: a. The required nondiscrimination statement? b. Where a complaint may be filed?			
2. Is a USDA/Food and Nutrition Service (FNS)-approved poster displayed in a prominent place and visible to recipients?			
3. Is the correct nondiscrimination statement included on appropriate program materials?			
4. Has the school food authority (SFA) sent out a public release to community/grassroots organizations?			
5. Are foreign language translations available when a significant number of persons speaking only a foreign language are in the population?			
6. Are procedures established to receive complaints alleging discrimination? a. Have there been any written or verbal complaints alleging discrimination? b. If YES , have these complaints been reported to the State Department of Education (the State agency)?			
7. Do admission procedures used restrict enrollment by minority persons?			
8. Are incorrectly denied Applications for Free and Reduced-Price Meals disproportionately composed of minority applications?			
9. Are disabled students provided program benefits as prescribed by regulations (including special dietary needs), as appropriate?			

*Not Applicable

	ENROLLMENT	NUMBER APPROVED FOR FREE AND REDUCED-PRICE MEALS/ FREE MILK	NUMBER DENIED
ETHNICITY:			
• Hispanic or Latino			
• Not Hispanic or Latino			
TOTAL STUDENTS BY ETHNICITY			
RACE:			
• American Indian or Alaska Native			
• Asian			
• Black or African American			
• Native Hawaiian or Other Pacific Islander			
• White			
TOTAL STUDENTS BY RACE			

This form should be duplicated and completed by October 31 of each year by each site within the SFA and retained in your CNP files. The completed form will be reviewed during the AR.

U.S. Department of Agriculture USDA Program Discrimination Complaint Form

Complainant Information				
First name	Middle Initial	Last Name		
Mailing Address				
Primary Phone Number	Alternate Phone Number	Email		
Best way to reach you: Mail Phone Email Other				
Representative Information				
Do you have a representative? ☐ Yes ☐ No		Do you have written authorization from representative? If so, please attach. ☐ Yes ☐ No		
First name		Last Name		
Mailing address				
Phone		Email		
Complaint Information <i>(attach additional pages and supporting documentation as needed)</i>				
1. Provide the name of the program you applied for (if known/applicable).				
2. Select the USDA agency that conducts the program or provides Federal financial assistance for the program. ☐ FNS ☐ FS ☐ FSA ☐ RD ☐ NRCS ☐ Other _____ ☐ Unknown				
3. Date of recent alleged discrimination (mm/dd/yyyy)		4. Location and/or address of the office where discrimination occurred		
5. Who do you believe discriminated against you? Include the name(s) of person(s) involved in the alleged discrimination (if known).				
6. What happened to you? (please include dates of each allegation)				
7. It is a violation of the law to discriminate against you based on the following: race, color, national origin, religion, sex (including gender identity and expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, and political beliefs. (Not all bases apply to all programs). Reprisal is prohibited based on prior civil rights activity. I believe I was discriminated against based on:				
Remedies				
8. How would you like to see this complaint resolved?				
9. Have you filed a complaint about the incident(s) with another federal, state, or local agency or with a court?				
10. If yes, with what agency or court did you file?			11. If yes, when did you file? (mm/dd/yyyy)	

Complainant Signature _____

Date _____

Representative Signature _____

Date _____

INSTRUCTIONS

PURPOSE: This form may be used if you believe you have experienced discrimination in any USDA program or activity, and you wish to file a complaint of discrimination. The form can be used to file a complaint of discrimination based on race, color, national origin, religion, sex (including gender identity and expression), sexual orientation, disability, age, marital status, family/parental status, income derived from public assistance program and political beliefs. If you need assistance filling out the form, you may call any of the telephone numbers listed at the bottom of the complaint form. You are not required to use the complaint form. You may write a letter instead. If you write a letter it must contain all of the information requested in the form and be signed by you or your authorized representative.

We must have a signed copy of your complaint. Incomplete information or an unsigned form will delay the process of your complaint

FILING DEADLINE: A program discrimination complaint must be filed within 180 days from the date you knew or should have known of the alleged discrimination unless the time for filing is extended by USDA. Complaints sent by mail are considered filed on the date the complaint was signed, unless the date on the complaint letter differs by seven days or more from the postmark date, in which case the postmark date will be used as the filing date. Complaint documentation or Complaint Forms sent by fax or mail will be considered filed on the day the complaint is faxed or mailed. Complaints filed after the 180-day deadline must include a 'good cause' explanation for the delay. For example, if:

1. You could not reasonably have been expected to know of the discriminatory act within the 180-day period;
2. You were seriously ill or incapacitated; or
3. The same complaint was filed with another Federal, state, or local agency and that agency failed to act on your complaint.

USDA POLICY: Federal law and policy prohibits discrimination against you based on the following: race, color, national origin, religion, sex (including gender identity and expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, and political beliefs. (Not all bases apply to all programs).

USDA will determine if it has jurisdiction under the law to process the complaint on the bases identified in the complaint and in the programs indicated in the complaint. Reprisal that is based on prior civil rights activity is prohibited.

OFFICE LOCATION WHERE DISCRIMINATION OCCURED: List the location and/or address of the office where discrimination occurred. If not known, this part of the form can be left blank.

WHERE TO FILE YOUR COMPLAINT: You may submit your completed form or letter to USDA by:

Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence, Ave, SW, STOP 9410, Washington, DC 20250-9410;
Fax: 1 (833) 256-1665 or (202) 690-7442; or
e-Mail: program.intake@usda.gov.

You may also visit our [website](https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint) at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>.

LEGAL INFORMATION

CONSENT: This USDA Program Discrimination Complaint Form is provided in accordance with the Privacy Act of 1974 (5 U.S.C. §552a), and is used to solicit information for processing complaints of discrimination. The United States Department of Agriculture's Office of the Assistant Secretary for Civil Rights (OASCR) requests this information pursuant to 7 CFR Part 15.

If the completed form is accepted as a complaint, the information collected during the investigation will be used to process your program discrimination complaint.

REPRISAL (RETALIATION) PROHIBITED: No Agency, officer, employee, or agent of the USDA, including persons representing the USDA and its programs, shall intimidate, threaten, harass, coerce, discriminate against, or otherwise retaliate against anyone who has filed a complaint of alleged discrimination or who participates in any manner in an investigation or other proceeding raising claims of discrimination.

PRIVACY ACT STATEMENT(5 U.S.C. § 552a)

AUTHORITIES: Collection of this information is authorized by Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); and Sections 504 and 508 of the Rehabilitation Act of 1973 (29 U.S.C. §§ 790-790f) and any other anti-discrimination statutes, rules and regulations.

PURPOSE: The information solicited on this form is used for processing complaints of discrimination under the statutes listed in the "Authorities" section of this notice. Any information obtained from this form will be maintained in our system of record.

ROUTINE USES: To respond to requests from individuals and agencies outside the Department (*such as the White House, Congress, and the Equal Employment Opportunity Commission*) regarding the status of a complaint. More information on the routine uses for the system can be found in the System of Records Notice USDA-2021-0007 records maintained by the OASCR.

DISCLOSURE: Providing this information is voluntary. Failure to complete this form may lead to a delay in processing of the complaint or rejection of the complaint due to an inadequate information to continue processing.

PAPERWORK REDUCTION ACT STATEMENT

The Paperwork Reduction Act of 1995 (*44 U.S.C. 3501 et seq.*) requires us to inform you that this information is being collected to ensure that your complaint contains all the information required to process it fully. The Office of the Assistant Secretary for Civil Rights will use the information to process your discrimination complaint.

Response to this request is voluntary. The information you provide on this form will only be shared with persons who have an official need to know, and will be protected from public disclosure pursuant to the provisions of the Privacy Act, (5 U.S.C. § 552a(b)). The estimated time required to complete this form is 60 minutes. You may send comments regarding the accuracy of this estimate and any suggestions for reducing the time for completion of the form to the U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, Mail Stop 9410, Washington, DC 20250. An agency may not conduct or sponsor, nor is a person required to respond to, a collection of information unless it displays a currently valid OMB Control Number. **The OMB Control Number for this form is 0508-0002.**

FINANCIAL MANAGEMENT

A. Cash Management Improvement Act—Electronic Funds Transfer

The Office of the State Treasurer and the Legislature have established provisions to comply with the Cash Management Improvement Act (CMIA), Public Law 101-453. Therefore, no paper warrants can be issued for Child Nutrition Programs (CNP) reimbursement.

B. Oklahoma Cost Accounting System (OCAS)

1. CNP funds are to be deposited into a separate appropriated fund (Fund 22) or into the General Fund account (Fund 11). Fund 22 is a special revenue fund reserved exclusively for the receipt of CNP funds, including state revenue, federal revenue, and local collections. This fund is under the auspice of the SFA treasurer. CNP funds shall be used only for the benefit of the CNPs. ***NOTE: The Activity Fund (Fund 60) can be used to deposit CNP revenues. These revenues can then be transferred to Fund 22 or Fund 11 at the end of the school year.***
2. The beginning fund balance each year, combined with all actual revenues, including collected and estimated revenues, must be appropriated before being expended. Purchase orders shall be issued against available appropriations; and once goods and services have been received, either payable or nonpayable warrants shall be issued in payment of all purchase orders. Fund 22 shall be reported as a separate appropriated fund in all the financial reports of the SFA, including the Estimate of Needs and Financial Statement.
3. Federal, state, and local funds may be appropriated on temporary appropriations based on 100 percent collections from last year. The budget for September will give the SFA full authority to spend these funds. A supplemental appropriation for cash collections will need to be filed on Form 150. If state and federal reimbursements exceed the estimated amount, a supplemental appropriation may be filed under Form 307.
4. ***The amount that may be appropriated by such temporary appropriations shall in no event exceed the entire amount that the governing board making the application estimates will be available for the entire fiscal year for each purpose for which a temporary appropriation is requested.***
5. Nonpayable warrants may be written, and blanket purchase orders for supplies, etc., may be established.
6. SFAs may elect to have a single bank account for all their funds, tracking them through fund codes; or they may elect to have a separate bank account for CNP funds. The State agency only requires the CNP Fund account to be appropriated and warrants issued through the SFA treasurer, whether using Fund 22 or Fund 11.
7. By resolution of the District School Board, an SFA may opt to establish a bank account in the local area for local collections ***ONLY***. The only checks issued will be to deposit those funds with the SFA treasurer. At the end of the fiscal year, the balance in that account will be closed. ***No other checks may be issued from this account except refunds for students who leave the district.*** This will ease the problem of districts utilizing the services of a county treasurer and daily district travel for deposits (62 O.S. 1991, §516.5 requires that all funds received are deposited daily). It will allow sites to clear checks written to their district and process insufficient checks back through the system before the funds are deposited into the appropriated account. This will be done as a school activity subaccount, and the custodian will need to be bonded for this subaccount.

8. This will be presented to the Board, along with other school activity fund subaccounts, listing income as local collections and ***expenses as checks written to the treasurer*** for payment of obligations. Even if SFAs elect this option, state and federal reimbursements will still be electronically transferred to the local or county SFA treasurer.
9. OCAS regulations prohibit the use of appropriated funds to pay for services not yet rendered.
10. School laws of Oklahoma only allow for one encumbrance clerk and one treasurer. A district may elect to have an assistant treasurer who could have the full capability of the SFA treasurer. One person may not be the encumbrance clerk and the treasurer. Those offices must be held by two separate individuals.
11. Auditors require a segregation of duties by two separate individuals whenever money is collected and deposited. Therefore, the CNP needs to have a minimum of two people counting and depositing the monies for CNP.
12. The CNP Fund custodian can become the SFA's CNP Fund specialist, acting in the same capacity as the Title I coordinator or any special area administrator. They can complete requisitions, balance their budgets, make local collection deposits if the district elects to establish a local account for local collections only, and fulfill all duties as the coordinator of this project. The only difference will be that the purchase orders must be completed by the encumbrance clerk and the SFA treasurer must register the warrants and pay for them.
13. SFAs may appropriate funds from the General Fund to cover some expenses of the CNPs if special revenue funds are not sufficient to cover the cost of the program.
14. ***Even though Oklahoma statutes do not allow sites to loan funds (Article 10 of the Constitution), USDA does allow transfer of funds as long as a bona fide loan agreement exists at the time the funds are transferred.*** A bona fide loan agreement ***MAY*** be made between a General Fund and the CNP Fund July 1 or prior to the funds being transferred if CNP operations cannot begin without this loan. USDA prohibits SFAs from retroactively designating a transfer of local funds as a loan to the school food service account.

A loan agreement must be board-approved for the exact amount that is borrowed and must be repaid on or before June 30 of each year. Prior years' obligations must not be paid with current year funds. Do not borrow more money than can be paid back. If CNP costs exceed revenues, then those costs become a General Fund expense. Refer to **page C-34** for a copy of the Loan Agreement for Food Service Deficits.

15. All warrants on CNP funds must be issued in order of sequence, beginning with No. 1, during each fiscal year.
16. CN financial transactions shall be coded in fund dimension as a Special Revenue Fund Code **22** or General Fund Code **11**. All CN expenditures and revenues must be coded to Program Code 700. Each CNP has its own Project Reporting Code in the 700 series. The 700 series under the Project Reporting Codes represents ***federal funds*** (which is what CNPs are). Because the Teachers' Retirement System requires a ***MATCH*** to be paid on any salaries paid from federal funds, ***a district using federal funds (Project Reporting Codes 763, 764, 765, 766, 768, and 769) to pay its employees must also pay a match to the Teachers' Retirement System as per Oklahoma Statute (O.S.) 715:10-13-7.*** This rule only applies to those employees who qualify for Teachers' Retirement. The required match is a legitimate expense under CNP. Refer to **pages C-18-20** for OCAS codes.

17. OCAS Codes and Food Service Management Companies (FSMC)

If a district contracts with an FSMC, the FSMC must break down each invoice to provide the district with itemized lists of services. The SFA will then code the FSMC invoice according to the OCAS Codes on **Page C-20**.

CHILD NUTRITION
OKLAHOMA COST ACCOUNTING CODES (OCAS)
Fund 22, Fund 11, or Fund 60—Program Code 700

REVENUE		
<i>Project Reporting Code:</i>	<i>Revenue Code:</i>	<i>Program Code:</i>
FEDERAL	FEDERAL	FEDERAL
763 Lunches (includes ASSP and SSO) 764 Breakfasts (includes SSO) 765 Special Milk 766 Summer Food Service Program 767 Professional Standards 768 Fresh Fruit/Vegetable 769 Child and Adult Care Food Program 770 Farm to School 791 Equipment Grant 757 Local Foods for Schools Grants 759 Supply Chain Assistance Funds (SCA) <i>NOTE: There is no federal revenue for à la carte sales.</i>	4710 Lunches, Snacks 4720 Breakfasts 4730 Special Milk 4740 Summer Food Service Program 4750 Child and Adult Care Food Program 4760 Fresh Fruit/Vegetable 4780 Equipment Grant 6110 Carryover From Previous Fiscal Year	700 Child Nutrition Program
STATE	STATE	STATE
332 Flex Benefits (Support Staff Without Health) 335 Flex Benefits (Support Staff With Health) 385 State Match Revenue	3250 Education Flexible Benefit Allowance 3710 State Reimbursement <i>NOTE: Not available at this time.</i> 3720 State Matching 6110 Carryover From Previous Fiscal Year	700 Child Nutrition Program
LOCAL	LOCAL	LOCAL
000-299	1310 Interest Earnings 1710 Student Lunches, Breakfasts, Snacks, Special Milk (<i>Reimbursable Meals</i>) 1720 À la Carte or Catering Revenue 1730 Adult Lunches, Breakfasts, Snacks 1740 Summer Food Service Adult Revenue 1760 Contract Lunches, Breakfasts, Milk, and Snacks 1790 Other District Revenue (CN)—Gifts and Donations 1794 Commodity Rebates 1795 Promotional Rebates 5120 Cash or Change 5150 Reimbursement From Another Fund 5300 Insufficient Funds 5600 Correcting Entry 6110 Carryover From Previous Fiscal Year	700 Child Nutrition Program

CHILD NUTRITION
OKLAHOMA COST ACCOUNTING CODES (OCAS)
Fund 22, Fund 11, or Fund 60—Program Code 700

EXPENDITURE		
<i>Project Reporting Code:</i>	<i>Function Code:</i>	<i>Program Code:</i>
FEDERAL	FEDERAL	FEDERAL
763 Lunches (includes ASSP and SSO) 764 Breakfasts (includes SSO) 765 Special Milk 766 Summer Food Service Program 767 Professional Standards 768 Fresh Fruit/Vegetable 769 Child and Adult Care Food Program 770 Farm to School 791 Equipment Grant 757 Local Foods for School Grant 759 Supply Chain Assistance Funds	1550 Worker's Compensation 2318 Audit Services 3120 Direct Labor/Benefits 3130 Food and Supplies/Delivery Services 3140 Other Direct and/or Related CNP Srvc; Equipment Grant; FSMC 3150 Food and Milk Purchases for Students <i>(Reimbursable Meals)</i> 3160 Nonreimbursable Services 3180 Nutrition Education and Staff Development 3190 Other CNP Operations 5200 Fund Transfers 5400 Indirect Costs for CNP 5600 Other Refunds (Lost Lunch Tickets)	700 Child Nutrition Program
STATE	STATE	STATE
332 Flex Benefits (Support Staff Without Health) 335 Flex Benefits (Support Staff With Health) 385 State Match Revenue	1550 Worker's Compensation 2318 Audit Services 3120 Direct Labor/Benefits 3130 Food and Supplies/Delivery Services 3140 Other Direct and/or Related CNP Srvc; Equipment Grant; FSMC 3150 Food and Milk Purchases for Students <i>(Reimbursable Meals)</i> 3160 Nonreimbursable Services 3180 Nutrition Education and Staff Development 3190 Other CNP Operations 8100 Restricted Repayment Funds	700 Child Nutrition Program
LOCAL	LOCAL	LOCAL
000-299	2318 Audit Services 3110 Food and Milk Purchases for À la Carte/ Catering 3120 Direct Labor/Benefits 3130 Food and Supplies/Delivery Services 3140 Other Direct and/or Related CNP Srvc; Equipment Grant; FSMC 3150 Food and Milk Purchases for Students <i>(Reimbursable Meals)</i> 3155 Food and Milk Purchases for Adult/ Contract Meals Only 3160 Nonreimbursable Services 3180 Nutrition Education and Staff Development 3190 Other CNP Operations 5600 Other Refunds (Lost Lunch Tickets)	700 Child Nutrition Program

FOOD SERVICE MANAGEMENT COMPANY OCAS CODES			
EXPENDITURE	PROJECT REPORTING CODE	FUNCTION	OBJECT
Student Meals—Lunch	763, 385, or 000	3140	570
Student Meals—Breakfast	764, 385, or 000	3140	570
Adult Meals—Both Breakfast and Lunch/Contract,	000	3155	570
À la Carte	000	3110	570
Catering	000	3110	570
Special Events	000	3110	570
Concessions	000	3110	570
Vending Machines	000	3110	570

Refer to the OCAS Manual

SFSP/EQUIPMENT/FFVP/CACFP/BANQUETS/CATERING/ADULT KITCHENS OCAS CODES

EXPENDITURES	REVENUE
Fund: 22 or 11 Project Reporting: Summer Food Serving Program—766 Fresh Fruit and Vegetable—768 Equipment Grant—791 Child and Adult Care Food Program—769 Banquets/Catering/Adult Kitchens—000-299 (SFA assigns this number) Functions: Suggested Codes: SFSP/CACFP—3190 FFVP—3120-3190 Equipment Grant—3140 Food Service Management Company - 3140 Banquets/Catering/Adult Kitchens—3160 Refund of Equipment Grant to State Agency—8100 (Object Code—900) Object: Anything that meets the need Program: 700 Subject: 0000 (does not apply to CNP)	Fund: 22 or 11 Project Reporting: Summer Food Serving Program—766 Fresh Fruit and Vegetable—768 Equipment Grant—791 Child and Adult Care Food Program (CACFP)—769 Banquets/Catering/Adult Kitchens—000-299 (SFA assigns this number) Source of Revenue: SFSP Federal Reimbursement—4740 FFVP Federal Reimbursement—4760 Equipment Grant—4780 CACFP Federal Reimbursement—4750 Banquets/Catering/Adult Kitchens—1790 Program: 700 Operational Unit: 0000 (does not apply to CNP)

C. Child Nutrition Funds: Revenues and Expenditures (SP-07-2015)

1. Federal Child Nutrition (CN) funds can only be used for the operation and/or improvement of the school food service operations. Expenditures should never exceed revenues reported by each project reporting code.
2. Funds for the operation of the NSLP, SBP, and SMP may be used to subsidize any other CNP; i.e., the CACFP and/or the SFSP. The same bank account may be used for all CNPs as long as a separate audit trail is maintained using the applicable OCAS codes for each program.
3. Penalty: Section 10 of Public Law 95-627 prescribes the criminal penalty for the misuse of funds, assets, or property in connection with federal feeding programs. Under this provision, anyone, whether administering the programs or receiving their benefits, who knowingly misuses funds, assets, or property, is subject to state and federal penalties.
4. CN Expenditures:
 - a. **The costs must be necessary and reasonable for the services rendered and meet the requirements of 2 CFR §200.**
 - b. Costs must be treated as direct or indirect.
 - c. Allowable costs
 1. Salaries and wages/benefits
 - a. ***The cost must conform to written established policies of the governmental or private nonprofit organization.*** Fringe benefits must be granted based on written policies. Additionally, a governmental unit is defined as ***an entire state, local, or federally recognized tribal government, including any component thereof.*** Components of governmental units may function independently of the governmental unit in accordance with the terms of the award. Applications of this definition that satisfy the criteria include, but are not limited to, the following:
 - The bonuses or fringe benefits represent an integral part of the personnel compensation policy of the SFA, city, town, or other local governmental entity. In this respect, the bonuses or fringe benefits need not be available to all classes of the governmental unit's employees; their availability to any class of employees must simply represent official policy.
 - The school board or other elected governing body has budgeted for the fringe benefit. Such an official action would make the fringe benefit a ***de facto*** element of the SFA's personnel compensation policy.
 - An official responsible for the school food service organization has the discretionary authority to award the fringe benefit or bonus.
 - b. ***Costs must be charged in relation to benefits received.*** Revenues received by the nonprofit SFSA may only be used for the operation or improvement of such food service. Consequently, no charges may be made to the nonprofit SFSA for salaries, fringe benefits, or bonuses which are not related to the time these employees have worked on behalf of that account.
 - c. ***Costs must be applied uniformly to federal and nonfederal activities.*** A school food service operation may encompass both federal and nonfederal activities.

The nonfederal activities may include catering, à la carte, adult meals, vending, concessions, etc. So long as any fringe benefits or bonuses are applied uniformly to employees for their federal and nonfederal activities, this requirement would be met.

2. Travel
3. Training and staff development
 - OMB Circular A-87 states that CNP funds may be used for professional development. This includes registration fees, travel, lodging, and per diem for attendance at professional meetings related to CNPs. However, individual membership dues of professional organizations are prohibited from being paid with CNP funds. CNP funds must be used to benefit the SFA and not an individual.
4. Meetings and conferences
 - CNP funds may be used to pay expenses for meetings where technical information relating to the CNP is disseminated. This means that CNP funds may be used to provide informational materials and light refreshments in conjunction with a site's annual open house that would include a cafeteria open house. A CNP employee must be present, and information about the CNP must be provided. Production records documenting foods used must be completed for the occasion and filed with other monthly records. Additional documentation must include the type of activity, CNP employee present, informational materials provided and topic discussed, and number of persons attending. Refer to **page C-46-47** Item O: Concession Stands, Catering, and Banquets.
5. Printing and publications
6. Food service
 - The purchase of tea and/or coffee using CNP funds is an allowable expense as long as the tea and/or coffee is offered to the students. If these items are not available for the students, then they must be purchased as a banquet or catered item.
7. Child Nutrition office and business supplies
8. Computer Software and Technology Purchases
 - The acquisition of automatic data processing equipment, whether by outright purchase, rental-purchase agreement, or other method of purchase, is an allowable use of CNP funds. OMB Circular A-87, Appendix B, 19 states that the State agency must approve all purchases using CNP funds that are more than \$5,000. The State agency is granting approval for all automatic data processing purchases made by SFAs with CNP funds, as long as the purchases are specifically for CNP. Therefore, individual approvals are no longer necessary.
9. The purchase of materials to improve participation and/or cafeteria appearance.
- d. Allowable costs with prior State agency approval—Capital Expenditures
 - Capital expenditures (equipment purchases, etc.)—Any item with an acquisition cost of **\$10,000** or more if not on the State agency approved equipment located in the Procurement Section on **page P-49**.

- This means if **ONE** piece of equipment (i.e., oven, mixer) costs \$10,000 or more, and is not listed on the approved equipment list, prior approval is required. It does not mean that if the total amount of the invoice or purchase order (PO) is \$10,000 or more that the SFA needs approval. Further, it does not mean SFAs must gain approval for kitchen equipment **REPAIRS that cost \$10,000 or more.**

e. Unallowable costs

1. Items not used by Child Nutrition but spent with CNP funds

Examples of unallowable expenses:

- Using child nutrition funds to feed children during the summer, but the district is not participating in any child nutrition programs like SSO or SFSP.
- Using child nutrition funds to pay for the entire district's cell phone bill and no one in child nutrition has a school cell phone.
- Using child nutrition funds to buy a defibrillator and there is not one anywhere in or near the cafeteria.

2. Alcoholic beverages

3. Entertainment

4. Costs of general government lobbying

5. Contribution to contingency funds

6. Uncollectible meal charges

7. Late payment charges

- Late payment charges may not be charged to the nonprofit SFSA, which includes all funds in that account, both state and federal funds. Consequently SFAs must use other sources to pay any late charges. The late charges may not be paid from the nonprofit SFSA, however represented, whether as a percentage of the late payment or otherwise. (Reference USDA Policy Memo 2002-SP-03)

8. Construction, Building or Land

- Funds cannot be used to purchase land or buildings or to construct buildings. The interpretation of the term construction of buildings has been revised to allow the expansion of existing facilities with State agency written approval, but NOT the construction of new buildings. (Reference §210.14[a])

f. SFAs must document expenditures in OCAS accurately.

g. All expenditures must be supported with source documents; i.e., canceled checks, paid bills.

5. CN Revenue

a. All REVENUES received by the CNP in any participating SFA shall be used only for the operation or improvement of such CNP.

- Regulations define revenue as all monies received by or accruing to the CNP including, but not limited to, children's payments, earnings or investments, other local revenues, state revenues, and federal cash reimbursements. This means that if CNP funds are used totally or in part for investment purposes, the interest earned from such investments must accrue to the CNP and may be used only for authorized program purposes.

- b. The chart on **page C-35** is provided for SFAs to calculate how much income per meal is received.
 - c. Revenue for all Child Nutrition will consist of meal count reimbursement, State Match, local collections, and funds generated by fundraisers or interest.
 - d. SFAs must document revenues in OCAS accurately.
6. By September 1 of each year, each school district must report total expenditures/revenues to the OCAS office. The figures reported for Child Nutrition activity will be used by the State agency to verify compliance that CN funds were used and coded in accordance with CN regulations. For RCCIs and boarding schools, a Year-End Expenditure Report on **pages C-32-33** should be completed.

EXPENDITURES VERSUS REVENUES FORMULA

A.	B.	C.	D.	E.
County/District Code	SFA Name	Total CNP Revenue (Program Code: 700; PR Code 759, 763, 764, 765, 385, 331, 332, 334, 335, 800, 000-299)	Total CNP Expenditures (Program Code: 700; PR Code 000-299, 331, 332, 334, 335, 385, 591*, 759, 763, 764, 765, 800)	Revenues Exceed Expenditures YES/NO (C is = to or greater than D YES = Compliance)

* Project Reporting Code 591 represents impact aid funds which are unrestricted, and schools may use them at their discretion.

7. Carryover Funds
- a. Carryover funds from one fiscal year to another—Because CNP funds are now coded by the various federal, state, or local project reporting codes, if there are any carryover funds at the end of the year (June 30), each must be coded to the specific project reporting code originally assigned. ***Example: If there are carryover funds in Project Reporting Code 763, then these funds must be coded specifically to Project Reporting Code 763 as cash forward. This coding would be Project Recording Code 763/Source of Revenue Code 6110.***
 - b. The total of all CNP funds (federal, state, and local) that are carried over from one fiscal year to the next is what is used to ensure the SFA has not exceeded its three-month operating balance.
 - c. ***The operating balance as of June 30 for any fiscal year must be carried over into the next fiscal year (Revenue Code 6110) and is counted toward the operating balance of the following fiscal year. The carryover funds must be coded to the specific Project Reporting Code (i.e., 763, 764, 765, 385).***

D. Nonprofit School Food Service Account

1. SFAs shall maintain a nonprofit school food service. (7 CFR §210.14[a])
2. Unlike other federal programs, CNP can have a carryover as of June 30 of each year. This carryover could be used for food for the new school year. Three-month operating balance:

USDA regulation §210.14(b) requires an SFA to limit its net cash resources to an amount that does not exceed three months average expenditures for its nonprofit school food service. The State agency uses OCAS records to determine if an SFA has exceeded its three-month operating balance requirement. Total Child Nutrition (Program Code 700/Project Reporting Codes 759, 762, 763, 764, 765, 385, 331, 332, 334, 335, 800, and 000-299) expenses are divided by 9 (months) and multiplied by 3 (months) to obtain an average 3-month operating balance. If the SFA's operating balance as of June 30 exceeds the 3-month operating balance, the SFA is out of compliance. The formula is below.

3. If the district has any sites that are nonpricing or Provision, the district **MUST** pay back the nonprofit school food service account when the overall nonprofit school food service account activity is insufficient to cover Program costs. The District must pay the difference from a non-Federal source. (USDA Provision 2 Guidance page 50)
4. If Child Nutrition is to be paid back funds, the district will use **Program Code 700 and create a local Project Reporting code such as 001 dedicated to show the district is paying back Child Nutrition** (*Do not use Project code 763, 764, 769, etc*). This will only be used if the district is not using Fund 22.

FORMULA FOR CALCULATING AVERAGE THREE-MONTH OPERATING BALANCE

A.	B.	C.	D.	E.	F.	G.	H.
County/ District Code	SFA Name	Total CNP Revenue (Program Code: 700; PR Code: 762, 763, 764, 765, 385, 331, 332, 334, 335, 791, 800, 000- 299)	Total CNP Expenditures (Program Code: 700; PR Code: 000-299, 331, 332, 334, 335, 385, 591*, 759, 763, 764, 765, 791, 800)	Total Expenditures Divided by 9 Multiplied by 3 = Average 3-Month Operating Balance	Child Nutrition Revenue Minus Child Nutrition Expenditures = Operating Balance as of June 30 (C - D = Operating Balance)	District Exceeds 3-Month Operating Balance— YES/NO (F is greater than E)	Amount Exceeded, If Any

* Project Reporting Code 591 represents impact aid funds which are unrestricted, and schools may use them at their discretion.

E. Nonprogram Food Expenditures/Revenues Report—Healthy, Hunger-Free Act of 2010, Section 206 (Reference USDA Policy Memo SP-39-2011)

1. The purpose of the revenue from the nonprogram foods provision is to ensure that revenues from the sale of nonprogram foods generate at least the same proportion of SFA revenues as they contribute to SFA food costs.
2. For the purposes of this provision, a nonprogram food is a food (including beverages) that is sold in a participating school other than a reimbursable meal and is purchased using funds from the school food service account of the school.
These include, but are not limited to:

- À la carte items sold in competition with school meals.
 - Adult meals.
 - Contract meals.
 - Items purchased for fundraisers, vending machines, school stores, etc.
 - Items purchased for catering and vended meals.
3. Revenue is all money that is provided to the nonprofit school food service account. This includes, but is not limited to:
 - Federal reimbursement.
 - State or local funds such as per meal subsidies and state revenue matching funds.
 - Children’s payments for reimbursable meals and à la carte sales.
 - Payments for items purchased for fundraisers, vending machines, etc.
 - Income from contract, catering, adult meals, vended meals, etc.
 4. The cost to obtain a nonprogram food includes only the cost of the food. If a nonprogram food is made from scratch, the SFA would determine the price of ingredients to calculate the food cost. The SFA should not include labor or other costs in this calculation.

This same principle applies to calculating program food costs for the purpose of this provision.

5. The SFA **MUST** determine its total food cost and the proportion of that total that is nonprogram food. The SFA would then calculate the share of total revenue generated from nonprogram food sales over the same period. If the second figure is at least as great as the first figure, then the SFA is generating sufficient revenue from nonprogram food costs. The State agency tracks the nonprogram food costs and revenues using OCAS codes. See the formula on the following page.
6. An SFA can price some nonprogram foods lower than their actual cost as long as the total revenue generated from all nonprogram food sales meets the proportional requirement described above.
7. The SFA uses the revenue and costs for a school year to calculate revenue targets. For the current school year, the revenue and costs for the previous school year are used.
8. The Nonprogram Food Report for each SFA is received by the CNP OCAS each year. If the proportion of revenue is equal to or greater than the proportion of the food costs, no additional action is needed. If not, the SFA must review the prices charged for nonprogram foods and make necessary adjustments. **If a district is using a food service management company (FSMC), the FSMC is required to give this information to the district. The FSMC cost is located on the Attachment M.**
9. If a district is not charging enough for the adult meals or à la carte and the district does not want to raise prices, then the district **MUST** charge some of its **FOOD** purchases to the General Fund (Project Reporting Code 000, Function Codes 3110 and 3155).
10. If a district is paying for all Child Nutrition **UTILITIES** from the General Fund in an effort to show it is paying for **ADULT** meals, this will **NOT** work with OCAS coding. The district needs to pay for the **adult/à la carte food** from the General Fund (Project Reporting Code 000/ Function Code 3155/Object Code 630). The Child Nutrition Fund could then be coded to pay the **UTILITIES** up to that amount. This way, the General Fund is not paying **any more** than it was to begin with, but the Nonprogram Food Report would be in compliance. (Reference **page C-45**)

11. Child Nutrition OCAS Code Expenditure Worksheet—To assist districts in knowing how to break down invoices of food/beverage purchases, this worksheet can be used. See **page C-30-31** for a copy of this worksheet.

NONPROGRAM FOOD REPORT FORMULA

A.	B.	C.	D.	E.	F.	G.	H.	I.
County/ District Code	SFA Name	All Food Expenditures (Program Code: 700; PR Code 000-299, 385, 591, 763, 764, 765, 766, and 800; Function Code: 3110, 3150, and 3155; Object Code 570 and 630)	Nonprogram Food Expenditures (Program Code: 700; PR Code: 001-299, 591*,and 800; Function Code: 3110 and 3155; Object Code: 570 and 630)	% Of Nonprogram Food to All Food Expenditures	All Food Revenue (Program Code: 700; PR Code: 000-299, 385, 759, 763, 764, 765, 766 and 800; Revenue Source Code: 1710, 1720, 1730, 1760, 1790, 3720, 4710, 4720, 4730, 6110, 6130, and 6140)	Nonprogram Food Revenue (Program Code: 700; PR Code: 000-299 and 800; Revenue Source Code: 1720, 1730, and 1760)	% Of Nonprogram Food Revenue to All Revenues	Meets USDA Requirements: E is Equal to or Less Than YES/NO YES = Compliance

* Project Reporting Code 591 represents impact aid funds which are unrestricted, and schools may use them at their discretion.

F. Direct Costs/Indirect Costs

1. **Direct Costs**—Incurred ***SPECIFICALLY*** for a program or other cost objective; clearly identifiable.

Examples:

- Wages and salaries of food service workers
- Cost of food purchased
- Food service supplies
- Food service equipment purchases
- Prorated Direct Costs that would usually be charged as Indirect Costs; i.e., prorated utility costs

2. **Indirect Costs**— 2 CFR 200.56 describes as an incurred for the benefit of multiple programs, functions, or other cost objectives not readily identifiable. Any cost that cannot be pinpointed to an exact dollar amount, a percentage will be used to determine how much can be charged to CNP and other federal programs. The percentage can be found in Single Sign or OSDE website as the Indirect Cost rate. *(This rate changes every year)*

Examples:

- Payroll services
- Human resources
- Worker's compensation

- Electricity
 - Gas from town or city
 - Trash
- a. SFAs who are charging Indirect Costs to Child Nutrition (Memo SP 60-2016) must:
- (1) Have an approved Indirect Cost statement with the State agency showing the approved Indirect Cost rate. (It can be found on the OSDE Website. This rate changes every year)
 - (2) Allowable Indirect Costs (as well as Direct Costs) must be identified in a consistent manner.
 - (3) An SFA must identify Indirect Costs by using the same methodology to allocate certain shared costs across the entire spectrum of its federal programs.
 - (4) The SFA must not charge Indirect Costs previously paid by the General Fund.
It is unallowable to bill the nonprofit food service account for indirect costs that were previously paid from the general fund unless an agreement exists to show that the district had been “loaning” the Nonprofit food service account funds to cover the indirect costs in one or more prior years.
 - (5) The district cannot charge Child Nutrition as both directly and indirectly for the same item.
 - (6) Any Direct Costs prorated for Child Nutrition (i.e., utilities) that would normally be considered an Indirect Cost must be subtracted from the Indirect Cost rate charged to Child Nutrition if the district is applying Indirect Cost to Child Nutrition

G. Audits

1. Type A Audits (\$1,000,000 or more in federal award funds expended)

Oklahoma statutes allow SFAs an 11 months time line after the close of the school year for the completion and submission of an annual audit (70 O.S. 2001 §22-108). However, 2 CFR 200, states:

“The audit shall be completed and submitted within the earlier of 30 days after receipt of the auditor’s report(s) or nine months after the end of the audit period unless a longer period is agreed to in advance by the cognizant or oversight agency for audit.”

Therefore, any Type A audits (\$1,000,000 or more in federal award funds expended, including the value of USDA Foods, reference USDA Policy Memo No.: FD-104 Feb. 18, 2010) are due in the Auditing Section’s office no later than March 31 of each year. Federal funds will be withheld on any Type A audits not received by March 31 of each year and will only be released upon notification of receipt of the audit(s) by the agency’s Auditing Section.

2. Type B Audits (less than \$1,000,000 in federal award funds)

For SFAs receiving less than \$1,000,000 in total federal funds, an audit conducted in accordance with Sections 452 through 461 of the School Laws of Oklahoma shall be submitted to the State agency Auditing Section no later than May 31. Failure to submit such required audit shall result in the withholding of CNP reimbursement until the audit is received.

H. Claim for Reimbursement

1. CNPs are performance-based reimbursement programs (entitlement programs). The SFA reports all meals (breakfasts, lunches, and/or snacks) served by site on a monthly reimbursement claim.

The claim for reimbursement reports the number of meals served by category (free, reduced-price, or full-price) multiplied by the applicable reimbursement rates. SFAs participating in the Special Milk Program (SMP) will provide the number of half-pints of milk served to split-session preprimary or kindergarten students multiplied by the applicable reimbursement rates. If an SFA participates in the Seamless Summer Program, a separate claim must be submitted.

2. In order to submit a claim, the SFA must have a completed and approved renewal application, agreement, and policy statement. Each claim must include meals served by category, adult meals, and contract meals. Each claim is submitted by site and each month.
3. SFAs must maintain free and reduced-price eligibles of currently enrolled students, as well as categorical meal counts by school site. District totals show on “View Claim Summary” report.
4. Claims are to be submitted by the tenth of the month following the month covered by the claim. Although the State agency may accept claims for reimbursement or claim revisions as late as 60 days following the end of the month that the claim covers, claims submitted later than 60 days cannot be paid unless an exemption is requested and approved by the State agency. (Each district can have one exemption every 36 months). A copy of the claim for reimbursement is on **page C-36**.
5. The district or institution has 60 calendar days following the last day of the claim month. This date may change depending on the number of days in February.

The claim month and the final date that it may be submitted.

Based on 28 Days in February		Based on 29 Days in February	
January Claim	April 1st	January Claim	March 31st
February Claim	April 29th	February Claim	April 29th
March Claim	May 30th	March Claim	May 30th
April Claim	June 29th	April Claim	June 29th
May Claim	July 30th	May Claim	July 30th
June Claim	August 29th	June Claim	August 29th
July Claim	September 29th	July Claim	September 29th
August Claim	October 30th	August Claim	October 30th
September Claim	November 29th	September Claim	November 29th
October Claim	December 30th	October Claim	December 30th
November Claim	January 29th	November Claim	January 29th
December Claim	March 1st	December Claim	February 29th

OCAS CODING AND CHILD NUTRITION HOW TO BREAK DOWN FOOD/BEVERAGE EXPENDITURES SEPARATELY ON INVOICES

School districts only need to enter information requested in the **GREEN** boxes.

Green Box 1: Enter the district's total expenditures for the previous year for CNP, using Program Code 700 for Project Recording Codes 000, 385, 759, 763, 764, and 765. **DO NOT UTILIZE PROJECT REPORTING CODES 766, 767, 768, 769, 770, OR 791 IN THIS REPORT.**

Green Box 2: Enter the district's total expenditures for the previous year for CNP Employee **LABOR**, using Function Code 3120.

Green Boxes 3-7: Enter the district's expenditures for each **Function Code** listed, if applicable, for the previous school year. Refer to the OCAS Codes in the Child Nutrition Manual Compliance Section to identify the individual Function Codes.

Green Boxes 8-21: Enter the district's revenues for each Revenue Source Code, if applicable, for the previous school year. Refer to the OCAS Codes in the Child Nutrition Manual Compliance Section to identify the individual Revenue Source Codes.

Green Boxes 22-23: Enter the total number of **LUNCH** meals served to the **STUDENTS**, and then enter the total number of **LUNCH** meals served to **ADULTS** during the previous school year. (Reference: All claims for reimbursement for the previous school year)

Green Boxes 24-25: Enter the total number of **BREAKFAST** meals served to the **STUDENTS**, and then enter the total number of **BREAKFAST** meals served to **ADULTS** during the previous school year. (Reference: All claims for reimbursement for the previous school year)

Save the data entered above so that it does not have to be reentered each time.

Green Box 26: Enter the total amount of one **FOOD/BEVERAGE** invoice, **FOOD/BEVERAGE** invoices added together for one month, or **FOOD/BEVERAGE** invoices added together for the entire year.

Once the invoice amount is entered, the coding will show up at the bottom of the document.

NOTE: Labor and Other Direct can be coded to Project Reporting Code 000, 385, 763, or 764, Function Codes 3120 and 3140. It is recommended that all State Match funds (Project Reporting Code 385) be used for Other Direct (Function Code 3140). Districts do need to be aware that any LABOR coded to a Federal Project Reporting Code (763, 764, or any other Project Reporting Code in the 700 series) must pay Teachers' Retirement a matching amount on any salaries of employees who are members of Teachers' Retirement.

CHILD NUTRITION OCAS CODE EXPENDITURES WORKSHEET

FOOD/BEVERAGE EXPENDITURES ONLY

CHILD NUTRITION OCAS CODING FOR EXPENDITURES

Enter the district's total expenditures for the previous year for Child Nutrition Programs, using PROGRAM CODE 700 FOR PROJECT REPORTING CODES 000, 385, 759, 763, 764, AND 765. **DO NOT UTILIZE PROJECT CODES 766, 767, 768, 769, 770, OR 791 FOR THIS REPORT.**

Total Expenditures for <i>Last Year</i>		\$ 1	-	To Be Completed by the Institution
Total Labor Expenditures for Child Nutrition		\$		
Function Code	3120	\$ 2	-	To Be Completed by the Institution
Less Total Amount of Other Direct Costs		\$		
Function Code	3130	\$ 3	-	
Function Code	3140	\$ 4	-	
Function Code	3160	\$ 5	-	
Function Code	3180	\$ 6	-	
Function Code	3190	\$ 7	-	

A la Carte Revenue Calculation

Total Revenue From <i>Last School Year</i>		\$		To Be Completed by the Institution
Revenue Source Code	1310	\$ 8	-	
Revenue Source Code	1710	\$ 9	-	
Revenue Source Code	1720	\$ 10	-	
Revenue Source Code	1730	\$ 11	-	
Revenue Source Code	1760	\$ 12	-	
Revenue Source Code	1790	\$ 13	-	
Revenue Source Code	3720	\$ 14	-	
Revenue Source Code	4710	\$ 15	-	
Revenue Source Code	4720	\$ 16	-	
Revenue Source Code	4730	\$ 17	-	
Revenue Source Code	4740	\$ 18	-	
Revenue Source Code	4750	\$ 19	-	
Revenue Source Code	4760	\$ 20	-	
Revenue Source Code	6110	\$ 21	-	

Percentage of A la Carte Revenue

0

Total Expenditures Less Labor and Other Direct Costs		\$	-	To Be Completed by the Institution
Total Food/Beverage Expense Less A la Carte %		\$	-	
Total Meals Served From <i>Last School Year</i>		0		
Number of Lunches Served		0		
Student		22	0	
Adult		23	0	
Number of Breakfast		0		
Student		24	0	
Adult		25	0	
Percentage of Lunch		0	\$	
Percentage of Student		0	\$	
Percentage of Adult		0	\$	
Percentage of Breakfast		0	\$	
Percentage of Student		0	\$	
Percentage of Adult		0	\$	

Invoice Breakdown Calculations

Invoice Amount		\$26	-	To Be Completed by the Institution
Meal Type	Coding	Breakdown		
A la Carte	Reporting Code 000, Function Code 3110	\$	-	
Student Lunch	Reporting Code 000, 385, OR 763	\$	-	
Adult Lunch	Reporting Code 000, Function Code 3150	\$	-	
Student Breakfast	Reporting Code 000 OR 764, Function Code 3150	\$	-	
Adult/Contract Breakfast	Reporting Code 000, Function Code 3155	\$	-	

NATIONAL SCHOOL LUNCH PROGRAM/SCHOOL BREAKFAST PROGRAM/ AFTER-SCHOOL SNACK PROGRAM YEAR-END EXPENDITURE/REVENUE REPORT (July 1 - June 30) INSTRUCTIONS

This form is to be completed using data from the National School Lunch, School Breakfast, and After-School Snack Programs for each July 1 through June 30 time period.

NOTE: *Figures reported should only include expenditures and revenues from the applicable National School Lunch Program, School Breakfast Program, and After-School Snack Program in which your institution participates. If your institution served more meals than this (i.e., supper), all expenditures must be prorated to only reflect Child Nutrition expenses.*

Detention Centers and boarding schools serve more meals than what can be claimed for reimbursement through Child Nutrition Programs. If this is the case and Child Nutrition expenditures/invoices are not separated, the institution will need to prorate the expenses of Child Nutrition Program meals using the formula below.

- A. TOTAL NUMBER OF MEALS SERVED AT INSTITUTION FOR ONE WEEK:** _____
- B. TOTAL NUMBER OF MEALS CLAIMED FOR REIMBURSEMENT BY THE INSTITUTION:** _____
- C. B DIVIDED BY A = PERCENT TO PRORATE ALL EXPENSES, INVENTORY, ETC.**

Example: The boarding school serves 28 meals per week. It serves breakfast, lunch, snack, and supper every day, seven days a week. The boarding school claims 15 meals per week for reimbursement under Child Nutrition Programs. It claims breakfasts, lunches, and snacks Monday through Friday. Therefore, the formula would look like this:

15 meals per week are claimed divided by 28 meals per week served equals 53 percent of all meals served are claimed for reimbursement. This would be the percentage the boarding school would use when completing this form. It would apply the 53 percent to the **TOTAL** food and beverage expenditures, as well as to the **TOTAL** salaries, **TOTAL** inventory, **TOTAL** equipment purchases, etc.

1. The amounts listed shall reflect the expenditures for the school year (July 1 - June 30). **Do not include expenditures from special functions such as banquets or from supper meals.**
 - (a) Enter the amounts of food and milk purchased and received for student meals only for the school year. Include the Commodity Distribution Assessment Fee. Refunds from vendors shall be deducted. **Do not include expenditures for special functions or supper meals.**
 - (b) Enter the amounts of food and milk purchased and received for institution employee meals only for the school year. Include the Commodity Distribution Assessment Fee. Refunds from vendors shall be deducted. **Do not include expenditures for special functions or supper meals.**
 - (c) Enter the gross amount paid for salaries to food service workers. Include employee benefits such as health insurance, retirement funds, and matching social security. Only include the employees' time for the preparation/service of meals claimed for reimbursement under Child Nutrition Programs.
 - (d) Enter the cost for nonfood items such as paper goods, supplies, equipment repairs (less than \$5,00 per repair), equipment rental, and extermination spent for Child Nutrition Program meals only.
 - (e) Enter the amount of each piece of equipment with an acquisition cost less than \$5,000 **purchased during the school year.**
 - (f) Enter the depreciated amount of each piece of equipment with an acquisition cost of \$5,000 or more. Prorate the amount for Child Nutrition only.
 - (g) Enter all expenditures that are not an allowable cost for reimbursement purposes (i.e., bank charge of bounced checks, lost commodities, etc.) for Child Nutrition purposes only.
 - (h) Total expenditures.
2.
 - (a) Enter the total value of the purchased food and milk for meals claimed under Child Nutrition on the first day of the school year. This amount will be the same figure as the ending inventory for the previous school year.
 - (b) Enter the dollar amount recorded in 2a above.
 - (c) Add or deduct inventory adjustments. Deduct value of food for Child Nutrition only lost, stolen, or spoiled. Add value of food misplaced and not previously inventoried for Child Nutrition only.
 - (d) Total food and milk available equals sum of (a), (b), and (c).
 - (e) Deduct ending inventory on hand the last day of the school year. This amount will be the beginning inventory for the next school year for Child Nutrition Programs only.
 - (f) Food and milk used equals (d) less (e).
3.
 - (a) Enter the amount of federal reimbursements received from the State Department of Education Child Nutrition Programs.
 - (b) Enter the amount of State Match reimbursement received from the State Department of Education Child Nutrition Programs.
 - (c) Enter the amount of revenue collected from à la carte sales/adult meals.
 - (d) Enter other revenue collected.
 - (e) Enter total revenue received.

CHILD NUTRITION PROGRAMS

National School Lunch Program/School Breakfast Program/ After-School Snack Program Year-End Expenditure/Revenue Report (July 1 - June 30)

Name of SFA/RCCI/Boarding School: _____

County/District Code: _____

1. CHILD NUTRITION EXPENDITURES (EXPENSES)	FOOD SERVICE ACCOUNT
(a) Food and Milk for Students Only	\$ _____
(b) Food and Milk for Institution Employees Only	\$ _____
(c) Direct Labor and Benefits	\$ _____
(d) Other Direct	\$ _____
(e) Expendable Equipment	\$ _____
(f) Nonexpendable Equipment	\$ _____
(g) Nonreimbursable Expenses	\$ _____
(h) TOTAL EXPENDITURES.	\$ _____

2. CHILD NUTRITION INVENTORY OF PURCHASED FOOD AND MILK	FOOD SERVICE ACCOUNT
(a) Beginning Inventory (Last year's ending inventory).	\$ _____
(b) Add Food and Milk Purchased.	\$ _____
(c) Add or Deduct Inventory Adjustments for the Year (Please identify adjustments with a + or -).	\$ _____
(d) Total Food and Milk Available	\$ _____
(e) Deduct Ending Inventory as of the Last Day of the School Year. \$	_____
(f) Food and Milk Used for the Year	\$ _____

3. REVENUE	FOOD SERVICE ACCOUNT
(a) Federal Reimbursement Received	\$ _____
(b) State Match Reimbursement Received	\$ _____
(c) Income From À la Carte/Adult Meals	\$ _____
(d) Other Income	\$ _____
(e) TOTAL REVENUES.	\$ _____

LOAN AGREEMENT FOR FOOD SERVICE DEFICITS

This contract and agreement, made and entered into the _____ day of _____ , _____ , by and between the General Fund, and Child Nutrition Programs (CNP) account, with _____ school district:

The General Fund contracts and agrees to furnish Child Nutrition the cost of an amount not to exceed \$ _____ as a contingent liability subject to repayment as funds become available from Child Nutrition. This loan agreement must ensure that Child Nutrition will use these funds only for the operation and improvement of the nonprofit CNP for children. This loan agreement may include items such as utilities, indirect costs/overhead, and the coverage of end-of-year shortfalls; i.e., salaries, inventory, etc.*

Child Nutrition agrees to the loan and to pay as specified the costs of the same shown on the agreement on or before June 30, _____ .

It is further mutually agreed between the parties hereto, as follows:

1. Any change in services or cost of services shall be made by mutual agreement of each of the parties hereto in writing by attaching a copy of such change or changes to this contract as an addendum thereto.
2. Rights and obligations of the parties hereto shall be governed by the United States Department of Agriculture (USDA) Policy Memo 93-SP-23 and federal and state laws.
3. This contract and all provisions hereto shall be binding upon the successors and assigns of the parties hereto insofar as the parties may bind their successors and assigns under the laws of the state of Oklahoma.

Witnesses

Clerk/Board of Education
(General Fund Manager)

Child Nutrition Authorized Representative

Sworn in on _____ , _____

My commission expires _____ , _____

Notary Public

*If utilities and indirect costs/overhead are to be paid from the CNP account, it must be a part of this contract.

INCOME SOURCES FOR MEALS

AVERAGE INCOME RECEIVED FOR LUNCH/SNACKS (Including Seamless Summer Lunches, Snacks, and Suppers)

Source	Free Student	Reduced-Price Student	Full-Price Student		Adult
			Elementary	Secondary	
Meal Charges		\$	\$	\$	\$
Federal Reimbursement (Total Per Meal)					
State Reimbursement					
TOTAL INCOME	\$	\$	\$	\$	\$

AVERAGE INCOME RECEIVED FOR BREAKFAST (Including Seamless Summer Breakfasts)

Source	Free Student	Reduced-Price Student	Full-Price Student		Adult
			Elementary	Secondary	
Meal Charges		\$	\$	\$	\$
Federal Reimbursement (Total Per Meal)					
State Reimbursement					
TOTAL INCOME	\$	\$	\$	\$	\$

Additional sources of income for all meals include:

- Commodity entitlements (lunch only)
- Local funds; i.e., à la carte

How to Submit an NSLP Claim

Step 1: Select the applicable claim that will be submitted for reimbursement.

Staff Quick-Picks

Jul - 2022	Aug - 2022	Sep - 2022	Oct - 2022	Nov - 2022	Dec - 2022
Jan - 2023	Feb - 2023	Mar - 2023	Apr - 2023	May - 2023	Jun - 2023

Step 2: Click the Select button. After doing this, the district's school sites will appear under the View Claim Summary button.

SFA Parent Claim for Month and Year Requested

Select	Revise	Month	Year	Submit Date	Status	Claim Lock	Revised Claim	Processing Status
		9	2022		Incomplete	Unlocked	Original	Not Started

Select the latest revision to enter a revised claim

Step 3: Select the applicable site that will be submitting a claim for reimbursement.

[View Claim Summary](#)

Site Listing for Current Claim

Select	Name	Status	Claim Lock	Claim Sub Total	Subn
		ES (105)		\$0.00	
		HS (715)		\$0.00	
		MOBILE SITE (M01)		\$0.00	
1					

Step 4: Choose NSLP in the Site Claim Data droplist.

Site Claim Data

SELECT CLAIM TYPE ▾
 SELECT CLAIM TYPE
 NSLP
 FFVP
 SSO

Step 5: The school site's claim will appear. Enter the information required (ex: number of days operated, enrollment, F/R/P numbers, meal counts, etc.). Save and certify the claim. After doing this, a time stamp will appear at the bottom and the save/certify button will be disabled out.

 Save NSLP Site Claim

 Certify NSLP Site Claim

Unsubmit Site Claim

 Save NSLP Site Claim

 Certify NSLP Site Claim

For step-by-step instructions on how to submit a claim, detailed instructions are located in Other Documents under the CNP Documents section.

I. Low-Income Student Count Report (*RCCIs Not Required to Complete*)

1. In a continuing effort to reduce paperwork, the low-income report has been developed for reporting free and reduced-price meal eligibility information that has previously been reported on several different forms.
 - a. **Title I Allocations**—Districts must report by size the number of enrolled students aged 5 through 17 eligible for free or reduced-price meals.
 - b. Public Law 104-193—Provides that SFAs must disclose the names of the elementary sites where 50 percent or more of enrolled students are eligible for free or reduced-price meals.
 - c. Public Law 105-336—Provides that SFAs may claim snacks free for those sites operating an after-school educational or enrichment program in which 50 percent or more of enrolled students are eligible for free or reduced-price meals.
 - d. **E-rate Information**—Provides for Internet discounts from the U.S. Department of Libraries.
2. CNP must process the October claim for reimbursement before it will allow the SFA to submit the Low-Income Report. Example on **page C-38**. The district **MUST** print out the form from the Checklist in CARS, have it signed and dated by the Superintendent, and fax or email to CNP by **December 4, 2025**.
 - a. The report represents the highest number of free and the highest number of reduced-price eligibles of currently enrolled students for the entire month of October (the last number of Column 6 [for free] and the last number of Column 10 [for reduced-price] from each site's Edit Check Worksheet added together). So—even if the district has its October enrollment figures from Accreditation, it **may not** have its **HIGHEST** free and reduced-price eligible figures until the end of October. Every accredited site **MUST** be included. If an SFA has an unaccredited site (i.e., Head Start, alternative site, four-year-old site), those currently enrolled students should be counted at the accredited site where they would attend in the future or the accredited site they should currently be attending. Adult education students, out-of-home placement students, off-site virtual students, or students three years of age (preprimary) and under (unless they are enrolled) are **NOT** included in the number of free and/or reduced-price eligibles reported on the monthly claim for reimbursement or the Low-Income Student Count Report.
 - b. The **TOTAL** free and **TOTAL** reduced-price eligible counts (of current enrolled students) **for your entire SFA** must match the total counts for the free and reduced-price eligibles as reported on the **OCTOBER** CNP claim for reimbursement for your district. All numbers submitted on this report are subject to audit. Be aware that if the Low-Income Student Count Report is revised, the October claim for reimbursement **MUST** also be revised and vice versa.
3. **CNP Reports Time Line:**
 - Step 1: Once the October claim is submit and certify your, the Low-Income report will be unlocked.
 - Step 2: Once the Low-Income is approved by the State Agency, the November claim will be unlocked.
 - Step 3: After the November claim is submitted and certified, the Verification Summary Report will be unlocked.
 - Step 4: Once the Verification Summary Report is approved by the State Agency, the December claim will be unlocked.

EXAMPLE LOW-INCOME STUDENT COUNT REPORT

(NOTE: RCCIs are not required to complete this form.)

County/District Code: _____ District Name: _____

1. Site	2. Grade	3. Total	Free: Reduced:	4. Under 5 Years	5. 5 to 17 Years	6. 18 and Over	Totals	<u>Edit</u>	<u>Delete</u>
Happy ES (105) Y	EC 06	526	Free: Reduced:	48 0	462 0	0 0	510 0	<u>Edit</u>	<u>Delete</u>
Healthy ES (195) Y	EC 06	500	Free: Reduced:	25 0	100 0	0 0	125 0	<u>Edit</u>	<u>Delete</u>
- Select One - v	Low: NA v		Free: Reduced:					<u>Insert</u>	
	High: NA v								

INSTRUCTIONS FOR SUBMISSION:

- Once your October claim is locked, click on the Low-Income Report—On-Site Students Only (enrolled students who have access to a meal) (including on-site virtual students). Once opened, complete the information required for each accredited site under your district by clicking on the drop down box and filling in the numbers that represent your school district. Once the site information is completed, be sure to save.
- Once the report is **SAVED** and the numbers on the report added together match your October claim for reimbursement, you will be able to certify your Low-Income Report.
- Once the report is certified, print out a copy, sign it, and fax to 405-521-2239.

By signing this report, the superintendent is stating that the number of students counted on this report are **ONLY** students who are **CURRENTLY ENROLLED** and have access to a meal at the district during the month of **OCTOBER**. This report **MUST NOT** include any seniors who graduated last May, any students who left the district **PRIOR** to **OCTOBER 1**, or any students who do not have access to a meal service.

Superintendent's Signature _____

Date _____

LOW-INCOME REPORT—ON-SITE STUDENTS

INSTRUCTIONS

- **School Site Information:** Complete the form for each accredited site. When entering the information on the Web site, verify that the site numbers and names are correct. **PLEASE** contact 405-521-3327 if there are any discrepancies. Include the Grade Span that will be the lowest grade to the highest grade for each site. Valid grades are: Early Childhood (EC), kindergarten (KG), and 1 through 12. If OPENING a new site, contact the Accreditation Section at 405-521-3333 before adding the new site to this form.
- **Site Code:** Counts must be reported by accredited site number; i.e., 105, 705. If one cafeteria serves more than one school site, report each school separately—not as one. Every accredited school site must be included. Nonaccredited sites must not be included.
 1. **Site:** Site Name (Site Code)
 2. **Grade (Low to High):** You will enter the lowest grade (Low) and the highest grade (High) that is included at this site).
 3. **Total Enrollment Ages 5-17:** Enrollment of ALL students at this site, ages 5-17 as of October 1.
 4. **Site Enrollment Under 5 Years (Age 4 and Under):** Enter number of enrolled students, 4 years of age and younger, who are eligible for free and reduced-price meals.
 5. **Site Enrollment Ages 5 through 17:** Enter number of enrollment student, 5 to 17 years of age, who are eligible for free and reduced-price meals.
 6. **Site Enrollment Ages 18 and Over:** Enter number of enrollment students, 18 years of age and older, who are eligible for free and reduced-price meals.

STUDENTS ELIGIBLE FOR FREE MEALS

- **Under 5 Years (Age 4 and Under):** Enter the highest number of **CURRENTLY ENROLLED** students, 4 years of age and younger, who are **ELIGIBLE** for **FREE** meals as of October 31st.
- **Age 5 Through 17:** Enter the highest number of **CURRENTLY ENROLLED** students, 5 through 17 years of age, who are **ELIGIBLE** for **FREE** meals as of October 31st.
- **Age 18 and Over:** Enter the highest number of **CURRENTLY ENROLLED** students, 18 years of age and older, who are **ELIGIBLE** for **FREE** meals as of October 31st.
- **Total:** Total number of **CURRENTLY ENROLLED** students **ELIGIBLE** for **FREE** meals. This figure will be calculated by the system.

STUDENTS ELIGIBLE FOR REDUCED-PRICE MEALS

- **Under 5 Years (Age 4 and Under):** Enter the highest number of **CURRENTLY ENROLLED*** students, 4 years of age and younger, who are **ELIGIBLE** for **REDUCED-PRICE** meals as of October 31st.
- **Age 5 Through 17:** Enter the highest number of **CURRENTLY ENROLLED*** students, 5 through 17 years of age, who are **ELIGIBLE** for **REDUCED-PRICE** meals as of October 31st.
- **Age 18 and Over:** Enter the highest number of **CURRENTLY ENROLLED*** students, 18 years of age and older, who are **ELIGIBLE** for **REDUCED-PRICE** meals as of October 31st.
- **Total:** Total number of **CURRENTLY ENROLLED*** students **ELIGIBLE** for **REDUCED-PRICE** meals. This figure will be calculated by the system.

Note: If a student turned 5 in the month of October, count that student in the 5- to 17-year-old group. If a student turned 18 in the month of October, count that student in the 5- to 17-year-old group.

3. Special Instructions for Provision 2, 3, and Community Eligibility Provision (CEP)

Sites that are Provision 2 or 3 or CEP are handled differently than other sites for the Low-Income Student Count Report. In mid-December, the State agency will receive enrollment numbers from the Accountability Division for each site participating in Provision 2, Provision 3, or CEP. Once the enrollment is entered by the State agency, the district will be notified. After this is complete, the district can fill out the Low-Income Report. The new free/reduced-price and paid eligibility figures for the current school year appear for that site. Once the site receives the new free/reduced-price and paid eligibility figures, the site will then take these numbers and determine the number of children 4 years and-under and the number of 18-and-over students by using current year percentages and applying them to current year

Note: Provision schools cannot complete the low-income report until enrollment numbers are received from Accountability Division and updated in CARS by the State agency.

EXAMPLE FOR PROVISION 2 AND PROVISION 3 SITES LOW-INCOME REPORT

Elementary Site:	Current Enrollment—80	High School Site:	Current Enrollment—110
	Free Eligibles—60		Free Eligibles—64
	Reduced-Price Eligibles—10		Reduced-Price Eligibles—12

This data can be found on the claiming system. Click on Provision 2 or Provision 3 link, then click on View Details. Then locate the Current Year Information Provision 2 Schools. You will see Current Site Enrollment and Current Year Eligibles. Use eligibles for the month of October. Provision 3 schools will use Current Site Enrollment as well as the Free Eligibles and Reduced Eligibles. Note: This information will be updated by the State agency mid-December. Once Child Nutrition receives the enrollment information from the Accountability Division.

*Note: The enrollment in #5 will be entered by the State Department.

1. The district will need to know its current 4-year-olds and-under count at the elementary site.

Figure the current percentage of free eligible students from the current elementary enrollment (60 divided by 80 = 75%)

Figure the current percentage of reduced-price eligible students from the current elementary enrollment (10 divided by 80 = 13%)

Apply the 75% to the number of 4-year-olds and-under the site currently has to get the free eligible count for the Under 5 column.

Apply the 13% to the number of 4-year-olds and-under the site currently has to get the reduced-price eligible count for the Under 5 column.

2. Use this same formula for the mid-high/high school site(s) to figure the 18-year-olds and-over free and reduced-price eligibility numbers.
3. Once the free and reduced-price eligible numbers are obtained for the 4-year-olds and-under students at the elementary and the 18-year olds and-over at the mid-high/high school, the remaining students who are free or reduced-price would be reported in the 5- to 17-year-old category. (Total Free Eligibles minus 4-year-olds and-under free OR 18-year-olds and-over free equals 5-to-17-year-old free)

4. To get the 5- to 17-year-old **ENROLLMENT** in Column 3, the district should take the current site enrollment for the elementary and subtract out all of the students who are currently 4-year-olds and-under at the elementary site. If a student turned 5 in the month of October, count that student in the 5- to 17-year-old group. Likewise, the district should take the current site enrollment for the mid-high/high school and subtract out all of the students who are 18-year-olds and-over at the mid-high/high school site. If a student turned 18 in the month of October, count that student in the 5- to 17-year-old group.

COMMUNITY ELIGIBILITY (CEP) LOW-INCOME REPORT

The current data can be found in **CEP Current Year Information** in CARS. This link provides data from the previous April for all sites that are on CEP. To find the **October 1 Site Enrollment** for any particular site, click on **View Details** for that site. You will use the October 1 enrollment when completing Column 3 of the Low-Income Report. You will also see the **Free Percentage** and the **Number of Free Eligibles** for that site. You will need the Free Eligibles for each of your CEP sites to complete the Low-Income Report. For sites that have students who are 4-and-under or 18-and-over, you will also need the Free Percentage. See below for instructions on how to come up with the numbers you will enter for those sites:

1. The district will need to know its current 4-and-under count at the elementary site (or sites). Then, apply the site's Free Percentage to the number of 4-and-under the site currently has to get the free eligible count for the 4-and-under.
2. The mid-high/high school site (or sites) will need a similar count of the 18-and-overs. Again, the site's Free Percentage will be applied to the 18-and-over count to figure the number of 18-and-over free eligibles.
3. Once the free eligible numbers are obtained for the 4-and-under students at the elementary(ies) and the 18-year-olds and over at the mid-high/high school, the remaining students who are free would be reported in the 5- to 17-year-old category. (Total Free Eligibles minus 5-and-under free **OR** 18-and-over free equals 5-to-17-year-old free)
4. To get the 5- to 17-year-old **ENROLLMENT** in Column 3, the district should take the current (October 1) site enrollment for the elementary and subtract out all of the students who are currently 4-and-under at the elementary site. Likewise, the district should take the current (October 1) site enrollment for the mid-high/high school and subtract out all of the students who are 18-and-over at the mid-high/high school site.

Note: If a student turned 5 in the month of October, count that student in the 5- to 17-year-old group. If a student turned 18 in the month of October, count that student in the 5- to 17-year-old group.

J. Student Meal Prices

1. The prices charged by SFAs often require school board approval. Unfortunately, many people do not understand the financial responsibility of SFAs and do not realize that the costs involved are much like those paid by commercial restaurants. Factors to be considered when establishing prices include:
 - a. Actual cost of producing and serving the food
 - b. Present prices charged and rates of reimbursement
 - c. Economic situation at the time
 - d. Reasons for needing to increase prices
 - e. What competitors are charging—commercial and other nearby SFAs
 - f. When the price was last increased
 - g. Whether the price increase can be justified publicly (in media)
 - h. Whether reducing costs has been considered
 - i. Reduction in participation or sales that usually follows price increases
 - j. What the customer considers fair value
2. Paid Lunch Equity Requirement
 - a. Schools are required to charge students for paid meals at a price that is, on average, equal to the difference between free meal reimbursement and paid meal reimbursement rates. This provision is for lunch only.
 - b. Schools that are currently charging less are required to gradually increase their prices over time until they meet the requirements (10¢ per year). Schools may choose to cover the difference in revenue with nonfederal funds instead of raising paid meal prices. SFAs may vary paid lunch prices by school as long as the average revenue requirement is met across the SFA. ***If a school chooses to use Nonfederal funds to recover the cost of Paid meals, it MUST use the formula for Using Nonfederal Fund Sources form to determine how much the district will have to spend in order to pay back CNP. The form is located on the following page.***
 - c. Schools are required to submit their student-paid lunch prices (what they charge their paying students) to the State agency with their Renewal Application
 - d. ***The SFA is required to complete the Paid Lunch Equity Tool unless the district has a zero or positive balance in child nutrition as of June 30, 2024.*** Once completed, this tool will show the SFA how much its student-paid lunch meal price must be increased for the following school year or the amount of funds necessary to subsidize its CNP.
 - e. New SFAs, Nonpricing schools, or Provision schools that are going to start charging students in the district, must charge paying students the required maximum amount (the difference between the free reimbursement rate and the paid reimbursement rate). (Reference USDA Memo SP-39-2011 [Revised])
 - f. Financial support from nonfederal sources must be cash for direct support for paid lunches, including, but not limited to:
 - Any portion of state revenue matching funds that exceeds the minimum requirement established in 7 CFR §210.17 and that is provided for paid lunches.
 - Per-meal nonfederal reimbursement for ***ANY PAID*** meal (breakfast, lunch, etc.).
 - Any funds provided by organizations for ***ANY PAID*** meal.
 - Any proportion attributable to ***PAID MEALS*** from direct payments made from school district funds to support lunch service. (See the formula on the next page.)

Examples of ***UNALLOWABLE*** nonfederal support are:

- Any payments, including additional per-meal reimbursements, provided to the SFA for support of the SBP or other CNP.
- Any payments, including additional per-meal reimbursements, provided specifically to support free and reduced-price meals.
- Any à la carte revenues.

FORMULA FOR USING NONFEDERAL FUND SOURCES FOR PAID MEALS **(Reference USDA Memos SP-39-2011 and SP-34-2013)**

District Name: _____

County/District Code: _____

STEP ONE:	$\div$ <i>Divided by</i>	$=$ <i>Equals</i>	$\times 100$
A Total STUDENT PAID MEALS (Lunches, Breakfasts) Claimed in Previous Year		B Total STUDENT MEALS (Lunches, Breakfasts) Claimed in Previous Year	C % of STUDENT PAID MEALS

STEP TWO:

Total Dollar Amount of Expenditures From Fund 11 Through Fund 60/Program Code 700/Project Reporting Code 000/Function Codes 3120, 3130, 3140, and 3150 = \$ _____

D
Nonfederal Fund Sources From Current Year

STEP THREE:	$\times$ <i>Multiplied by</i>	$=$ <i>Equals</i>	
D Nonfederal Fund Sources (Step Two)		C % of STUDENT PAID MEALS (Step One)	E TOTAL AMOUNT OF NONFEDERAL SOURCE FUNDS FOR PAID STUDENT MEALS

K. Adult Meals, Teachers on Duty, and Pricing (Reference FNS Instruction 782-5 [6/6/98])

1. Any location in the school used only for adult meal preparation and/or meal service where the foods prepared/served are only for adult consumption and **NOT** student consumption is unallowable. Records must reflect that all foods are purchased without the procurement power of the cafeteria. USDA Foods must not be used for these meals. CNP funds may be used to purchase the food; however, the total cost of the meal must be recovered. A separate project reporting code must be used to track expenditures and revenues
2. Revenue from the NSLP and SBP **CANNOT** be used to subsidize adult meals. If adults are charged less than the minimum amount required, the General Fund must cover the difference. SFAs report their adult meal prices during the renewal application process. Contact OCAS for information on correct procedures to do this. Refer to **page C-45** to determine how much of the General Fund must be used to subsidize adult meals if the SFA is not charging what is required. If the LEA is absorbing the cost, food for these adult meals should be coded to Project Reporting Code 000/Function Code 3155.

State agency and federal regulations state that the adult must be charged:

- Adult lunch charge equals the free reimbursement rate for lunch plus the additional incentive payment plus the value of USDA Foods
Note: Adult prices can be found in the application and agreement in CARS. Go into the checklist under SCHEDULE B - MEAL PRICES at the top of the page. (Prices change every July)
- Adult breakfast charge equals free reimbursement rate for regular breakfast.
- Adult snack charge equals free reimbursement rate for snack.
- The size of the adult meal or snack cannot be no larger than the largest portions allotted to students at that site.

3. Adult meals other than CNP employee meals cannot be served free of charge. CNP employees are adults who are directly involved in the operation and administration of the school nutrition programs. Child Nutrition must be stated in the employees contract, and the required professional development hours are to be obtained as required by USDA.

Teachers on Duty: Teachers who are on duty at the school do not qualify for free meals using CNP funds. Teachers are not considered Child Nutrition employees as it is not stated in their teacher's contract they are support staff, and they are not obtaining the required number of Child Nutrition professional development hours. If the district would like teachers to receive a free meal, it can be paid for out of General Fund and needs to be included as a fringe benefit in their contract. It is also required for the Adult Cost vs Charge form be maintained to ensure Child Nutrition is properly subsidized. This form is located on **page C-45**.

If the LEA is absorbing the cost, food for these adult meals should be coded to Project Reporting Code 11 (or 22)/Function Code 3155. General Fund is not required to subsidize the cost of CNP employee meals. This is an allowable use of CNP funds.

4. **Adult salad bars and cafeterias:** The definition of an adult cafeteria is any location in the school used only for adult meal preparation and/or meal service where the foods prepared/served are only for adult consumption and **NOT** student consumption. **An example of this is an adult only salad bar. Feeding only adults should be set up as a catering account.** Records must reflect that all foods are purchased without the procurement power of the cafeteria. USDA Foods must not be used for these meals. CNP funds may be used to purchase the food; however, the total cost of the meal must be recovered. A separate project reporting code must be used to track expenditures and revenues.
5. Meals served to any adults may **NOT** be claimed for reimbursement or counted toward the donated foods (USDA Foods) entitlement. The determination of individuals, positions involved, and the degree to which their services are attributed to the nonprofit food service program operations are left to local officials.
6. The Nonprogram Food Expenditures/Revenues Report will indicate if an SFA is charging enough to cover its cost for adult meals.

L. State Matching Reimbursement

AVERAGE ADULT LUNCH/BREAKFAST COST VERSUS ACTUAL ADULT LUNCH/BREAKFAST CHARGE FORMULA

Lunch: Step 1

$$\begin{array}{l} \$ \underline{\hspace{2cm}} - \$ \underline{\hspace{2cm}} \\ \text{Free Reimbursement Rate} \quad \text{Actual Adult Lunch} \\ \text{for Lunch Plus Additional} \quad \text{Charge} \\ \text{Incentive Payment Plus the} \\ \text{Value of USDA Foods} \\ \\ \$ \underline{\hspace{2cm}} \\ \text{Lunch Difference} \end{array}$$

Step 2 Record the number of adult lunch meals at a charge lower than the free reimbursement rate plus additional incentive payment plus the value of USDA Foods. Multiply by the difference as calculated in Step 1.

Breakfast: Step 1

$$\begin{array}{l} \$ \underline{\hspace{2cm}} - \$ \underline{\hspace{2cm}} \\ \text{Free Reimbursement Rate} \quad \text{Actual Adult Breakfast} \\ \text{for Breakfast} \quad \quad \quad \text{Charge} \\ \\ \$ \underline{\hspace{2cm}} \\ \text{Breakfast Difference} \end{array}$$

Step 2 Record the number of adult breakfast meals at a charge lower than the free reimbursement rate. Multiply by the difference as calculated in Step 1.

LUNCH MEALS MONTH	# OF ADULT MEALS	LUNCH X DIFFERENCE	= \$ VALUE
JULY		\$	\$
AUGUST		\$	\$
SEPTEMBER		\$	\$
OCTOBER		\$	\$
NOVEMBER		\$	\$
DECEMBER		\$	\$
JANUARY		\$	\$
FEBRUARY		\$	\$
MARCH		\$	\$
APRIL		\$	\$
MAY		\$	\$
JUNE		\$	\$
TOTAL LUNCH		\$	\$

BREAKFAST MEALS MONTH	# OF ADULT MEALS	BREAKFAST X DIFFERENCE	= \$ VALUE
JULY		\$	\$
AUGUST		\$	\$
SEPTEMBER		\$	\$
OCTOBER		\$	\$
NOVEMBER		\$	\$
DECEMBER		\$	\$
JANUARY		\$	\$
FEBRUARY		\$	\$
MARCH		\$	\$
APRIL		\$	\$
MAY		\$	\$
JUNE		\$	\$
TOTAL BREAKFAST		\$	\$

Note: The total in the **\$ Value** column of both breakfast and lunch **MUST** be added together. This sum is the amount that will be taken into consideration in the Nonprogram Foods calculation for the SFA's adult meals.

Each school year USDA requires the state of Oklahoma to appropriate revenues to be used for NSLP purposes at the local level. Since some SFAs are operating on a **YEAR-ROUND** basis, state matching reimbursement is calculated on the total lunches served in the previous school year. The state matching reimbursement is paid in two payments per year, processed in January and May.

M. Reduced-Price Meal Charge

The Omnibus Reconciliation Act of 1981 mandated that the **maximum** amount which can be charged for a reduced-price:

- Lunch is 40¢.
- Breakfast is 30¢.
- Snack is 15¢.

While these are the maximum amounts that may be charged, districts may elect to charge less for either lunch, breakfast, or snacks. Districts may also choose to provide meals at no cost to their reduced-price eligible students. The expenditures associated with covering the reduced-price student payments may be funded from the nonprofit school food service account. (Reference USDA Memo SP-17-2014) Reduced-price meals must always be claimed at the reduced-price rate of reimbursement, whether the district charges the maximum amount, lesser amount, or not at all.

N. Nonpricing Programs

Any site participating in the NSLP/SBP/ASSP that does not charge its students for any meals and/or snacks is considered a **nonpricing program**. Any site has the option of not charging its students for meals/snacks served and claimed for reimbursement. Sites may want to use the Income Sources for Meals form on **page C-35** to determine if a nonpricing program is feasible.

Nonpricing sites must make sure that all students are claimed in the correct eligibility category (free, reduced-price, or paid), even though all meals are served free. SFAs implementing nonpricing at all their sites are not required to do the Paid Lunch Equity Tool. Written notice of denial for denied free or reduced-price applications is **NOT** required since all meals are provided at no cost.

****Note: If the district has any sites that are nonpricing, the district MUST pay back the nonprofit school food service account when the overall nonprofit school food service account activity is insufficient to cover Program costs. The District must pay the difference from a non-Federal source.***

O. Concession Stands, Catering, and Banquets (Memo SP 13-2014 and SP 20-2016)

Child Nutrition can enter into an agreement with an outside entity or organization to prepare food for concession stands, catering, and banquets. The SFA should have an agreement in place regarding costs and all other terms and conditions, including a stipulation that all risk relating to revenue losses must be covered by the outside organization and not the school food service. Child nutrition must be paid back in full for all cost incurred from these meals. ***USDA Foods cannot be used for concession, catering, or banquet meals.***

Example: The school food service can have an agreement with a sports team wishing to hold a fundraiser during a sporting event. The sports team would pay the school food service for the full cost of food purchased through an existing food service contract. This includes any labor incurred in ordering the extra food (and any other role the school food service may play, e.g., preparing food). The sports team can then sell the food at the sporting event and keep any revenue from those sales.

P. Equipment Depreciation for Nonexpendable Equipment (See FNS Instruction 796-2 Rev.4)

Q. Contracting Meal Prices

1. An SFA that contracts meals to other institutions must charge, *at a minimum*:
 - Contract lunch charge equals the free reimbursement rate for lunch plus the additional incentive payment plus the value of USDA Foods.
 - Contract breakfast charge equals the free reimbursement rate for regular breakfast.
 - Contract snack charge equals the free reimbursement rate for snack.
 - The size of the adult meal should be no larger than the largest portions allotted to the students.

Note: Contract meal prices can be found in CARS in the application checklist under SCHEDULE B - MEAL PRICES. Contract/Adult Meals pricing at the top of the page.
Prices change every July when the new rates are available

2. A copy of the written contract, *Agreement to Furnish Food*, found in Other Documents under the Procurement section, must be kept on file for review.
3. If an SFA is contracting with an institution for which USDA Foods are allocated, the SFA should **NOT** include the commodity allocation rate in the formula when figuring the minimum amount to charge for contract lunches.

MEAL-COUNTING AND MEAL-CLAIMING PROCEDURES

Federal reimbursement is provided for each meal that meets program requirements and is served to an eligible student. To obtain this reimbursement, site personnel (not students) must accurately count, record, and claim the number of meals actually served to students by category; i.e., full-price, reduced-price, and free. Additionally, the number of meals served free and reduced-price and claimed for reimbursement must have adequate documentation on file to support the claim. (Refer to **page C-50** for the Acceptable Meal-Counting System Checklist.) *No child can be required to take a meal.*

A. Point of Service

1. **Point of service** is defined as that point in the food service operation where a determination can accurately be made that a reimbursable free, reduced-price, or full-price meal has been served to an eligible student. The meal-counting and meal-claiming procedures used by the SFA are a local decision. When establishing and evaluating a system for acceptability, always keep in mind the following requirements. *Attendance records, classroom counts, and/or tray counts cannot be used as an acceptable point of service count. Students cannot be required to take a tray.*
2. The meal-counting system chosen must provide a **point of service** count:
 - Of reimbursable meals served showing only one per eligible student per meal service.
 - By type (free, reduced-price, or full-price).
 - Each day for every meal service.
 - Without overtly identifying students' eligibility categories. Codes used on rosters or other forms of exchange, such as tickets or debit cards, must not overtly identify the eligibility category of the student. Use of the following terms or codes are **NOT** allowed:
 - (1) Free, reduced-price, full-price, or paid
 - (2) F, R, or P
 - (3) One-digit numbers
3. **Unallowable** point of service methods
 - Teacher count before the meal service
 - Attendance records
 - Any list generated from the classroom
 - Tally sheets without a roster
 - Tray Counts
 - Student signing a roster without supervision
 - Using a food item taken by students to determine meal counts

B. Edit Check

1. Before submitting a monthly claim for reimbursement, each SFA shall compare each accredited site's daily count against data that assists in the identification and correction of counts in excess of the number of reimbursable lunches served each day by category (free, reduced-price, and full-price). An Edit Check Worksheet must be completed for each school site eating at a specific cafeteria. Each Edit Check must contain the current year Attendance Factor.

Example: If the district has one cafeteria but three accredited sites, elementary, middle school, and high school. The SFA **MUST** keep a separate Edit Check Worksheet for each sites.

2. Edit Check Worksheet to be completed **DAILY** for BOTH breakfast and lunch for each accredited site.

3. SFAs are allowed to use a locally designed Edit Check Worksheet if it is equal to or better than the worksheet on **page C-53** as to the information obtained.
 4. Obtaining the Attendance Factor
 - a. ADA represents an average of the total number of students in attendance on any particular day in a site.
 - b. ADM represents an average of the total number of students currently enrolled on any particular day in a site. This number fluctuates as students come and go. When a student checks out of a site, the student is immediately dropped from membership. If a student is absent ten consecutive school days, the student is automatically dropped from membership. (Refer to Section 232 of Public School Laws Records of Attendance)
 - c. The district can use the highest Attendance Factor: State or District
 - How to Obtain: **DISTRICT ATTENDANCE FACTOR**
Step 1: Go to: <https://oklahoma.gov/education/services/state-aid/district-funding-and-yearly-detailed-reports/average-daily-membership-adm-and-average-daily-attendance-ada.html>
Step 2: SELECT the last Full Year ADM & ADA ; FIND your District.
Step 3: Take the ADA number and divide it by the ADM number.
 $(ADA \div ADM = \text{The Attendance Factor})$
 - How to Obtain: **STATE ATTENDANCE FACTOR**
Step 1: Go to: https://sdeweb01.sde.ok.gov/OCAS_Reporting/Districts.aspx
Step 2: SELECT your district; CLICK on DISTRICT IMPACT AID LETTER.
Step 3: State Attendance Ratio = The Attendance factor
- C. Annual On-Site Review—Required for lunch and breakfast (SP 56-2016)

Every school year each SFA with more than one school (**eating site**) shall perform no less than one on-site review for each site operating the NSLP and 50 percent of sites operating the SBP. The on-site review shall take place prior to February 1 of each school year. Further, if the review discloses problems with a site's meal-counting or meal-claiming procedures, the SFA shall ensure that the site develops and implements a corrective action plan. Within 45 calendar days of the review, it shall be the SFA's responsibility to conduct a follow-up on-site review to determine that the corrective action plan resolved the problems. Each on-site review shall ensure that the site's claim for reimbursement is based on a *point of service* meal count system and that the meal count system yields the actual number of reimbursable free, reduced-price, and full-price meals served for each day of operation. **Pages C-54-61** have sample forms for on-site reviews. The on-site review should be conducted by someone with knowledge of program regulations. This requirement may be contracted with an outside source. However, this review must not be conducted by the FSMC if the FSMC is in charge of the meal-counting and -claiming system. (Reference 7 CFR §210.8 [a]) and FSMC Guidance for SFAs, page 17)

DO YOU HAVE AN ACCEPTABLE MEAL-COUNTING SYSTEM AT THE POINT OF SERVICE?

☐	Lunch
☐	Breakfast

Answer the following questions about your counting system. If the answer to any of these questions is **YES**, your counting system is **NOT** acceptable and must be revised (unless approved as an alternative system by the State Department of Education [the **State agency**]).

YES	☐	NO	☐	1. Are claims based only on meal counts taken in the morning in the classroom or at any other location before the meal is served?
YES	☐	NO	☐	2. Are claims based on attendance records?
YES	☐	NO	☐	3. Are meal counts based on the number of tickets or tokens sold and distributed or the number of meals paid in advance?
YES	☐	NO	☐	4. Is the number of free and reduced-price meals claimed based on the number of students eligible to receive such meals?
YES	☐	NO	☐	5. Are meal counts by category taken at the beginning of the serving line without checking that the meals served are reimbursable?
YES	☐	NO	☐	6. Are meal counts by category based on visual identification of students with no backup system available for persons not familiar with the students; e.g., checklists?
YES	☐	NO	☐	7. Are meal counts based on tray or plate counts?
YES	☐	NO	☐	8. Are back-out systems used that subtract one number (e.g., number of free and reduced-price meals) from the total count to get another number (e.g., the number of full-price meals)?
YES	☐	NO	☐	9. Are the students who are eligible for meal benefits overtly identified?
YES	☐	NO	☐	10. Is this a system that does NOT yield a reliable, accurate count of meals served by category?

SITE/SCHOOL FOOD AUTHORITY (SFA) EDIT CHECK WORKSHEET

INSTRUCTIONS

All students must be enrolled and have access to meal services in order for the SFA to distribute and approve free and reduced-price applications.

Edit Check Worksheets must be completed by all accredited sites eating at that particular cafeteria. It must be completed separately for both the breakfast and lunch meal services. Indicate which meal service it is for at the top of the page.

1. Site: Record the name of the accredited school site.
2. Month: Record the month and year.
3. Current Year Attendance Factor (AF): Record the AF for the school food authority (SFA).
4. Total Daily Enrollment: This is the sum going across Columns 6, 10, and 14 on any given day. If the SFA needs a total monthly enrollment, use the last day of the month.
5. Day of Month: Locate the day of the month, and begin recording on the corresponding line. The site may wish to highlight any weekends, holidays, or professional days when the site is closed.
6. Highest Enrolled Free Eligibles for Claim: Record the current number of enrolled students eligible for free meal benefits who have meal access on the first serving day of the month. Each day, add any newly enrolled students who are eligible for free meal benefits and who have meal access. Do not deduct any students who withdraw during the month since this column is used to determine the highest number of free eligibles for the overall month. The number of enrolled free eligibles who have meal access on the last day of the month is to be reported on the claim for reimbursement. On-site virtual students who have access to a meal service should be included. If a student is dropped during any month, that student has already been reported as free for the entire month; therefore, he or she must not be counted again if the student reenrolls during the same month.

(Students enrolled in adult education courses, off-site virtual students, or out-of-home placement students are not to be reported on the claim. Adult education classes are those conducted for the following purposes or groups: General Educational Development [GED], Temporary Assistance for Needy Families [TANF], English as a second language [ESL], family literacy, life skills, etc.).

Columns 6, 10, and 14: *Any students who withdrew during this month need to be dropped after the last serving day of this month before starting next month's Site/School Food Authority (SFA) Edit Check Worksheet. This number should reflect the number in Column 7 at the beginning of next month.*

7. Daily Free Eligibles: Record the number of on-site students eligible for free lunches each day. This will include enrolled students as well as students who are not enrolled; i.e., visiting students, preprimary children under the age of four, adult education students, out-of-home placement, and virtual students. Daily, add any new students eligible for free lunches and drop any students as they withdraw during the month. Do not include children who are eligible for free benefits but do not participate in lunch as this is a daily check of lunch eligibles; i.e., Special Milk participants who do not eat lunch, Head Start co-ops who do not eat lunch.
8. Daily Free Eligibles X AF: Multiply the number in Column 7 by the attendance factor recorded on Number 3.
DO NOT ROUND UP.
9. Free Meals Claimed: Record the total number of reimbursable free lunches served/claimed each day to students.
10. Highest Enrolled Reduced-Price Eligibles for Claim: Record the current number of enrolled students eligible for reduced-price meal benefits who have meal access on the first serving day of the month. Each day, add any new enrolled students who are eligible for reduced-price meal benefits and who have meal access. Do not deduct any students who withdraw during the month because this column is used to determine the highest number of reduced-price eligibles for the overall month. The number of enrolled reduced-price eligibles who have meal access on the

SITE/SCHOOL FOOD AUTHORITY (SFA) EDIT CHECK WORKSHEET

INSTRUCTIONS continued

last day of the month is to be reported on the claim for reimbursement. On-site virtual students who have access to a meal service should be included. (Adult education or out-of-home placement students are not included.) If a student is dropped during any month, that student has already been reported as reduced-price for the entire month; therefore, he or she must not be counted again if the student reenrolls during the same month.

NOTE: Any students who withdrew during this month need to be dropped after the last serving day of this month before starting next month's Site/School Food Authority (SFA) Edit Check Worksheet. This number should reflect the number in Column 11 at the beginning of the next month.

11. Daily Reduced-Price Eligibles: Record the number of on-site students eligible for reduced-price lunches each day. This would include enrolled students as well as students who are not enrolled; i.e., visiting students, preprimary children under the age of four, adult education students, out-of-home placement students, and virtual students. Daily, add any new students eligible for reduced-price benefits who do not have access to lunch.
12. Daily Reduced-Price Eligibles X AF: Multiply the number in Column 11 by the attendance factor recorded on Number 3. ***DO NOT ROUND UP.***
13. Reduced-Price Meals Claimed: Record the total number of reimbursable reduced-price lunches served to students and claimed each day.
14. Paid Eligibles: Record the total number of on-site enrolled students who are not approved for free or reduced-price meal benefits and who have meal access. ***Never subtract out of this column until the first day of the following month. NOTE: Any students who withdrew during this month need to be dropped after the last serving day of this month before starting next month's Site/School Food Authority (SFA) Edit Check Worksheet.***
15. Daily Paid Eligibles X AF: Multiply the number in Column 14 by the attendance factor recorded on Number 3.
16. Paid Meals Claimed: Record the total number of reimbursable paid lunches served to students and claimed each day.
17. Total Meals Claimed Daily: Add together the number of lunches served to students and claimed each day. Add the totals going across in Columns 9, 13, and 16.
18. Average Daily Attendance: Each site has one of two options to calculate the average daily attendance: (a) the actual daily attendance may be obtained each day from the school office and used to compare to the total claimed or (b) the average daily attendance may be calculated by multiplying the attendance factor in Number 3 by the sum of Columns 6, 10, and 14.
19. Comments: Record any comments necessary to explain variations in meal service.
20. Monthly Totals: Add the numbers going down in Columns 9, 13, 16, and 17. Record the totals of the free, reduced-price, full-price, and total meals at the bottom of each column.
21. Signature: The person completing the form must sign the form and accept responsibility for the form's accuracy.
22. Date: The person completing the form must record the date.

NOTE: The last box in Columns 6 and 10 will be used to report the highest number of free and reduced-price eligibles who have meal access on the claim for reimbursement each month. The last box in Column 14 will be used to report the number of paid eligibles on the claim for reimbursement each month. SFAs with multiple eating sites will need to consolidate the number of free, reduced-price, and paid eligibles from all eating sites.

EDIT CHECK WORKSHEET

1. Site: _____ 3. Current Year Attendance Factor (AF): _____ ☐ Lunch ☐ Breakfast

2. Month/Year: _____ 4. Total Daily Enrollment is the sum of Columns 6, 10, and 14 on any given day.

5. Day of the Month	6. Highest Enrolled Free Eligibles for Claim (Plus Only)	7. Daily Free Eligibles (Plus and / or Minus)	8. Daily Free Eligibles X AF	9. Free Meals Claimed	10. Highest Enrolled Reduced Eligibles for Claim (Plus Only)	11. Daily Reduced Eligibles (Plus and/ or Minus)	12. Daily Reduced Eligibles X AF	13. Reduced Meals Claimed	14. Paid Eligibles (Plus Only)	15. Daily Paid Eligibles X AF	16. Paid Meals Claimed	17. Total Meals Claimed	18. Average Daily Attendance	19. Comments
1														
2														
3														
4														
5														
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25														
26														
27														
28														
29														
30														
31														
20. Monthly Totals:														

21. Signature: _____ 22. Date: _____

Reminder: If the school is using a computerized roster, including the add/drop list, it must be printed at the end of every month. The numbers should match the last numbers in Column 6 and 10.

SCHOOL FOOD AUTHORITY (SFA) *LUNCH* ON-SITE REVIEW CHECKLIST

According to 7 CFR 210.8(a)(1) and 7 CFR 220.11(d)(1), every school year prior to February 1, each SFA with more than one school (as defined by 7 CFR Part 210.2 to include residential child care institutions [RCCIs]) must perform no less than one on-site review of the meal-counting and -claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating the NSLP and 50 percent of schools operating the SBP under its jurisdiction,

Each on-site review must ensure the school's claim is based on the counting and claiming system, as implemented, and yields the actual number of reimbursable free, reduced-price, and paid meals, respectively, served for each day of operation.

If the review discloses problems with a school's meal-counting and -claiming procedures or general review areas, the SFA must ensure that the school implements corrective action and, within 45 days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problems.

The completed review must be maintained at the SFA level.

School Name: _____ **Review Date:** _____

SFA Reviewer: _____

The following questions are recommended, at a minimum, to complete the on-site review requirement:

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM	
		1. Is the method used for counting reimbursable meals in compliance with the approved point of service requirement? (Meal counts must be taken at the location[s] where complete meals are served to children.)	
		2. Is the point of service meal count used to determine the school's claim for reimbursement?	
		3. Is the person responsible for monitoring meals correctly identifying reimbursable meals?	
		4. Is the school correctly implementing policies for handling the following (as applicable):	
YES	NO	N/A	
			Incomplete meals?
			Second meals?
			Lost, stolen, misused, forgotten, or destroyed tickets, tokens, IDs, etc?
			Visiting student meals?
			Adult and nonstudent meals (and identifying program vs nonprogram)?
			À la carte?
			Student worker meals?
			Field trips?
			Charged and/or prepaid meals?
			Offer versus Serve
			Unpaid meal charges?
		5. Is there a method of identifying nonreimbursable meals (i.e., not meeting meal pattern requirements, seconds, adult meals) and distinguishing them from reimbursable meals?	

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM CONTINUED								
		6. Is someone trained as backup for the monitor and the meal counter?								
		7. Are there procedures for meal counting and claiming when the primary counting and claiming system is not available? Do staff know when and how to implement them?								
		8. Are daily counts correctly totaled and recorded?								
		9. If claims are aggregated, are the meal counts correctly totaled and consolidated?								
		NOTE: The following two questions are for all SFAs EXCEPT for SFAs on Provision 2 or 3 in nonbase years, CEP, or RCCIs with only residential children. 10. Are internal controls (edits, monitoring, etc.) established to ensure that daily counts do not exceed the number of students eligible or in attendance and that an accurate claim is made? <i>Record today's meal counts by category, and compare to the total number of students eligible by category.</i> <table border="1"> <thead> <tr> <th>Number of Students Approved by Category</th> <th>Today's Meal Counts by Category</th> </tr> </thead> <tbody> <tr> <td>Free:</td> <td>Free:</td> </tr> <tr> <td>Reduced-Price:</td> <td>Reduced-Price:</td> </tr> <tr> <td>Paid:</td> <td>Paid:</td> </tr> </tbody> </table>	Number of Students Approved by Category	Today's Meal Counts by Category	Free:	Free:	Reduced-Price:	Reduced-Price:	Paid:	Paid:
Number of Students Approved by Category	Today's Meal Counts by Category									
Free:	Free:									
Reduced-Price:	Reduced-Price:									
Paid:	Paid:									
		11. Does the system prevent overt identification of children receiving free or reduced-price meals?								
YES	NO									
		12. Is a current eligibility list kept up-to-date and used by the meal-counting system to provide an accurate daily count of reimbursable meals by category (free, reduced-price, paid)?								
		13. If applicable according to 7 CFR 210.8(a)(3), are edit checks completed and documented which compare the daily counts of free, reduced-price, and paid meals against the product of the number of children currently eligible for free, reduced-price, and paid meals, respectively, times an attendance factor (and any discrepancies accounted for)?								

NSLP CORRECTIVE ACTION PLAN (for any *NO* answers):

SPECIFY DATE NSLP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

YES	NO	READILY OBSERVABLE GENERAL AREAS	
		14. Were any issues readily observed in relation to resource management?	
YES	NO	N/A	
			Maintenance of the Nonprofit School Food Service Account? (7 CFR 210.2, 210.14, 210.19[a], 210.21)
			Paid Lunch Equity? (7 CFR 210.14[e])
			Revenue from Nonprogram Foods? (7 CFR 210.14[f])
			Indirect Costs? (2 CFR Part 200 and 7 CFR 210.14[g])
		15. Were any issues readily observed in other general areas?	
YES	NO	N/A	
			Free and Reduced-Price Process—including verification, notification, and other procedures (7 CFR Part 245)
			Civil Rights (7 CFR 210.23[b])
			Reporting and Record Keeping (7 CFR Parts 210, 220, and 245)
			Food Safety (7 CFR 210.13)
			Competitive Food Service (7 CFR 210.11 and 220.12)
			Water (7 CFR 210.10[a][1][i] and 220.8[a][1])
			Professional Standards (7 CFR 210.30)
			SBP and SFSP Outreach (7 CFR 210.12[d])
			Local School Wellness Policies (7 CFR 210.30)
			Other

NSLP CORRECTIVE ACTION PLAN (for any *YES* answers above):

SPECIFY DATE NSLP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

SIGNATURE:

School Representative

Title

Date

SFA Reviewer

Title

Date

NSLP FOLLOW-UP VISIT (must be conducted within 45 days if corrective action was required):

Date(s) of Follow-Up: _____

Observations of corrective action implementation:

SIGNATURE:

School Representative

Title

Date

SFA Reviewer

Title

Date

SCHOOL FOOD AUTHORITY (SFA) *BREAKFAST* ON-SITE REVIEW CHECKLIST

According to 7 CFR 210.8(a)(1) and 7 CFR 220.11(d)(1), every school year prior to February 1, each SFA with more than one school (as defined by 7 CFR Part 210.2 to include residential child care institutions [RCCIs]) must perform no less than one on-site review of the meal-counting and -claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating the NSLP and 50 percent of schools operating the SBP under its jurisdiction, **with every school within the SFA’s jurisdiction being reviewed at least once every other year.**

Each on-site review must ensure the school’s claim is based on the counting and claiming system, as implemented, and yields the actual number of reimbursable free, reduced-price, and paid meals, respectively, served for each day of operation.

If the review discloses problems with a school’s meal-counting and -claiming procedures or general review areas, the SFA must ensure that the school implements corrective action and, within 45 days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problems.

The completed review must be maintained at the SFA level.

School Name: _____ **Review Date:** _____

SFA Reviewer: _____

The following questions are recommended, at a minimum, to complete the on-site review requirement:

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM	
		1. Is the method used for counting reimbursable meals in compliance with the approved point of service requirement? (Meal counts must be taken at the location[s] where complete meals are served to children.)	
		2. Is the point of service meal count used to determine the school’s claim for reimbursement?	
		3. Is the person responsible for monitoring meals correctly identifying reimbursable meals?	
		4. Is the school correctly implementing policies for handling the following (as applicable):	
YES	NO	N/A	
			Incomplete meals?
			Second meals?
			Lost, stolen, misused, forgotten, or destroyed tickets, tokens, IDs, etc?
			Visiting student meals?
			Adult and nonstudent meals (and identifying program vs nonprogram)?
			À la carte?
			Student worker meals?
			Field trips?
			Charged and/or prepaid meals?
			Offer versus Serve
			Unpaid meal charges?
		5. Is there a method of identifying nonreimbursable meals (i.e., not meeting meal pattern requirements, seconds, adult meals) and distinguishing them from reimbursable meals?	

YES	NO	MEAL-COUNTING AND -CLAIMING SYSTEM CONTINUED								
		6. Is someone trained as backup for the monitor and the meal counter?								
		7. Are there procedures for meal counting and claiming when the primary counting and claiming system is not available? Do staff know when and how to implement them?								
		8. Are daily counts correctly totaled and recorded?								
		9. If claims are aggregated, are the meal counts correctly totaled and consolidated?								
		NOTE: The following two questions are for all SFAs EXCEPT for SFAs on Provision 2 or 3 in nonbase years, CEP, or RCCIs with only residential children. 10. Are internal controls (edits, monitoring, etc.) established to ensure that daily counts do not exceed the number of students eligible or in attendance and that an accurate claim is made? <i>Record today's meal counts by category, and compare to the total number of students eligible by category.</i> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Number of Students Approved by Category</td> <td style="width: 50%;">Today's Meal Counts by Category</td> </tr> <tr> <td>Free:</td> <td>Free:</td> </tr> <tr> <td>Reduced-Price:</td> <td>Reduced-Price:</td> </tr> <tr> <td>Paid:</td> <td>Paid:</td> </tr> </table>	Number of Students Approved by Category	Today's Meal Counts by Category	Free:	Free:	Reduced-Price:	Reduced-Price:	Paid:	Paid:
Number of Students Approved by Category	Today's Meal Counts by Category									
Free:	Free:									
Reduced-Price:	Reduced-Price:									
Paid:	Paid:									
		11. Does the system prevent overt identification of children receiving free or reduced-price meals?								
YES	NO									
		12. Is a current eligibility list kept up-to-date and used by the meal-counting system to provide an accurate daily count of reimbursable meals by category (free, reduced-price, paid)?								
		13. If applicable according to 7 CFR 210.8(a)(3), are edit checks completed and documented which compare the daily counts of free, reduced-price, and paid meals against the product of the number of children currently eligible for free, reduced-price, and paid meals, respectively, times an attendance factor (and any discrepancies accounted for)?								

SBP CORRECTIVE ACTION PLAN (for any NO answers):

SPECIFY DATE SBP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

YES	NO	READILY OBSERVABLE GENERAL AREAS		
		14. Were any issues readily observed in relation to resource management?		
		YES	NO	N/A
				Maintenance of the Nonprofit School Food Service Account? (7 CFR 210.2, 210.14, 210.19[a], 210.21)
				Paid Lunch Equity? (7 CFR 210.14[e])
				Revenue from Nonprogram Foods? (7 CFR 210.14[f])
				Indirect Costs? (2 CFR Part 200 and 7 CFR 210.14[g])
		15. Were any issues readily observed in other general areas?		
YES	NO	N/A		
			Free and Reduced-Price Process—including verification, notification, and other procedures (7 CFR Part 245)	
			Civil Rights (7 CFR 210.23[b])	
			Reporting and Record Keeping (7 CFR Parts 210, 220, and 245)	
			Food Safety (7 CFR 210.13)	
			Competitive Food Service (7 CFR 210.11 and 220.12)	
			Water (7 CFR 210.10[a][1][i] and 220.8[a][1])	
			Professional Standards (7 CFR 210.30)	
			SBP and SFSP Outreach (7 CFR 210.12[d])	
			Local School Wellness Policies (7 CFR 210.30)	
			Other	

SBP CORRECTIVE ACTION PLAN (for any *YES* answers above):

SPECIFY DATE SBP CORRECTIVE ACTION(S) WILL BE IMPLEMENTED: _____

BY WHOM: _____

SIGNATURE:

School Representative

Title

Date

SFA Reviewer

Title

Date

SBP FOLLOW-UP VISIT (must be conducted within 45 days if corrective action was required):

Date(s) of Follow-Up: _____

Observations of corrective action implementation:

SIGNATURE:

School Representative

Title

Date

SFA Reviewer

Title

Date

B. Alternate Methods of Meal Counting and Meal Claiming: **PROVISION**

(Reference the Provision 2 USDA Guidance Manual and the CEP USDA Guidance Manual

1. Provision 1, 2, 3, and Community Eligibility (CEP)

- SFAs **MAY** implement provision to reduce their paperwork burden. SFAs interested in implementing any one of the provisions must contact the State agency.
- Contact Alicia Young at Alicia.Young@sde.ok.gov to apply for Provision 1, 2, 3, or CEP.
- Since applications are not obtained by districts participating in provision after the base year, SFAs use base year percentages of children eligible for free or reduced-priced benefits applied to the total enrollment to determine how many students would qualify for free and reduced -priced meals. The percentages established in the base year would be brought forward each year and applied to the current school year's enrollment figures. These figures are calculated by the State agency once October enrollment data is collected.
- All children **EAT** for **FREE** but are claimed by **FREE, REDUCED, and PAID** rates even in **BASE** years.
- Direct Certification must be pulled at least **ONE** time per year.
- Verification report must be completed even in the years verification is not done at the district.
- SFA must pay the difference between Federal reimbursement and the cost of providing meals at no charge with non-federal funds if the operational costs are not covered by CNP Funds.
- Schools on provision will use the Economically Disadvantage form to determine State Aid, Title I, and Other Funding Formulas. ***Child Nutrition employees cannot send out or approve economically disadvantage forms as it is not a Child Nutrition form.***

The economically advantage form is located on the State Aid website: <https://oklahoma.gov/education/services/state-aid/economically-disadvantaged.html>

a. **Definitions**

Base year is the initial year when schools establish meal counts and eligibility determinations for free, reduced-price, and paid meals.. This is the year direct certification was used to determine CEP percentages, and the year applications and direct certification was used to determine percentages for Provision 2 or 3.

Nonbase year any year after the initial “base year” (year 1) when the school continues to offer meals to all children at no charge, without conducting application or direct certification processes.

b. Provision 1

- (a) SFAs of a site having at least 80 percent of its enrolled children determined eligible for free or reduced- price meals may, at its option, authorize the site to reduce annual certification and public notification for those children eligible for free meals to once every two consecutive school years.

(b) The following requirements apply:

- Site operating under Provision 1 must publicly notify parents of enrolled children who are receiving free meals once every two consecutive school years and shall publicly notify parents of all other enrolled children on an annual basis.
- The 80 percent enrollment eligibility for Provision 1 shall be based on the site's March enrollment data of the previous school year
- SFAs of a site operating under Provision 1 shall count the number of free, reduced-price, and full-price meals served to children in that site as the basis for monthly reimbursement claims.
- Before submitting a monthly claim for reimbursement, each SFA shall compare each site's daily count against data that assists in the identification and correction of counts in excess of the number of reimbursable lunches and breakfasts served each day by category (free, reduced-price, and full-price).

1. How to Apply for Provision 1:

SFAs **MUST** complete an application for **each site** wanting to participate in Provision. Contact the State agency to receive a copy of the application. Applications must be received by the State agency prior to August 1 of the base year.

b. PROVISION 2

1. How Provision 2 Works

(a) SFAs may certify students for free or reduced-price meals for up to four consecutive school years if a site serves meals at no charge to all enrolled children in that site provided that public notification was done and eligibility determinations were made correctly in the base year. Sites must offer reimbursable meals to all students at no charge during the Provision 2 base year. The Provision 2 base year is the first year and is included in the four-year cycle.

(b) The following requirements apply

- **Free meals:** Participating sites shall serve reimbursable meals, as determined by a **point of service** count, to all participating children at no charge during all four years of the cycle (base year included). Application approval, benefit issuance, and verification take place in the base year only.
- **Cost differential:** The SFA of a site participating in Provision 2 shall pay, with funds from nonfederal sources, the difference between the cost of serving the meals at no charge to all participating students and federal reimbursement.
- **Meal counts:** During the base year, even though meals are served to participating students at no charge, sites must take daily meal counts of reimbursable meals by type (free, reduced-price, and full-price) at the point of service. During the nonbase years, participating sites must take total daily meal counts (not by type) of reimbursable meals at the point of service. For the purpose of calculating reimbursement claims in the nonbase years, monthly percentages shall be established.

2. Calculating Claiming Percentages for Provision 2

(a) Monthly meal counts of meals served by type (free, reduced-price, and full-price) during the base year must be converted to monthly percentages for each meal type.

These percentages must be derived by dividing the monthly total number of meals served of one meal type (such as free) by the total number of meals served in the same month for all meal types (free, reduced-price, and full-price). The percentages for the reduced-price and full-price meal types are calculated in the same way.

- (b) The percentages calculated at the end of each month of the first school year (base year) shall be multiplied by the corresponding monthly meal count totals for all reimbursable meals served in the second, third, and fourth consecutive school years, and applicable extensions, in order to calculate reimbursement claims for free, reduced-price, and full-price meals each month. ***Provision 2 monthly percentage are not typically not the same each month.***

3. How to Apply for Provision 2

SFAs ***MUST*** complete an application for ***each site planning to participate in Provision 2 and must the application the State agency prior to August 1 of the base year.*** The district will contact the State agency to obtain a copy of the application or locate it in Other Documents under the CEP and Provision section.

4. Record-Keeping Requirements for Provision 2

- (a) Provision 2 sites are not required to take categorical counts, but meal counts at the point of service is required. Schools must ensure a child only receives one reimbursable meal. The district should either take meal counts by marking off a roster once a child receives a reimbursable meal or use a computer software system.
- (b) An edit check to document total meal counts is required. Refer to **page C-78** for a copy of a modified Edit Check Worksheet for both breakfast and lunch.
- (c) Sites implementing Provision 2 must retain base year records for as long as the entity is operating the provision. Failure to maintain sufficient records will result in the State agency requiring the site to return to standard meal-counting and meal-claiming procedures. Fiscal action may be assessed for the entire year in which records are not found.
- (d) ***Base year records*** must be retained during the entire period the provision is in effect, including all extensions, and three fiscal years after the submission of the last claim for reimbursement. If audit findings have not been resolved, base year records must be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.
- (e) ***Nonbase year records:*** SFAs must ensure nonbase year records pertaining to total daily meal count information, edit checks, and on-site review documentation are retained for sites under Provision 2. Such records must be retained for three years after submission of the final claim for reimbursement for the fiscal year. SFAs that are granted an extension of a provision shall retain records of the available and approved socioeconomic data that is used to determine the income level of the site's population for the base year and years in which extensions are made. Such records shall be retained at the SFA level during the period the provision is in effect, including all extensions, and three fiscal years after the submission of the last claim for reimbursement which employed base year data. If audit findings have not been resolved, records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.

- (f) Upon request, the SFA must make documentation that supports participation in the provision available at any reasonable time for monitoring and audit purposes.

5. Continuing Provision 2: Getting Ready for the Next Fiscal Year

To continue Provision 2 with the established percentages for the following year, the following will need to be completed.

(a) In the month of **MAY**

- (1) Go to the current year CARS checklist, select the PROVISION 2 APPLICATION.
- (2) The list of schools participating in Provision 2 will show. Next, click VIEW DETAILS on a site.
- (3) Review the BASE YEAR, TOTAL NUMBER OF OPERATING DAYS, and the SITE ENROLLMENT listed at the top of the application.
- (4) Review the lunch meals counts, breakfast meal counts, and eligibles numbers per month, based on your site's base year.
- (5) Skip the Current Year Information section and Current Year Eligibles section. This information will be updated around mid-December once the October 1 enrollment numbers are released from Accountability.
- (6) If steps (2), (3), and (4) listed above are correct, CERTIFY the application at the bottom of the page. If they are *NOT CORRECT*, contact Alicia.Young@sde.ok.gov.

(b) After the Renewal Application has Been Approved

- (1) The State agency will approve and gold lock the site's Provision 2 application around mid-December once the October 1 enrollment numbers are released from Accountability.
- (2) Repeat steps (1) through (6) as stated above in (a) for each site participating in Provision 2.

6. While Participating in Provision 2

- (a) **Applications *CANNOT* be collected or approved for meal benefits. However, the district must have a system in place to ensure a child only receives one reimbursable meal.** It is highly recommended to continue to use your computer software system.
- (b) Point of service meal counts are still required.
- (c) Continue to collect SNAP, Temporary Assistance to Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), direct certification - Medicaid (DC-M) list or information from households during the nonbase years for ***non-NSLP*** or ***non-SBP*** purposes, the applications may not be labeled as meal applications or give any indication that meal benefits are contingent upon a household returning the application.
- (d) Information about household income or information about participation in other assistance programs is not a requirement for NSLP or SBP purposes during nonbase years. Funds in the nonprofit school food service account (SFSA) may not be used to pay the costs associated with collecting and processing such information.

- (e) An SFA operating under Provision 2 must continue to conduct Direct Certification at least one time annually during the nonbase years. **An SFA operating under Provision 2 that collects and processes meal applications from households during ANY nonbase year MUST use the new applications during that school year.** If new applications are obtained, this becomes a new base year and new claiming percentages are established for the new cycle.

7. Extension to Provision 2

- (a) At the end of the initial cycle and each subsequent four-year cycle, the State agency will allow a site to continue under Provision 2 for another four years using the claiming percentages calculated in the t base year. If the SFA can certify that base year records are still available and can establish, through available and approved socioeconomic data, that the income level of the site's population, as adjusted for inflation, has remained stable, declined, or has had only negligible improvement (5 percent or less) since the base year.
- (b) Approved sources of socioeconomic data that may be used by SFAs to establish the income level of the site's population are:
- Local data developed or collected by city or county zoning and economic planning offices.
 - Unemployment data for the areas from which the site draws attendance, measuring the stability of the income level of the site's population.
 - Direct Certification: Show the percentage of enrolled students directly certified in the base year, and compare it to the percentage of enrolled students directly certified in the last year of the current Provision 2 cycle.
 - An SFA may collect free and reduced-price meal applications to develop socioeconomic data.
 - Note this is a data collection process to establish the socioeconomic level of the site's population and does not require meal counts.
 - The collection of free and reduced-price meal applications for extension purposes must be limited to the final school year in the Provision 2 cycle.
- (c) The SFA will be notified by the State agency when a site is in the last year of participation under Provision 2. This notification will be sent to the SFA in February of the fourth year. Documentation from the SFA to support extending participation must be received by the State agency no later than August 1 of that same year.
- Provision 2 approval cannot be made for any site that does not submit the required data by the August 1 deadline.**
- (d) The State agency will not approve an extension for Provision 2 for sites in which the socioeconomic data does not reflect the site's population; is not equivalent data for the base year and the last year of the current cycle; or shows over 5 percent improvement, after adjusting for inflation, in the income level of the site's population.
- (e) Sites ***Not Approved*** for a Provision 2 extension must:
- Return to standard meal-counting and meal-claiming procedures; or
 - Establish a new base year by taking new free and reduced-price applications, making new free and reduced-price eligibility determinations, and taking ***point of service*** counts of free, reduced-price, and full-price meals for the first year of the new cycle.

c. PROVISION 3

1. How Provision 3 works:

- (a) An SFA of a site on Provision 3 serves all enrolled students in that site reimbursable meals at no charge during any period for up to four consecutive school years may elect to receive federal cash reimbursement and commodity assistance for the same level as the total federal cash and commodity assistance received by the site during the last year that eligibility determinations for free and reduced-price meals are made and meals were counted by type—free, reduced-price, and full-price—at the point of service.
- (b) The following requirements apply:
 - Sites must offer reimbursable meals to all students during the Provision 3 base year. Application, benefit issuance, and verification take place in the base year only.
 - **Free meals:** Participating sites shall serve reimbursable meals as determined by a *point of service* count to all participating children at no charge during nonbase years of operation.
 - **Cost differential:** The SFA of a site participating in Provision 3 shall pay, with funds from nonfederal sources, the difference between the cost of serving the meals at no charge to all participating students and federal reimbursement.
 - **Meal counts:** Participating sites shall take daily meal counts of reimbursable meals served to participating students at the point of service during the nonbase years. Such meal counts shall be retained at the local level. In addition, SFAs must establish a system of oversight using the daily meal counts to ensure that participation has not declined significantly from the base year. If participation declines significantly, the SFA shall provide the site with technical assistance, adjust the level of financial assistance received through the State agency, or return the site to standard application and meal-counting procedures, as appropriate. Approved applications to conduct meal counting and meal claiming by type at the point of service.
- (c) Reimbursable meals may be offered to all students at no charge, or students eligible for reduced-price or full-price meal benefits, and may charge for meals during the Provision 3 base year. The Provision 3 base year immediately precedes, and is NOT included in, the four-year cycle.

2. How to Apply for Provision 3

SFAs ***MUST*** complete an application for *each site planning to participate, and it must be sent to the State agency prior to August 1 of the base year*. The district will contact the State agency to obtain a copy of the application or locate it in Other Documents under the CEP and Provision section.

3. Record-Keeping Requirements for Provision 3

- (a) Provision 3 sites are not required to take categorical counts, but meal counts at the point of service is required. Schools must ensure a child only receives one reimbursable meal. The district should either take meal counts by marking off a roster once a child receives a reimbursable meal or use a computer software system.

- (b) An edit check to document total meal counts is required. Refer to **page C-78** for a copy of a modified Edit Check Worksheet for both breakfast and lunch
- (c) Records must be retained at the SFA during the entire period the provision is in effect, including all extensions, and three fiscal years after the submission of the last claim for reimbursement which employed base-year data. If audit findings have not been resolved, records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.
- (d) Upon request, the SFA must make documentation which supports participation in the provision available at any reasonable time for monitoring and audit purposes.

4. Continuing Provision 3: Getting Ready for the Next Fiscal Year

Complete the following to continue Provision 3 with existing base year information for the current year application in July.

(a) In the month of **MAY**

- (1) Go to the current year CARS checklist, select the PROVISION 3 APPLICATION.
- (2) The list of schools participating in Provision 2 will show. Next, click VIEW DETAILS on a site.
- (3) Review the Base Year, Highest Free and Reduced Eligibles in October of the base year, The Total Number of Operating Days, and Site Enrollment listed at the top of the application.
- (4) Review the lunch meals counts and breakfast meal counts by eligibles for the total year based on your site's base year.
- (5) Skip the Current Year Information section. This information will be updated in mid-December once the October 1 enrollment numbers are released from Accountability.
- (6) If steps (2), (3), and (4) listed above are correct, CERTIFY the application at the bottom of the page. If they are *NOT CORRECT*, contact Alicia.Young@sde.ok.gov.

(b) After the Renewal Application has Been Approved

- (1) The State agency will approve and gold lock the site's Provision 3 application in mid-December once the October 1 enrollment numbers are released from Accountability.
- (2) Repeat steps (1) thru (6) listed above in (a) for each site participating in Provision 3.

5. While Participating in Provision 3

- (a) **Applications *CANNOT* be collected or approved for meal benefits. However, the district must have a system in place to ensure a child only receives one reimbursable meal.** It is highly recommended to continue to use your computer software system.

- (b) Meal counts by category (F/R/P) are taken in the base year and submitted to the SA electronically. Once the current school year enrollment is known, the current enrollment is compared to the base year enrollment. Whatever percentage the enrollment increased or decreased from the base year to the current year is applied to the total meal counts by category collected in the base year. Once a total meal count for each category is determined for the current year, a daily meal count is determined by dividing the number of operating days into the number of meals by category. Refer to **page C-78** for a copy of the Edit Check Worksheet for both breakfast and lunch.
- (c) Point of service meal counts are still required.
- (d) Any adjustments must be made for increases and decreases in enrollment of children with access to the programs. The annual adjustment of enrollment must be based on the site's base year enrollment as of October 1 compared to the site's current year enrollment as of October 1.
- (e) If the number of operating days in the current school year differs from the number of operating days in the base year, and the difference affects the number of meals, a prorated adjustment shall also be made to the base year level of assistance as adjusted by enrollment and inflation. These adjustment must occur by multiplying the average daily meal count by type (free, reduced-price, or full-price) by the difference in the number of operating days between the base year and the current year and subtracting that number from the meals claimed
- (f) Cash reimbursement and commodity assistance must be adjusted for each of the four consecutive school years based on a comparison of the site's enrollment in the base year and the site's enrollment in each consecutive year. The term **base year** means the last year for which eligibility determinations were made and meal counts by type were taken.
- (g) If an SFA operating under Provision 3 continues to collect income or SNAP/TANF/ FDPIR information from households during the nonbase years for **non-NSLP** or **non-SBP** purposes, the applications may not be labeled as meal applications or give any indication that meal benefits are contingent upon a household returning the application. Since information about household income or information is not a requirement for NSLP or SBP purposes during the nonbase years, funds in the nonprofit SFSA may not be used to pay the costs associated with collecting and processing such information.
- (h) An SFA operating under Provision 3 must continue to conduct Direct Certification at least one time annually during the nonbase years.

6. Extension of Provision 3:

- (a) At the end of the initial cycle and each subsequent four-year cycle, the State agency will allow a site to continue under Provision 3 for another four years using the information from the most recent base year if the SFA can certify that base year records are still available and establish, through available and approved socioeconomic data, that the income level of the site's population, as adjusted for inflation, has remained stable, declined, or has had only negligible improvement (5 percent or less) since the base year.

- (b) Approved sources of socioeconomic data that may be used by SFAs to establish the income level of the site's population are:
- Local data developed or collected by city or county zoning and economic planning offices.
 - Unemployment data for the areas from which the site draws attendance, measuring the stability of the income level of the site's population.
 - Direct Certification: Show the percentage of enrolled students directly certified in the base year, and compare it to the percentage of enrolled students directly certified in the last year of the current Provision 3 cycle.
 - SFAs may collect free and reduced-price applications to develop socioeconomic data of the site's population. Please note that this is a data collection process to establish the socioeconomic level of the site's population and does not require meal counts. The collection of free and reduced-price applications must be limited to the final school year in the Provision 3 cycle.
- (c) An SFA operating under Provision 3 may collect applications for meal benefits during nonbase years for the purpose of requesting an extension of the provision.
- (d) An SFA that collects and processes meal applications from households during *ANY* nonbase year *MUST* use the approved applications to conduct meal counting and meal claiming by type at the point of service during that school year. Essentially, this becomes a new base year and new claiming percentages are established for the new cycle.
- (e) The SFA will be notified by the State agency when a site is in the last year of participation under Provision 3. This notification shall be sent to the SFA in February of the last year of participation. Documentation from the SFA to support extending participation must be received by the State agency no later than August 1 of that same year.
- (f) The State agency will not approve an extension of Provision 3 procedures in those sites for which the available and approved socioeconomic data does not reflect the site's population; is not equivalent data for the base year and the last year of the current cycle; or shows over 5 percent improvement, after adjusting for inflation, in the income level of the site's population. Approval cannot be made for any site that does not submit the required data by the August 1 deadline.
- (g) Sites *not approved* for an extension shall:
- Return to standard meal-counting and meal-claiming procedures.
 - Establish a new base year by taking new free and reduced-price applications, making new free or reduced-price eligibility determinations, and taking point-of-service counts of free, reduced-price, and full-price meals for the first year of the new cycle.
- NOTE: All meals in the base year under Provision 3 are not required to be served free of charge to all participating students.***

d. Community Eligibility Provision (CEP)

1. How it works:

- (a) SFAs are reimbursed for the total number of meals served from the percentage of Free students who are directly certified and enrolled at the district in the month of April.
- (b) Any sites, group of sites, or entire SFA participating must offer both breakfast and lunch, and all meals are served free of charge to all students.
- (c) Nonfederal source funds may be necessary to cover operating costs when the level of Federal reimbursement received under CEP does not cover the costs of serving free meals to all students. (See SP-08 2024 CEP)

2. Calculating Claiming Percentages for CEP

- (a) For each site, groups of sites, or entire SFAs participating, the total number of reimbursable meals served by type at breakfast and lunch, will be divided by the percentage of directly certified students and then multiplied by 100. This will give the percentage of the ISP. **The ISP percentage will be multiplied by the 1.6 factor.** the ISP multiplied by the 1.6 factor will show the percentage of meals that will be paid at the free reimbursement rate. **The remaining meals will be paid at the paid reimbursement rate.**

—Enrollment includes only students who have access to a meal service.

—Identified directly certified student is any student who qualifies for free meal benefits without an application or documentation from a parent.

Use the **CEP Estimator** on **page C-76** or the excel form in Other Documents under the CEP and Provision section for formula assistance. Schools can determine projected reimbursement amounts and in detecting how much money could be lost, if any.

- (b) Acceptable Documentation for directly certified students:

- The WAVE list with SNAP, TANF, and **Medicaid Free Only**
(*Medicaid Reduced cannot be used*)
- Documentation from a State agency such as DHS or a Tribe
- Paperwork from DHS showing the child is a Foster child

- (c) If individual sites, groups of sites, or entire SFAs reach **62.5 percent of directly certified students, all meals are paid at the free reimbursement rate.**

- It is recommended that sites, groups of sites, or entire SFAs be at 50 to 55 percent directly certified students in order to be financially viable.

- (d) Each site, group of sites, or the entire SFA must be 25 percent or more directly certified students.

- (f) The SFA will certify the data as true and correct if participation is desired.

2. How to Apply:

To apply for CEP, the district must fill out an application. The CEP application can be located in Other Documents under the CEP and Provision section. The application ***MUST*** be submitted to the State agency by ***June 30th***. The district will need a copy of all of the direct certification list(s) and a copy of all enrolled children as of the same time frame in April. The district's Regional Specialist will verify the district's direct certification percentage prior to beginning CEP.

3. Record-keeping Requirements

- (a) CEP sites are not required to take categorical counts, but meal counts at the point of service is required. Schools must ensure a child only receives one reimbursable meal. The district should either take meal counts by marking off a roster once a child receives a reimbursable meal or use a computer software system.
- (b) An edit check to document total meal counts is required. Refer to **page C-78** for a copy of a modified Edit Check Worksheet for both breakfast and lunch.
- (c) Districts must retain those records used in the development of the Identified Student Percentage (ISP) (e.g., records for the initial approval year and all records from the year any updates are made to the ISP) during the entire period the CEP is in effect. CEP records must be retained for three years after submission of the final claim for reimbursement. Records must continue to be retained if any audit findings from the period during which the records were in use remain outstanding. In any such case, records must be retained until all issues raised by the audit have been fully resolved.
- (d) State Agencies have established an array of processes for assessing the accuracy of an SFAs ISP(s). States opting to follow the Administrative Review procedures (i.e., Locate 10 percent, or a statistically valid sample, of identified student names on appropriate source documentation) must at a minimum, as part of the Administrative Review records, maintain the following ISP data for schools participating in CEP:
 - A list of all of the identified students, with their ISP classification, used to determine the ISP from all schools participating in CEP from each district;
 - Documentation for the total enrollment at all CEP schools;
 - The sample list of students the State agency used to verify the initial ISP; and
 - The ISP worksheet the school used to calculate the ISP(s) and submitted to the State agency with appropriate documentation.
- (e) **Schools must maintain source documentation used to validate the ISP for the entire time the school operates CEP.** If a school chooses to return to standard counting and claiming, the school must maintain the source documentation for three years after submission of the final Claim for Reimbursement for the last fiscal year of CEP.

4. Continuing CEP: Getting Ready for the Next Fiscal Year

To continue CEP with the established ISP percentages for the following year, the following will need to be completed in CARS.

(a) In the Month of **MAY**:

- (1) Go into the current year CARS checklist and click on the CEP Site Applications.
- (2) Verify the numbers and percentages listed, then SAVE and CERTIFY the CEP Site Applications. If the information is not correct, contact Alicia.Young@sde.ok.gov.
- (3) The State Agency will approve, and gold lock the CEP Site Applications for the district established percentage to roll over for the next fiscal school year. This information will be rolled over to the CARS checklist under CEP Current Year information.

(b) After the Renewal Application has been Approved

- (1) Go into the CARS Application for the NEW fiscal year, when available. Go to the CARS Checklist to the CEP Current Year Information and SAVE and CERTIFY the district information.
- (2) The district will have a green lock on the CEP Current Year Information application in the CARS Checklist.
- (3) There must be a green lock before the new application can be submitted.
- (4) The State Agency will approve, and gold lock the CEP Current Year Information Applications once the October 1 numbers are released in mid-December.

5. Duration of Participating in CEP

- (a) Each year by April 15th, the State agency will publish the number of directly certified students by site as indicated in the WAVE along with each site's enrollment. (Reference 7 CFR §245.9(f)(6))
- (b) **Applications *CANNOT* be collected or approved for meal benefits.** Categorical meal counts do not have to be maintained. *However, the district must have a system in place to ensure a child only receives one reimbursable meal.* It is highly recommended to continue to use your computer software system.
- (c) Point of service meal counts are still required.

5. Reapply for CEP

- (a) To reapply for CEP, the district must fill out an application. The CEP application can be located in Other Documents under the CEP and Provision section. The application **MUST** be submitted to the State agency by **June 30th**. The district will need a copy of all the direct certification list(s) and a copy of all enrolled children as of the same time frame in April. The district's Regional Specialist will verify the district's direct certification percentage prior to beginning CEP.
- (b) This percentage is used for the following four school years unless this site, groups of sites, or entire SFA's directly certified percentages increase as of April 1 in any of the four years. If an increase occurs, the site, groups of sites, or entire SFA may use the increased percentage. If the directly certified percentage decreases, then the initial percentage can be used for the entire four years.

- (c) In the fourth year, the site, groups of sites, or entire SFA must recalculate the directly certified percentage for the next four-year period. The percentage must be 25 percent or more for participants to continue, at which point the cycle would begin again.
 - (1) Sites, groups of sites, or entire SFAs are required to continue Direct Certification efforts during all four years of participation so that the fourth-year directly certified percentage will not fall below the 25 percent mark.
 - (2) **Grace Year** is if in the 4th year the ISP is under 25 percent but over 15 percent as of April 1, the school may continue to participate for a 5th year at the lower ISP. *The site cannot use the original ISP from year 1.*

6. Other State and Federal Funding Under CEP:

- (a) **State Aid:** State Aid uses the October 1 enrollment numbers, Free and Reduced-priced Applications, the Economically Disadvantaged form, and Direct Certification data for meals to determine funding. Numbers from the annual Low Income Report are not used for State Aid. *School sites that participate on CEP need to make sure to obtain the Economically Disadvantaged form annually from parents. This form can be found on the OSDE website under State Aid*
- (b) **eRate:** The percentage of directly certified students as of April 1 in the base year by each site will be multiplied by the 1.6 factor. Whatever percentage this is will represent the percentage of **FREE** students on the Low-Income Report for October of the current year. The only difference will be that the percentage of **FREE** students (from April 1) is then compared to the **CURRENT YEAR** October 1 enrollment (rather than the April 1 enrollment) to determine the actual number of **FREE** students in each school. **NOTE: Even if a school district has groups of sites under CEP or is district-wide in its CEP participation, it will be each individual school site's percentage that is used for eRate, not the group or district-level percentage.**
- (c) **Title I:** The percentage of directly certified students as of April 1, by each site, will be multiplied by the 1.6 factor. This percentage will represent the percentage of **FREE** students on the Low-Income Report for October (Oklahoma's Economically Disadvantaged Statewide Report). The only difference will be that the percentage of **FREE** students (from April 1) is then compared to the **CURRENT YEAR** October 1 site enrollment (rather than the April 1 site enrollment) to determine the actual number of **FREE** students in each site.

Even if a district has a group or groups of sites under CEP or is district-wide CEP, Each individual school site's percentage is used for eRate, NOT the group or district-wide percentage. Title I only uses eligibility data for ages 5-17 from the Low-Income Report.

For the large districts (over 20,000 in city population area), Title I funding is based on census data. For FY2026, this includes: Bartlesville, Bixby, Broken Arrow, Choctaw/ Nicoma Park, Claremore, Deer Creek, Duncan, Edmond, Enid, Guthrie, Jenks, Lawton, Moore, Muskogee, Mustang, Midwest City/Del City, Norman, Oklahoma City, Owasso, Piedmont, Ponca City, Putnam City, Sand Springs, Sapulpa, Shawnee, Stillwater, Tahlequah, Tulsa, Union, and Yukon.

- (d) **Fee Waivers, Reductions, and Discounts:** Students eligible for free or reduced-price meals may receive fee waivers or reductions for Advanced Placement (AP) exams, the Scholastic Aptitude Test (SAT), and/or the American College Testing (ACT) exam. The College Board and ACT have policies to ensure low-income students enrolled in CEP

schools are eligible to receive exam fee waivers and/or reductions. (CEP Guidance Manual , February 2024)

(i) **AP Exam Fee Reduction:** Students enrolled in CEP schools are eligible for an AP Exam fee reduction on all AP Exams that they take in a given school year if:

- Their family's income is at or below 185 percent of the Federal Poverty Level; or
- They are an "identified student" due to:
- Their participation (or a household member's participation) in SNAP, TANF, or FDPIR;
- Their participation in Head Start; or
- Their status as a foster, homeless, or migrant child.

(ii) **SAT and ACT Fee Waivers:** SAT and ACT fee waivers are available to low-income 11th and 12th grade students. SAT Subject Test fee waivers are available to low-income 9th and 12th graders. Students enrolled in CEP schools are eligible for an SAT or ACT fee waiver if:

- Their household income is at or below 185% of Federal Poverty Level;
- They are enrolled in a Federal, State, or local program for low-income students (e.g., Federal TRIO programs such as Upward Bound);
- Their family receives public assistance;
- They live in federally subsidized public housing;
- They live in a foster home;
- They are homeless; or
- They are a ward of the State or an orphan

e. Students Transferring From a Provision Site or District to a *Non* Provision Site or District

Transferring within the same LEA

If a student transfers from a Provision school to a non-Provision school within the same LEA and the student is not otherwise eligible for free meals, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Transferring between LEAs

If a student transfers from a Provision school to a non-Provision school in a different LEA, the receiving LEA must provide free meals to the transfer student for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Community Eligibility Provision (CEP) Monthly Federal Reimbursement Estimator

Use to estimate the level of federal reimbursement received under the CEP

District Name: _____

Step 1: Calculating the Identified Student Percentage (ISP)	
If grouping schools, use the grouping calculator to assist in determining 1.1 and 1.2	
Enter the number of identified students and enrolled students that is reflective of April 1st in 1.1 and 1.2	Click to define: Identified Students
1.1) Enter the number of identified students	
1.2) Enter the TOTAL student enrollment	
ISP Base Number, rounded to 4 decimal places	0
Percentage of identified students =	0.00%
This percentage must be at least 40 percent to be eligible	
Percentage of meals reimbursed at the federal FREE rate =	0.00%
Percentage of meals reimbursed at the federal PAID rate =	0.00%
Step 3: Monthly Meal Data	
Enter the number of LUNCHES and/or BREAKFAST served in 3.1 and 3.2	
3.1) Enter the total number of LUNCHES served in a month:	0
3.2) Enter the total number of BREAKFAST served in a month:	0
Total numbers of MEALS served in a month:	0

Step 4: Anticipated Participation	NSLP	SBP
Change due to serving all FREE meals (for example, enter 2 for 2 percent):		
Total number of LUNCHES reimbursed at the FREE rate =	0	
Total number of LUNCHES reimbursed at the PAID rate =	0	
Total number of BREAKFASTS reimbursed at the FREE rate =	0	
Total number of BREAKFASTS reimbursed at the PAID rate =	0	

CEP Difference:

This section displays the estimated difference between operating CEP and the current federal reimbursements and student payments (if applicable). If the differences boxes are green, then CEP will generate the same or more federal revenue; if the box is red, then current procedures generate higher federal revenue.

Step 2: Federal Reimbursement Rates

Select the current reimbursement rates used for each program (without the incentive).

The additional incentive is applied in the next box.

	Lunch	Breakfast
Free	0 ▼	0 ▼
Paid	0 ▼	0 ▼
	\$- ▼	

Estimated CEP Monthly Federal Reimbursements	
Reimbursement for LUNCH =	\$0.00
Reimbursement for BREAKFAST =	\$0.00
Total Reimbursement Level =	\$0.00
Federal Reimbursement per LUNCH =	\$0.00
Federal Reimbursement per BREAKFAST =	\$0.00

Optional Comparison: Enter current monthly federal reimbursements and student payment revenue.	
LUNCH =	
BREAKFAST =	
LUNCH Difference =	Total Difference
BREAKFAST Difference =	

EDIT CHECK FOR PROVISION 3

Accredited Site: _____ Attendance Factor: _____

Month: _____ Total Enrollment as of First Day of Month: _____

(1) Total Daily Meals Claimed per CARS

(2) Day of Month	(3) Actual Daily Total Meal Count	(4) Average Daily Attendance	(5) Comments
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
TOTALS			

Signature

Date

1. Take the total meals claimed for the month divided by the number of operating days.
2. Day of Month: Locate the date of the month, and begin recording on the corresponding line. The site may wish to highlight any weekends, holidays, or professional days when the site was closed.
3. Actual Total Lunch/Breakfast Count: Record actual daily total meal count as taken by the SFA.
4. Average Daily Attendance: The average daily attendance is calculated by multiplying the attendance factor by the total enrollment. The average daily attendance will be the same number for the entire month.

☐ Lunch
☐ Breakfast

EDIT CHECK FOR PROVISION 2 AND CEP

Accredited Site: _____

Attendance Factor: _____

Month: _____

Total Enrollment as of First Day of Month: _____

(1) Day of Month	(2) Actual Daily Total Meal Count	(3) Average Daily Attendance	(5) Comments
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
TOTALS			

Signature _____

Date _____

1. Day of Month: Locate the date of the month, and begin recording on the corresponding line. The site may wish to highlight any weekends, holidays, or professional days when the site was closed.
2. Actual Total Lunch/Breakfast Count: Record actual daily total meal count as taken by the SFA.
3. Average Daily Attendance: The average daily attendance is calculated by multiplying the attendance factor by the total enrollment. The average daily attendance will be the same number for the entire month.
4. Total for the claim for reimbursement.

D. Alternate Methods of Meal Counting and Meal Claiming

Some schools do not have space available to serve breakfast, which often involves serving breakfast after the school day begins. If a district adds an alternate Method for Meal Counting and Claiming, the district needs to indicate **WHERE** the alternate method is located in the CARS system. Enter information on the Site Application, item #15, *This Site Participates in the Following Programs* section, and add the alternate location in the comments section.

1. Breakfast in the Classroom

Breakfast in the Classroom allows students to enjoy a breakfast meal during the first 10 to 15 minutes of the school day. School food service professionals or volunteers distribute meals prepared in the cafeteria to students in the classroom at the start of their first class period. Teachers record the number of meals served after distribution. Students help clean up after the meal, and trash is later removed by school custodial staff. Teachers may also use the time to take attendance, collect homework, deliver announcements, or read to the class. Serving breakfast in the classroom often leads to cafeteria staff having more time to prepare for lunch, since little time is needed to clean the cafeteria after breakfast service is over.

2. Grab & Go

Students pick up breakfast in the cafeteria, at hallway kiosks, or at other locations identified by school guidelines, and then eat their meal during the first 10 to 15 minutes of class. The meals are prepared by school food service professionals and pre-packed in containers that students can easily carry. School staff use a wireless or other counting system if the meals are distributed elsewhere. Students help clean up after consuming the meal in the classroom, and trash is later removed by school custodial staff. Grab & Go breakfast meals served in the cafeteria allows food service professionals more time prepare lunch.

3. Second Chance Breakfast

A second shift of breakfast can be served like Grab & Go or served in the cafeteria. School food service professionals record the number of meals served using the POS system in the school cafeteria. Schools should ensure there are adequate trash cans in the hallways, as students may consume their meal on the way to class. This may be a good option for middle and high school level who may not be hungry first thing in the morning or was not able to eat during the first shift. Record the number of meals served using the point-of-sale/point-of-service (POS) system.

4. Breakfast on the Bus

Students consume breakfast during their morning commute. Meals are prepared by school food service professionals before the driver begins their route, and handed to children as they board the bus. The bus driver or another volunteer uses an appropriate counting & claiming system as the children board. Students may dispose of trash on the bus or as they exit. Breakfast on the bus works best for students who spend over 15 minutes commuting to school and at schools where class schedules are not able to accommodate another alternative meal service.

E. Exemptions to the Traditional Lunch Period (Optional for Each SFA)

1. The primary standard for allowing meals to be served outside the regulatory time period is that the site is operating for traditional students at a nontraditional time. The USDA Food and Nutrition Service (FNS) has approved exemptions contingent upon the understanding that:

- These alternative programs provide students of high school grade or under an opportunity to obtain the minimum requirements needed for graduation at a nontraditional time.
 - It is not possible to serve lunch at a more traditional time. For example, some work-study programs allow high school students to work in the morning or afternoon hours and attend high school classes in the late afternoon or evening.
2. Although State agency approval is required to initially begin claiming reimbursement for these meals, it is not necessary for each program to seek approval each year if the conditions upon which approval was initially granted remain unchanged. However, if the conditions upon which approval was granted change, the reimbursable status of the meal service would then need to be reexamined. (Reference USDA Policy Memo 2002-SP-14)

In order for an SFA to be approved, a letter must be submitted containing the following items:

- Name of school site where meals are going to be served
- Statement that these students do not have access to the normal lunch hour

Why students do not have access to the normal lunch hour

- Statement that the meals served in the evening will meet the lunch meal pattern requirements
- Collection procedures for the students who have to pay for their meals (or a statement that says all meals will be served free of charge)
- Point-of-service count procedures

F. Claiming Adult Students (Reference USDA Policy Memo 2002-SP-08)

The key issue for adult participation in the CNP is enrollment, not whether the adults are attending some classes or whether they are part of an Even Start Literacy Program. The adult either must be enrolled in General Educational Development (GED) classes during the regular school day in accordance with USDA Policy Memo 776-7 or otherwise be enrolled in an education unit of high school grade or under, in accordance with the definition of **Child** in 7 CFR §210.2. Any adults meeting these criteria who wish to obtain free or reduced-price meal benefits under CNP must have a completed and approved application on file with the SFA. Under no circumstances can evening meals served to students in GED courses be reimbursable. GED students are **NOT** included in the number of free and reduced-price eligibles reported on the monthly claim for reimbursement or the Low-Income Student Count Report.

G. Out-of-Home Placement Students

Meals served to out-of-home placement students can be claimed for reimbursement. These are students who attend an institution administered by a public school that is not in the attendance area of their home SFA. In order to claim the meals for these students at the free or reduced-price rate, the serving SFA must have an approved application on file to verify that the student qualifies for such benefits. The SFA claiming the meals of out-of-home placement students does **NOT** include these students in the number of free or reduced-price eligibles reported on the monthly claim for reimbursement or the Low-Income Student Count Report because they are reported by their home district.

H. Virtual Students

Meals served to virtual students can be claimed for reimbursement if and when the students are on school grounds. Virtual students must have access to meal services in order for the SFA to distribute and approve free and reduced-price applications. In order to claim the meals for these students at the

free or reduced-price rate, the SFA must have an approved application on file to verify that the student qualifies for such benefits.

I. Claiming Meals at an Alternative or Unaccredited Site

The SFA will add the alternative school or an unaccredited as a site on the **Schedule A** of the NSLP Agreement. The site code will be created by the CARS system. The children at this site are enrolled in the district. The district will serve the student at the unaccredited site, and the meal will be claimed through the site they are enrolled at within the district.

- The preparing SFA is responsible for all NSLP requirements. All NSLP requirements, including record keeping, Offer versus Serve, as well as safety and sanitation at the alternative school eating site, would be the responsibility of the SFA preparing, serving, and claiming the meals, just as it is with any other site listed on the district's Schedule A. Any purchases needed to be made for the alternative site (such as insulated delivery carts) could be purchased with school food service program funds.

J. Claiming Students Enrolled at One SFA and Attending a Different SFA: Cooperative (co-op) Students

The SFA the students are eating at would obtain copies of the attending students' free or reduced-price eligibility information from the SFA where the students are enrolled. The students qualifying as free or reduced-price **would not** be included in the number of free and reduced-price eligibles reported on the claim for reimbursement; however, the **MEALS** served to these students could be claimed for reimbursement according to their categorical eligibility

Students qualifying as free or reduced-price meals **will not** be included in the number of free eligibles or reduced-price eligibles reported on the designated SFA's claim for reimbursement each month. These students are not **ENROLLED** in that SFA. **The SFAs in which the students are enrolled WILL report their students as part of their free and reduced-price eligibles** count even though they don't claim any meals served to these students.

K. Contracting Meals with a Day Care, Head Start Program, or Another District

- For further information, go to Contracting Meals with a Day Care, Head Start Program, or Another District in the Procurement Section on **page P-42-43**.
- The district supplying meals will sign a contract with each SFA, Day Care, and/or Head Start Program using the **Agreement to Furnish Food** form. The preparing SFA is required to meet NSLP and/or CACFP meal pattern requirements.
- The charge established for these contract meals must **be the rate listed in Schedule B for contract meals**. When the food is delivered or picked up by the district, **a Contract Meal Delivery Receipt form must be attached indicating the exact food items delivered and the quantity**. This form is located in the Procurement section and in Other Documents.
- If a district contracts meals with an institution or another school, it is required for the district to mark how many meals prepared in the site's Production Records, and to send a completed copy of the **Contract Meal Delivery Receipt (CMDR) form** daily and for each meal type. The CMDR can be found in the Procurement section on **page P-44**.
- If an SFA is contracting with an institution for which USDA Foods are allocated, the SFA should **NOT** include the commodity allocation rate in the formula when figuring the minimum amount to charge for contract lunch.

L. Claiming Meals for Visiting Students

1. The SFA the students are visiting would obtain copies of the visiting students' free or reduced-price eligibility information from the SFA where the students are enrolled. The visiting students qualifying as free or reduced-price **would not** be included in the number of free and reduced-price eligibles reported on the claim for reimbursement; however, the **MEALS** served to these visiting students could be claimed for reimbursement according to their categorical eligibility.
2. The SFAs where the students are enrolled would receive verification that reimbursable meals were served from the SFA the students are visiting. The SFA where the students are enrolled would categorically claim the meals served to these students and reimburse the SFA where the visiting students were served. SFAs may want to have a contract in this situation. The SFA feeding the visiting students may want to invoice the SFA where the students are enrolled.

STUDENT ISSUES

A. Charge Policy - Failure to Pay for Meals or Unpaid Meals

The SFA is not required to provide meals if payment is not made for the **CURRENT** day's meal or if funds in a student's account are not sufficient to cover the cost of the meal. A district cannot deny a meal to a student who brings money to school for that day's meals, even though the student may have previous charges. The money brought for today must not be used for previous charges. **NOTE: A meal cannot be denied to a free student.**

All SFAs must have a written policy to address situations where children participating at the reduced-price or paid rate do not have money to cover the cost of a meal at the time of the meal service.

SFAs have discretion in developing the specifics of their policies. (Reference USDA Memos SP 46-2016, SP-58-2016, SP-23-2017) At a minimum, the policy must include the following:

- (1) If charges are allowed—what meals, how many charges are allowed, and if an alternate meal will be provided.
- (2) SFAs must ensure the policy is provided in writing to all families at the start of each school year.
- (3) SFAs must maintain documentation of the methods used to communicate the policy to households and school or SFA-level staff responsible for policy enforcement; e.g., Web site, student handbook. If a family does not pay for **CHARGED** meals, a site may wish to encourage the family to complete an Application for Free and Reduced-Price School Meals. If the family does not wish to complete the application or if the family does not qualify for meal benefits after completing the application, the SFA is not obligated to continue providing meals without receiving payment.

Sites are NOT allowed to withhold grades, records, or any other information owned by the student for meal payments owed.

SFAs may carry over negative balances in student accounts into the next school year (except seniors who graduated last year) unless the school policy is different. This also means that SFAs can continue to attempt recovery of uncollected meal charges from previous years. Any monies collected in the new school year should be treated as new revenue. Use the following OCAS Codes: Fund 22 or Fund 11, Project Reporting Code 000, and Source of Revenue Code 1710.

Note: Provision, CEP, and non-pricing schools are not required to have a charge policy for unpaid meals.

B. Meal Accountability

1. Free and reduced-price guidance for the application approval and verification process: <http://www.fns.usda.gov/school-meals/applying-free-and-reduced-price-school-meals>
2. Prototype of free and reduced-price applications and translations: <http://www.fns.usda.gov/school-meals/applying-free-and-reduced-price-school-meals>

C. Refunding Unused Prepayments for Meals

Prepayment is the property of the family making the payment until it is charged against any meals taken. Any prepayments left at the end of the fiscal year must be repaid to the family *if requested*. Any refusal to repay such prepayments would constitute an improper taking of property without due process, which is not allowed by a state or federal entity. Additionally, not refunding any prepayments would effectively increase the price of the meals which, in the case of reduced-price meals, may not exceed 40 cents and, in the case of both full-price and reduced-price meals, may not exceed the stated price in the parent letter that is part of the policy statement. The failure to make refunds would serve as a disincentive for families to make prepayment which detracts from procedures to ensure confidentiality.

SFAs should develop a policy to inform parents how money left in a student's account at the end of the year will be handled. The policy needs to include:

1. A statement that refunds will be made upon request.
2. A statement concerning how, if a request is not made, the money will be handled (i.e., it will be put into the student's account for the next fiscal year—closing the current fiscal year out with a zero balance).
3. A statement concerning how, if the student leaves the school district without requesting a refund, the money will be handled. (For example, if the money is at or below a certain level [\$2.00 or \$3.00, or whatever the district decides], the money will be used as a donation to the CNP. If the amount is more than that, the money will be forwarded to the known address of the student. If the envelope is returned unopened, the money will be treated as a donation to the CNP.)

D. Fees for Credit Card Services (Reference FNS Instruction 782-6, Rev. 1)

It is common for companies that accept payment for meal services electronically to add a service charge for the processing of such payments. It is acceptable for the organization administering the electronic credits add a service charge to full-price and reduced-priced eligible students. All families must have access to all payment methods.

The SFA can choose to pay for these online payment charges, it would be an allowable cost out of the nonprofit school food service account. ***NOTE: SFAs must provide students with two methods to purchase their meals. SFAs cannot offer prepayments as the only method.***

E. Disciplinary Action (Reference FNS Instruction 791-1 Rev. 1)

The denial of free, reduced-price, or full-price meals and/or milk as a disciplinary action against any child who is enrolled in a site participating in the CNP is inconsistent with Sections 2 and 9 of the NSLA and Sections 2, 3, and 4 of the Child Nutrition Act (CNA) of 1966. Disciplinary action that ***INDIRECTLY*** results in the loss of meals or milk is allowable; e.g., a student is suspended from school. However, when the withholding of meals or milk ***IS*** the disciplinary action or if the

disciplinary action ***DIRECTLY*** results in the loss of meals or milk, it is inconsistent with the law and is not allowable; e.g., a student is suspended from school during the meal or milk period only.

SFAs shall:

1. When considering disciplinary action against any child, ensure that such action is consistent with this policy.
2. Make a reimbursable meal or milk available to any child attending school who, for disciplinary reasons, is not allowed to eat in the cafeteria.

F. Substitutions to the Meal Pattern Requirements

1. Special Medical or Dietary Needs: Schools should not delay a child's meal substitutions while waiting for the family to submit a medical statement. In this situation, schools must document the initial conversation with the family when first made aware of the child's request for meal substitution. Schools should continue to follow up with the family until a medical statement is obtained or the request is rescinded.

If a medical statement is provided and does not fully explain the modification needed, the SFA should immediately contact the child's parent or guardian for guidance and ask the family to provide an amended medical statement as soon as possible. Documentation of special dietary needs must be on file at the cafeteria manager's office.

a. Disabled Students (Reference USDA Memo SP-59-2016, SP-26-2017, and SP-40-2017)

CNP regulations require participating SFAs, institutions, and sponsors to offer to all participants breakfasts, lunches, suppers, snacks, and milk that meet the meal pattern requirements identified in the program regulations. USDA regulations further ***REQUIRE*** substitutions to the standard meal pattern requirements for participants who are considered disabled under 7 CFR §15(b) and whose disability restricts their diets. The provisions requiring substitutions for disabled participants respond to the requirements of Section 504 of the Rehabilitation Act of 1973 and to USDA's implementing regulations 7 CFR §15(b) which provide that no otherwise qualified disabled individuals shall, solely on the basis of disability, be excluded from participation in, be denied benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance. (Reference FNS Instruction 783-2, Rev. 2)

It is the responsibility of the SFA to pay for any substitutions required.

b. Nondisabled Students

SFAs may make substitutions for individual participants who are not ***disabled persons*** as defined in 7 CFR §15(b)(3)(i), but who are unable to consume a food item because of medical or other special dietary needs. This substitution ***does not*** include milk. See Item 2 below for milk substitution requirements. Such substitutions may only be made on a case-by-case basis when supported by a statement signed by a **state healthcare professional, or a registered dietitian**. A form that can be used is located on **page C-89**.

2. Milk Substitutions (Nondairy Beverage)

Public Law 108-265, Section 102 states that a school ***MAY*** substitute for the fluid milk requirement a nondairy beverage that is nutritionally equivalent to fluid milk and meets nutritional standards established by USDA for students who cannot consume fluid milk because of a medical or other dietary need other than a disability.

Substitutions **MAY** be made if the school notifies the State Agency in its Renewal Policy Statement that the school is implementing this variation. The substitution is required to have a written statement from a state licensed health care provider, a registered dietician, or from a student's parent or legal guardian (refer to **page C-90** to see an example of the Milk Substitution Request Form) that identifies the medical or other special dietary need that restricts the student's diet. The school shall not be required to provide beverages other than beverages the school has identified as acceptable substitutes, and cover the cost of providing the milk substitute in excess of program reimbursement.

Expenses incurred in providing substitutions that are in excess of expenses covered by reimbursement shall be paid by the SFA.

NOTE: Only meals that contain milk or an acceptable milk substitute are reimbursable unless the school is implementing the Offer versus Serve provision and the student declines the milk.

a. Fluid milk substitution rule applies to the following CNP:

- National School Lunch Program
- School Breakfast Program
- After-School Snack Program
- Special Milk Program
- Summer Food Service Program
- Seamless Summer Option
- Child and Adult Care Food Program (CACFP)

b. Nondairy beverage nutrient requirements per cup (Memo SP-01-2025):

- Calcium 276 mg
- Protein 8 g
- Vitamin A 150 mcg from retinol activity equivalents
- Vitamin D 2.5 mcg
- Magnesium 24 mg
- Potassium 349 mg
- Phosphorus 222 mg
- Riboflavin 0.44 mg
- Vitamin B-12 1.1 mcg

Note: Added sugar requirements does NOT apply to flavored milk substitutes.

c. Acceptable reasons for requesting a milk substitute:

- Milk allergy
- Religion
- Culture
- Ethical reason
- Vegan diet

d. Unacceptable milk substitutions:

- Water
- Juice

NOTE: When the milk substitution request is due to a medical or special dietary need other than a disability, the school chooses whether to accommodate the student and selects the nondairy beverage in accordance with the fluid milk substitution rule.

3. Substitutions Due to Ethnic or Religious Preferences

Sites **MAY** consider ethnic and religious preferences when planning and preparing meals. Variations on an experimental or continuing basis in the **food components** for the **food-based** menu-planning approaches must have written approval from USDA. Contact the State agency for further instructions. (Reference USDA Regulations §210.10[g][2])

G. Parent and Student Involvement

Parent and student involvement is required in the NSLP. Activities to fulfill this requirement may include menu planning, enhancement of the eating environment, program promotion, and related student-community support activities. USDA is not requiring any specific form of student or parental involvement, but is leaving this to the discretion of the individual SFA.

H. Student Workers

All student workers in the cafeteria must be paid for their labor or can volunteer. However, they cannot be compensated by receiving free meals for their work.

I. Meal Tickets/Cards: Lost, Stolen, or Misused (Reference FNS Instruction 765-7 Rev. 2)

SFAs are required to establish procedures for handling lost, stolen, or misused student meal tickets/cards. Any system that limits the number of tickets must conform to the following:

1. Parents and students must be advised in writing of the school's policy regarding missing meal tickets and of students' corresponding responsibility for their tickets. Such notice shall be provided at the time applications are distributed to households or upon approval for free or reduce-price benefits.
2. A minimum of **three** ticket/card replacements, or special meal arrangements resulting from three lost or stolen tickets, must be allowed each student within each school year.
3. The site shall maintain a list of students who have reported missing original tickets in the current school year and the number of occurrences for each student. Prior to denying a meal to any student without a ticket, the list should always be reviewed to determine if the student has already had at least three ticket replacements or special meal arrangements for lost or stolen tickets within that school year.
4. At least one advance **WRITTEN** warning must be given to the student and the parents prior to refusal to allow additional meal or ticket replacements. The written warning must include an explanation that the student has repeatedly requested replacement tickets and that each subsequent time the student fails to have a ticket, he or she will be expected to either bring lunch or pay full price for lunch.
5. Meals must be provided to preprimary enrolled in the district or to any disabled students who may be unable to take full responsibility for a meal ticket.

Using the above criteria, SFAs may develop the most administratively feasible system to handle missing tickets as determined by individual site circumstances and frequency of ticket issuances. In cases of repeated ticket loss or misuse, site administrators may wish to contact an adult household member to arrange a meeting to discuss the problem.

6. It is recommended that the meal or ticket replacement policy for missing free and reduced-price tickets be extended to the loss of full-price tickets. If such a uniform policy covering both needy and nonneedy students is not implemented, sites must exercise care to preclude the overt identification of needy students when reissuing free or reduced-price meal tickets or making arrangements to provide meals to students whose tickets are missing.
7. Replacement fees may only be charged after the third replacement ticket (card) has been issued, as specified in FNS Instruction 765-7, Revision 2.
8. Ticket (card) replacement costs may not exceed the cost of one paid meal. The cost of one paid meal is interpreted to mean the charge for a full-price student meal.

J. Off-Site Meal Consumption (Reference FNS Instruction 786-8, Revision 1)

Exceptional circumstances exist for students who are enrolled in one school but attend another such as a Co-op or work-study site for the part of the day that includes the meal hour. Those students applying for free or reduced-price meals should do so through their home-base school since the home-base school would be more familiar with individual circumstances. The Co-op/work-study school is responsible for the service of meals and the record keeping for meals served and claimed for reimbursement. A student's meal can be claimed, but it cannot be listed in the CO-OP/work-study eligibles as that child is not enrolled at that site. Therefore, the CO-OP/work-study school should obtain, for its own records, a copy of the free and reduced-price application for any student to whom it serves a free or reduced-price meal. When the CO-OP/work-study site does not participate in the programs, takeout school meals meeting program requirements may be served to such students and claimed for reimbursement by their home-base school. The provision of such meals is at the option of the school, since SFAs are only required to make meals available to students who are present during the meal service period.

In all cases, care must be taken to ensure that accurate, detailed records are maintained, including meal counts for free, reduced-price, and full-price categories.

K. Advance Meal Payments in the NSLP/SBP/SMP (Reference USDA Policy Memos 2000-SP-21 and 2005-SP-10)

The requirement that meals be paid in advance will limit access by imposing an additional criterion for participation. While there must be provision for some type of prepayment and prepayment may be encouraged through discounts, prepayments may not be required. This would apply to electronic payments as well. These payment options must be specified in the SFA's free and reduced-price policy statement.

L. Meal Service Times and Days

1. Meal Service Times

a. Breakfast

The breakfast meal shall be served at or close to the beginning of the child's day at school. Each individual school district must decide the length of the meal service as specified in 7 CFR §220.8(l)[1]

b. Lunch

Schools must offer lunches between 10 a.m. and 2 p.m. (Reference 7 CFR §210.10(l)[l])

Each individual school district must decide the length of the meal service.

2. Meal Service Days

a. ***School meals are only reimbursable when school is in session on accredited school days.***

Example: The school week is four days, and Friday is used for remedial purposes only; because Fridays are not part of the regular school calendar, meals served on Fridays are not reimbursable.

b. Meals served on weekends may be reimbursed if the school activity on the weekend is an integral part of the curriculum or an actual extension of the school calendar (i.e., make-up days to meet minimum hours students must attend).

c. Meals served during vacations are not reimbursable. (Reference FNS Instruction 786-7, Rev. 2 and 786-9, Rev. 2)

M. Separation by Gender: Prohibited

In general, SFAs, institutions, and organizations participating in the CNP are not permitted to separate children on any protected basis during the service of program meals or snacks, in keeping with federal nondiscrimination laws and policies as outlined for USDA programs in 7 CFR Parts 15, 15a, and 15b. Federal law prohibits discrimination based on gender at any educational institution receiving federal assistance.

State agencies may approve exemptions allowing separation by gender during a CNP meal service for participating SFAs, organizations, and institutions, without express prior approval from FNS, in the following circumstances:

- Meal service at religious institutions operating under the dictates of the religion with which they are affiliated.
- Meal service at juvenile correctional facilities where combining members of the opposite gender would present a potential safety risk.
- Meal service at facilities that fully separate by gender as part of their normal operations (for example: gender-separated summer camps).

When requesting an exemption, the CNP operator must specify which of the above-listed reasons apply and why separation by gender is necessary. State agencies must document all exemption requests, including the date of approval or disapproval, and if applicable, the duration of the approval.

The exemptions are the only acceptable bases for gender separation during a CNP meal service. Any other gender separation is strictly prohibited. (Reference USDA Memo SP-31-2015)

MEDICAL STATEMENT

Requesting Special Foods in Child Nutrition Programs

Part I (to be filled out by Parent/Guardian)

Name of Student:_____ Age:_____

Name of Parent/Guardian:_____ Telephone Number:_____

School District:_____

School Attended by Student:_____

Part II (to be filled out by a state licensed healthcare professional or a registered dietician)

Diagnosis (include description of the patient's medical or other special dietary needs that restrict the child's diet):

List food(s) to be omitted from diet:

List food(s) that may be substituted (diet plan):

Additional information:

Date

Signature of State Licensed Health Care Professional

State Licensed Health Care Professional Phone Number

MILK SUBSTITUTION REQUEST

Student's Name: _____

School Site the Student Attends: _____

_____ Public School is participating in the milk substitution provision which states a district may substitute for fluid milk for a nondairy beverage that is nutritionally equivalent to fluid milk and meets Nutritional Standards established by the United States Department of Agriculture (USDA).

Parents or guardians may request in writing nondairy milk substitutions, as described above, without providing a medical statement. Example, if a parent has a child who follows a vegan diet, the parent can submit a written request asking a milk substitution be served in lieu of cow's milk. A written request from a state licensed health care professional, a registered dietician, or the parent/guardian must identify the student's medical or other special dietary need that precludes the consumption of cow's milk. No other information is required. (SP 07-2010)

Nondairy beverage nutrient requirements per cup:

- Calcium 276 mg
- Protein 8 g
- Vitamin A 150 mcg retinol activity equivalents
- Vitamin D 2.5 mcg
- Magnesium 24 mg
- Potassium 349 mg
- Phosphorus 222 mg
- Riboflavin 0.44 mg
- Vitamin B-12 1.1 mcg

Reason for Substitution: Milk Allergy ☐ Religious ☐
 Ethical Reasons ☐ Cultural ☐

Expenses incurred in providing substitutions that are in excess of expenses covered by reimbursements shall be paid by the school district.

Signature of State Licensed Health Care Professional or
Parent/Guardian

Date

*Cannot revise or change a diet prescription or medical order.

RESIDENTIAL CHILD CARE INSTITUTIONS (RCCIs) ADDITIONAL REQUIREMENTS

NOTE: Boarding Schools are treated the same way as Public Schools

A. Master Roster or Enrollment Application

Enrollment information must provide the birth date of each student to ensure that no meals served to students over the age of 21 are being claimed for reimbursement. Since all meals in this case are served at the free reimbursement rate, the RCCI may use the Meal Count Worksheet on **page C-96**.

A copy of a Master Roster can be found on **page C-93**. Both the master roster and enrollment application must contain the following information:

1. Child's name
2. Child's birth date (MM/DD/YY)
3. Date of entry
4. Child's personal income—indicate **0** if no income is received
5. Frequency with which income is received
6. Date of eligibility determination
7. Category of eligibility—see Item B below
8. Approving official's initials
9. Placement agency
10. Date of withdrawal

B. Statement of Facts

The simplest method of documenting a student's eligibility is to have a Statement of Facts on file at the RCCI. This is a written statement outlining the general policy or condition within the RCCI that would define all the residential students (not including day students) to be eligible for free benefits. A copy of the form can be found on **page C-94**. The following are some acceptable examples of what would qualify as a Statement of Facts:

All our children are wards of the court. They are not permitted to earn, receive, or retain any money while in our custody.

Our students are permitted to hold part-time jobs (up to 16 hours per week). The maximum earnings we have seen have been \$83 per week. We also permit students to receive up to \$5 per week from home, but we require any money received or earned to be turned into our bank and to be drawn out only with permission.

If the RCCI does not have a Statement of Facts for its residential students that dictates the allowable income to students qualifying all of them as free or if the RCCI has day students, then it must record eligibility determination, by student, on a master roster or on an enrollment application. An application for free/reduced-price meals must be completed on each student to determine each one's eligibility. Direct Certification could also be used. (Refer to the Eligibility Section for more information.)

C. Child Attending School Off Campus

Students residing in an RCCI but attending school off campus are not ***AUTOMATICALLY*** eligible at ***THAT*** school to receive meal benefits. The RCCI may complete the free and reduced-price application if the adult member of the household is not available. Income for the child must be shown on the application even if it is zero. If a child resides at an RCCI but attends a school off the RCCI campus, that school ***MUST*** have a completed application on file for each child for whom a free or reduced-price meal is served and claimed for reimbursement.

D. Attendance Records

If all students are residential and a general policy or condition (Statement of Facts) exists that causes all institutionalized children to be eligible for free benefits, the Master Roster is not required. However, monthly attendance records are required to be maintained by all RCCIs. Refer to **page C-95** for a copy of the form.

E. Point-of-Service Meal Count

All RCCIs must take a point-of-service count to ensure that reimbursable meals are served. RCCIs with day students must also ensure that these counts are categorical.

F. Edit Check

All RCCIs are required to complete daily edit checks. Refer to **page C-98** for a copy of the RCCI Edit Check Worksheet.

G. Financial Accounting

Each RCCI must maintain documentation of its nonprofit school food service account funds. Total revenues and expenditures must be readily available during a review or audit. The Year-End Expenditure/Revenue Report on **page C-32-33** assists RCCIs in maintaining this required documentation.

RCCI MASTER ROSTER

Name of Institution: _____

Child's Name	Personal Income (Earned Directly or Received by Child)	Child's Birth Date*	Date of Admission	Category of Eligibility (F/R/P)	Date of Release

Signature of Approving Official: _____ Title: _____

E-Mail Address: _____

**NOTE: No student over the age of 21 is eligible for reimbursable meal benefits under the NSLP/SBP.*

**STATEMENT OF FACTS
FOR
RESIDENTIAL STUDENTS UNDER THE AGE OF 21**

Name of RCCI

Explain what constitutes documentation of eligibility for free and reduced-price meals.

For the RCCI:

Name

Title

Date

RCCI ATTENDANCE RECORD

Name of RCCI: _____
 Month: _____
 Year: _____

Name of RCCI: _____
 Month: _____
 Year: _____

County/District Code: _____

[illegible]

RCCI MEAL COUNT WORKSHEET

FOR RESIDENTIAL STUDENTS WHO ALL QUALIFY FOR FREE MEALS

Name of RCCI: _____

County/District Code: _____ Month: _____ 20____

Date	NUMBER MEALS SERVED TO RESIDENTIAL STUDENTS		
	BREAKFAST	LUNCH	SNACK
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
TOTALS			

RCCI MEAL COUNT WORKSHEET

Instructions

The Meal Count Worksheet is to be used only for institutions where ***ALL*** students qualify for free meal benefits. An actual physical count must be taken at the time the child receives a reimbursable meal. The total verified meal count for each meal service is recorded after each enrolled student has received his/her meal. All meals served must meet minimum meal pattern requirements.

RCCIEDIT CHECK WORKSHEET

1. RCCI: _____

2. Month/Year: _____

5. Day of the Month	6. Highest Enrolled Free Eligibles for Claim (Plus Only)	7. Daily Free Eligibles (Plus and/ or Minus)	8. Daily Free Eligibles X AF	9. Free Meals Claimed	10. Highest Enrolled Reduced Eligibles for Claim (Plus Only)	11. Daily Reduced Eligibles (Plus and/ or Minus)	12. Daily Reduced Eligibles X AF	13. Reduced Meals Claimed	14. Paid Eligibles (Plus Only)	15. Daily Paid Eligibles X AF	16. Paid Meals Claimed	17. Total Meals Claimed	18. Average Daily Attendance	19. Comments
1														
2														
3														
4														
5														
6														
7														
8														
10														
11														
12														
13														
14														
15														
16														
17														
18														
19														
20														
21														
22														
23														
24														
25														
26														
27														
28														
29														
30														
31														
20. Monthly Totals:														

NUTRITION EDUCATION

A. Training Standards

- Annual training hours required each year varies by job category and must be job-specific.
- Training is measured in hours and may include shorter time periods.
- Training may be obtained in many ways: in person, online, local meetings, webinars, conferences, etc., many available free or at low cost.
- USDA and the State agency provides a Training Tracker Tool to help document completed training, if needed.
- The State agency reviews training documentation during the AR.

B. Nutrition Education Material Available upon request.

- Bread-in-a-Bag supplies

This is a hands-on activity that allows children the opportunity to make their own bread loaf that corresponds with a nutrition education curriculum for teachers and students Grades 3-6. This activity is intended to encourage students to realize the importance of breads and grains in the diet.

C. Statewide In-person Trainings

- 1 **ABVM:** Application, Approval, Benefit Issuance, Verification, and Meal Counting and Claiming training is mandated by USDA for at least one per person per SFA attends annually. It is available each year in person, or it is available in an online module. This online training is made available as an alternate option to fulfill the requirement other than on-site workshops offered through your Program Specialist. (Reference Public Law 108-265, Section 126).

District-Wide Provision and RCCI ABVM can be taken by district's and RCCI's that do not collect Free and Reduced applications at **ANY** sites. This training is mandated by USDA for at least one per person per SFA attends annually. It is available each year in person, or it is available in an online module. This online training is made available as an alternate option to fulfill the requirement other than on-site workshops offered through your Program Specialist

2. **Cafeteria Staff Training** is an optional course. This training covers meal patterns, menu planning, crediting of food, production records, offer vs. serve, and food safety/HACCP.

3. Online Trainings

a. Zoom Trainings

OSDE offers monthly Zoom trainings and a School Program call. At the beginning of each month, courses offered are posted to **Other Documents in the CARS under the Training Information section.**

b. OSDE Connect

The State agency offers self-paced, online trainings. The online modules are offered all year long. The instructions, courses offered, and training links are located in CARS under **Other Documents in the Training Information section.**

4. Additional Training Opportunities and Resources

c. Institute of Child Nutrition (ICN)

The Institute of Child Nutrition (ICN) is part of the School of Applied Sciences at The University of Mississippi. It is the only federally funded national center dedicated to applied research, education and training, and technical assistance for child nutrition programs.

<https://theicn.org/>

d. Cooking for Kids

Cooking for Kids is a multi-agency effort aimed at changing the paradigm of child nutrition in Oklahoma. The project includes culinary skill development training, child nutrition leadership training, school-site chef consultations and web-based resources. Trainings and consultation are provided at no cost to the school district or child nutrition personnel. Training is offered during the summer. **<https://cookingforkids.ok.gov/>**

e. Team Nutrition

Team Nutrition is a USDA initiative to support the child nutrition programs through training and technical assistance. The organization offers grants, training materials, and recipes school can use **<https://www.fns.usda.gov/TN>**

d. Oklahoma School Nutrition Association (SNA) and National SNA

School Nutrition conducts annual conferences that are great for networking with other districts and offers training opportunities. For more information, For OK SNA go to **<https://www.snaofok.org/>**. For National SNA, go to **<https://schoolnutrition.org/>**

PROFESSIONAL STANDARDS AND HIRING STANDARDS

The goal of the training and hiring standards is to ensure the success of the NSLP and SBP by assisting SFAs in:

- Recruiting, hiring, training, and retaining qualified school nutrition staff.
- Enhancing the image of school nutrition professionals and their influence in the community.
- Building skills and empowering staff to lead and efficiently operate school nutrition programs.

A. Professional Standards for School Nutrition Employees

1. Applies to all school nutrition employees, whether the SFA operates the school nutrition program or contracts with a Food Service Management Company (FSMC).
 - Annual requirements apply to the 12 months between July 1 and June 30.
 - Any excess annual training hours may be carried over to a subsequent school year.
 - Directors are required to have at least 8 hours of Food Safety Training every five years.
 - Compliance with the professional standards is a part of the Administrative Review.

2. Required Trainings

- a. **ABVM or District-wide Provision ABVM:** It is required at least one person from every district attend ABVM each year. It is offered annually, in-person throughout the state in July/August. It will be available on OSDE Connect after school is in session.
 - *ABVM* is for district's or RCCIs that collect household applications for at least one site.
 - *District-wide Provision ABVM* is for districts or an RCCI that **DOES NOT** collect Free and Reduced applications at *ANY* site.
- b. **Offer vs Serve Training** is required annually for CNP employees who work at sites that conduct offer vs serve. This training is offered multiple times a year on Zoom and available in OSDE Connect.
- c. **Civil Right Training** is required annually for any employee in a district who assist with any Child Nutrition duties. This training is offered on Zoom in August then will be available on OSDE Connect.
- d. **Procurement Training** is required annually for Child Nutrition Directors and any staff that procures items for Child Nutrition. This training is offered on Zoom three times a year and is available on OSDE Connect.
- e. **Food Safety** is only required for Child Nutrition Directors. Eight hours of food safety training must be completed every 5 years or within 30 days of the director's start date. ***This training is to be completed by the Health Department or by the Institute of Child Nutrition (ICN).***

3. Job Categories (See Table 1 on **page C-102**)

- a. **Directors** plan, administer, implement, monitors, and evaluates all district-wide aspects of the school nutrition program.
 - (1) Every district **MUST** have a designated Director for Child Nutrition (SP-05-2020 #6) even if this role is shared between multiple people. The person designated as director performs these program duties on a daily, weekly, seasonal, or yearly basis:
 - Facilities & Equipment Management;
 - Financial Management;
 - Food Production and Operation Management;
 - Sanitation & Safety;
 - Human Resources Management;
 - Marketing & Communication;
 - Menu & Nutrition Management;
 - Procurement & Inventory Management;
 - Program Management & Accountability; and
 - Technology & Information Systems
 - (2) If a school uses a Food Service Management Company (FSMC), **BOTH** the district and FSMC must designate a Director and both must have 12 hours of Professional Development hours annually.
- b. **Managers** have direct responsibility for the day-to-day operations at one or more schools.
- c. **Staff** prepare and serve meals, process transactions at point of service, and review the free/reduced-price applications, along with other routine work.

Table 1: Summary of Annual Required Minimum Training Hours for School Nutrition Employees	
JOB CATEGORY	ANNUAL REQUIREMENTS
Directors	12 hours
Managers	10 hours
Staff	6 hours
Part-time Staff (working less than 20 hours per week)	4 hours
Midyear Hires in All Categories (January 1 or later)	One-half of the required training for the job category hired

B. Training Topics by Key Areas

USDA has job-specific training topics that align with four key areas as outlined in Table 2.

Table 2: Training Topics by Key Areas	
KEY AREAS	TRAINING TOPICS
Nutrition	Menu Planning Nutrition Education General Nutrition
Operations	Food Production Records Serving Food Cashier and Point of Service Purchasing/Procurement Receiving and Storage Food Safety and Hazard Analysis and Critical Control Point (HACCP)
Administration	Free and Reduced-Price Meal Benefits Program Management Financial Management Human Resources and Staff Training Facilities and Equipment Planning
Communications and Marketing	Communications and Marketing

- See the FNS Professional Standards Web site for suggested learning objectives for each training topic:
- <http://www.fns.usda.gov/school-meals/professional-standards>

C. Allowable Training Methods

- Online courses
- Structured, on-the-job training
- In-service training
- Local school nutrition organization educational events
- State agency-sponsored training

- Training the district conducts for staff
- Meetings sponsored by food service partners (vendors and commodity groups), including exhibits (as allowed by your State Agency)
- CNP conferences such as the School Nutrition Association Conference: State and National
- College courses with job-specific content

D. Crediting Professional Development Hours

- A full 60 minutes of training counts as one training hour.
- Shorter periods of time are allowable. For example, four, 15 minute, in-service training sessions equal one training hour. Not all activities will count toward trainings they all must be job-specific.
- The State agency allows a 2 year period to complete training, but some training hours must be completed each year.
- **Excess Training Hours:** Any excess annual training hours may be carried over to a subsequent school year. This is intended to help provide flexibility while ensuring that the SFA employees receive a reasonable amount of training each school year.

E. Record-Keeping Requirements

- Records need to include the employee name, employer/school, training title, topic/objectives, training source, dates, and total training hours would be appropriate to demonstrate compliance with training requirements.
- Records must be maintained and made available to the State agency upon request. They may be kept electronically in a local database, in paper files, or through the State agency Tracking tool in CARS or the USDA Training Tracking Tool.
- Documentation of professional standards training required for the AR, if individual staff members keep track of their own training, the school must ensure documentation is available for State agency review.

F. Using the School Food Service Account for CNP Training

1. Cost related to training Child Nutrition personnel is an allowable use of the SFSA. Allowable cost include:
 - Printing materials for CNP trainings
 - The cost of registration for CNP trainings or conferences;
 - Mileage to get a training; or
 - Hotel accommodations
2. **Exception**—Child Nutrition funds **CANNOT** be used to meet the standards for hiring new personnel such as completion of a college degree.

G. Hiring Standards for School Nutrition Program Directors (See Table 3 on page C-104)

1. Every district **MUST** have a designated Director for Child Nutrition. (SP-05-2020 #6)
 - For districts using a FSMC, the designated FSMC Child Nutrition director must meet USDA's hiring standards.

2. Hiring standards for directors hired on or after July 1, 2015.

- Hiring criteria depend on LEA enrollment size.
- LEA's with enrollment less than 500, may acquire State agency approve to hire of a candidate with a High School diploma or GED with less than the required years of experience, if they are the best qualified candidate.
- Directors hired prior to July 1, 2015 can remain in their current positions without meeting the hiring standards.

TABLE 3: MINIMUM HIRING STANDARDS FOR CHILD NUTRITION DIRECTORS

District's Student Enrollment	Small Districts 2,499 or Less	Medium Districts 2,500-9,999	Large Districts 10,000 or More
Minimum Hiring Standards	Bachelor's Degree* in specific/related major** (experience preferred but not required) OR Bachelor's Degree* in any other major <i>and</i> state-recognized certificate for school nutrition program directors OR Bachelor's Degree* in any major <i>and</i> 1 year of relevant experience OR Associate's Degree* in specific/related major** <i>and</i> 1 year Of relevant school nutrition experience OR High School Diploma (or GED) <i>and</i> 3 years*** Of relevant school nutrition experience	Bachelor's Degree* in specific/related major** (experience preferred but not required) OR Bachelor's Degree* in any other major <i>and</i> state-recognized certificate for school nutrition program directors OR Bachelor's Degree* in any major <i>and</i> 2 years of relevant experience OR Associate's Degree* in specific/related major** <i>and</i> 2 years Of relevant school nutrition experience OR High School Diploma (or GED) <i>and</i> 10 years Of relevant school nutrition experience	Master's degree At least 1 year of child nutrition experience OR Bachelor's Degree* in specific/related major** (experience preferred but not required) OR Bachelor's Degree* in any other major <i>and</i> state-recognized certificate for school nutrition program directors OR Bachelor's Degree* in any major <i>and</i> 5 years of relevant experience OR High School Diploma (or GED) <i>and</i> 10 years Of relevant school nutrition experience
Food Safety Training	At least 8 hours of training every 5 years or within 30 days of the start date		

* Or equivalent educational experience; consult your State agency for more information.

** Specific/related major: Academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field.

*** For an SFA whose enrollment is less than 500, the State agency may approve the hire of a candidate with a high school diploma or GED and less than the required years of experience, if the best qualified candidate. (Memo SP 05-2020)

STAFFING STANDARDS

A school district's success in keeping labor and food costs within guidelines depends on the financial management of the school nutrition department, including the child nutrition program director, the site managers, and the kitchen staff. Managing scheduling and staffing is a critical part of financial management. Scheduling involves having the proper number of workers on duty to complete all tasks and at peak demand within the established time frames. Staffing is the determination of the appropriate number of workers needed for the operation to do the work that needs to be accomplished. The most important factor in controlling labor costs is the scheduling of employees. In addition to excessive labor costs, poor scheduling has other implications. The staffing guidelines are found below.

Most satellite sites receive food in bulk for portioning on-site, sites that receive cooked or chilled food or cooked or frozen food for finishing off, and sites that receive preplated meals ready to heat and serve or ready-to-serve will have better productivity than those preparing food on-site. Increased productivity rate, or meals per labor hour (MPLH), and reduced labor costs will be realized when the volume prepared at a location is great enough and when there have been reductions in specialized staff; e.g., bakers, cooks, and managers. Satelliting to only one site from another site may not produce sufficient volume to result in savings.

On-site production requires the most labor and has a lower productivity level than efficient satellite systems. As labor costs increase, ways must be found to eliminate the number of labor hours needed to do the job. SFAs are examining the many different systems of delivering food and reducing labor hours. (A finishing kitchen is one that receives all food prepped, or prepared, ready for heating and serving.)

Schools tend to hire one kitchen employee per every 100 students served. If the district does more scratch cooking or uses reusable trays and needs a dishwasher, the district may need one employee per every 75 students. **The needs of the district will determine staffing.** The district may want to consider having some part-time positions instead of having all full-time staff for busier times. This is a helpful guide on how to properly staff your kitchen.

Sample Staffing Guidelines for On-Site Production

NUMBER OF MEAL EQUIVALENTS*	MEALS PER LABOR HOUR (MPLH)/ TOTAL HOURS			
	CONVENTIONAL SYSTEM**		CONVENIENCE SYSTEM***	
	Low	High	Low	High
Up to 100	8	10	10	12
101 - 150	9	11	11	13
151 - 200	10 - 11	12	12	14
201 - 250	12	14	14	15
251 - 300	13	15	15	16
301 - 400	14	16	16	18
401 - 500	14	17	18	19
501 - 600	15	17	18	19
601 - 700	16	18	19	20
701 - 800	17	19	20	22
801 and up	18	20	21	23

* Meal equivalents include breakfast and à la carte sales. Two breakfasts equate to one lunch, and three snacks equate to one lunch.

** The conventional system is preparation of food from raw ingredients on the premises (using some baked goods and prepared pizza and washing dishes).

*** The convenience system is using the maximum amount of processed foods (for example: using all baked goods, precooked chicken, portion-packed condiments, and using disposable dishes or dinnerware).

STAFFING STANDARDS EXAMPLE

Use the following data to determine the meals per labor hour (MPLH): Round to the nearest whole number. Compare the meals per labor hour information on this form with the staffing chart. Other factors to be considered in evaluating staffing patterns are equipment, menus, extent of à la carte, etc. *It is recommended to use data from the month of October.*

Chart 1:

Determining Total Number of Meal Equivalents			
Data entered for the Month: October 20XX	Number of Serving Days:		22
1. Total Number of Breakfast*	5,720	÷ by 2	2,860
2. Total Number of Lunches for the Month*			7,150
3. Total Number of Snack*	3,500	÷ by 3	1,167
4. Total Revenue for A la Carte	654.50	÷ Current Sch B rate for Adults	137
5. Total Number of Meals Equivalents for the Month <i>(Add numbers listed in 1 - 4)</i>			11,314

* *Include contract meals and adult meals in the number of breakfast, lunch, and snacks served.*

Chart 2:

Labor Hours								
Number of Staff Members That Work the Same Number of Hours Daily	X	Hours Worked Daily	=	Total of Hours Worked Daily	X	Number of Days in the Month	=	Total Staff Hours Planned for the Month
1	X	7	=	7	X	22	=	154
3	X	6	=	18	X	22	=	396
2	X	4	=	8	X	22	=	176
	X		=		X		=	
	X		=		X		=	
Total								726

Note: Use the same months information of meal equivalents and labor hours to determine if staffing is adequate.

$$\begin{array}{rcl}
 \frac{11,314}{\text{Total Number of Meal Equivalents (Chart 1)}} & \div & \frac{726}{\text{Total Number of Labor Hours (Chart 2)}} = \frac{15.58}{\text{Meals Per Labor Hour (MPLH) or Productivity Rate}}
 \end{array}$$

Use the Sample Staffing Guidelines for On Site Production chart on the previous page to determine if the district or site has efficient number of employees. Each district's needs are different. Some may need more or less employees than indicated on the chart.

STAFFING STANDARDS

Use the following data to determine the meals per labor hour (MPLH): Round to the nearest whole number. Compare the meals per labor hour information on this form with the staffing chart on **page C-105**. Other factors to be considered in evaluating staffing patterns are equipment, menus, extent of à la carte, etc. *It is recommended to use data from the month of October.*

Chart 1:

Determining Total Number of Meal Equivalents			
Data entered for the Month:		Number of Serving Days:	
1. Total Number of Breakfast*		÷ by 2	
2. Total Number of Lunches for the Month*			
3. Total Number of Snacks*		÷ by 3	
4. Total Revenue for Adult Meals and A la Carte		÷ Current Sch B rate for Adults	
5. Total Number of Meals Equivalents for the Month <i>(Add numbers listed in 1 - 4)</i>			

* Include contract meals and adult meals in the number of breakfast, lunch, and snacks served.

Chart 2:

Labor Hours								
Number of Staff Members That Work the Same Number of Hours Daily	X	Number of Hours Worked Daily	=	Total of Hours Worked Daily	X	Number of Days in the Month	=	Total Staff Hours Planned for the Month
	X		=		X		=	
	X		=		X		=	
	X		=		X		=	
	X		=		X		=	
	X		=		X		=	
	X		=		X		=	
	X		=		X		=	
	X		=		X		=	
Total								

Note: Use the same months information of meal equivalents and labor hours to determine if staffing is adequate.

Total Number of Meal Equivalents (Chart 1)	(divided by)	Total Number of Labor Hours (Chart 2)	Meals Per Labor Hour (MPLH) or Productivity Rate

ADDITIONAL CHILD NUTRITION PROGRAMS

Application approval is required to participate in the programs in this section.

USDA has additional programs districts can participate in and receive reimbursement. Each of these programs in this section require approval in order to be able to receive funds. Some programs require eligibility in order to be approved. Contact our CNP office at (405) 521-3327 to find out how to apply.

A. Afterschool Snack Program (ASSP)

Sections 107 and 108 of Public Law 105-336 (the Child Nutrition Reauthorization Act of 1998) authorizes reimbursement for snacks served to children through the age of 18 (and to individuals, regardless of age, who are determined by the State Department of Education [the ***State agency***] to be mentally or physically disabled) who participate in programs organized to provide after-school care. The intent is to assist sites in operating organized programs of care which include education or enrichment activities known to help reduce or prevent children's involvement in juvenile crime or other high-risk behavior. (Reference 2000-CN-04)

1. Eligible Programs

To be eligible to qualify for the After-school Snack Program, the following criteria must be met:

- a. They must be run by a site that is participating in the NSLP.
- b. The purpose of these programs must be to provide care in after-school settings. This does not mean that the programs must offer formal child care as recognized by a licensing authority. There is no federal requirement for after-school care sites operating under this provision to have either federal, state, or local licensing or approval as a condition of eligibility. However, to qualify under this provision, these programs must be organized to provide children with regularly scheduled activities in a setting that is structured and supervised. By ***regularly scheduled***, it is not meant that the program must occur daily. Moreover, while eligible programs would not need to establish formal enrollment procedures, they must have a means of determining that children are present on a given day, such as a roster or sign-in sheet.
- c. Eligible programs must include education or enrichment activities in organized, structured, and supervised environments. It must be stressed that any extracurricular activities such as the school choir, debate team, or drama society ***CAN*** qualify to participate under this provision ***only if*** their basic purpose is to provide after-school care as defined above.

It must be emphasized that ***under no circumstances*** can organized athletic programs engaged in interscholastic sports be approved as after-school care programs under this provision. While athletic teams participating in interscholastic sports programs may not be approved, programs which include supervised athletic activity along with education or enrichment activities may participate. ***The key would be that they are open to all and do not limit membership for reasons other than space or security considerations or, where applicable, licensing requirements.***

2. Managing the ASSP Program

Any site that is operating the NSLP may be reimbursed for snacks served to eligible children in eligible after-school care programs. While the ASSP must be sponsored or operated by a school food authority (SFA), this does not mean that the SFA must carry out the day-to-day

management of the program. For example, the Parent-Teacher Association (PTA) or Young Men Christian's Association (YMCA) could operate the program under an arrangement with the site.

However, the SFA must retain final administrative and management responsibility for the snack service. Furthermore, the SFA for the school must be the party that enters into the agreement with the State agency and must assume full responsibility for meeting all program requirements.

3. Reimbursement

Under this provision, sites may claim reimbursement for one snack, per child, per day. Children are eligible to participate through the age of 18, and if a student's nineteenth birthday occurs during the school year, reimbursement may be claimed for snacks served to that student during the remainder of the school year. Reimbursement may also be claimed for individuals, regardless of age, who are determined by the State agency to be mentally or physically disabled.

After-school programs operated at a school site in which ***at least 50 percent of the enrolled children (based on the previous October site data)*** are certified eligible for free or reduced-price meals. The school then receives reimbursement at the free rate for all participants. An after-school care program is ***area eligible*** if it is located at a school or in the attendance area of a school where at least 50 percent of the enrolled children are eligible for free or reduced-price meals. For example, if a high school with less than 50 percent free or reduced-price school enrollment is located in the attendance area of a middle school that has 50 percent or more of the enrolled children eligible for free or reduced-price meals, then the after-school care program located in the high school would be area eligible. Sites which are not in areas served by a site in which at least 50 percent of the enrolled children are certified eligible for free or reduced-price meals must count meals and claim reimbursement by type (free, reduced-price, and full-price) and must have documentation of eligibility for all meals served for free or at a reduced price. Under no circumstances may a site charge children for snacks claimed at the free reimbursement rate. Charges for reduced-price snacks may not exceed 15 cents, as stipulated in 7 CFR §210.9(c)(4). The CARS system will automatically display the After-School Snack Program (ASSP) claim for reimbursement for any SFA approved.

4. Times of Operation

- a. Under no circumstances may snacks be reimbursed in programs operated before or during the child's school day except when a school site is implementing an expanded learning time program.* (Reference USDA Policy Memo SP-04-2011) Sites ***MUST*** be in session during the accredited school day for an after-school snack to be served. Sites are not eligible to receive reimbursement for snacks on weekends or holidays, including vacation periods, with one exception: If school, which is an integral part of the curriculum or an extension of the local education program, is in session, snacks may be served at the end of the school day; i.e., Saturday school is in session to make up for days missed because of inclement weather. This means snacks can be claimed only if served on educational days (after the school day has ended) that are counted as part of the accreditation requirement, whether or not the breakfast and/or lunch meals are served.

* The ASSP was established to support afternoon programs with educational and enrichment activities for children in the late afternoon or evening when they might otherwise be unsupervised and engage in risky behaviors. USDA regulations define after-school care programs as those *providing organized care to enrolled school-age children after school hours for the purpose of care and supervision of children* (7 CFR 210.2). Recently, educational programs aimed at serving at-risk children have

evolved to include schools operating expanded learning times longer than the traditional school day. *Expanded learning time* is a common term used in the educational area to describe schools or school districts that add significantly more school time for academic and enrichment opportunities to improve student achievement. Therefore, a school operating longer than the traditional school day may be eligible for after-school 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 (LEA) in which the school is located.

- b. A child's eligibility is based on when **his or her** scheduled school day ends and not on whether or not the site continues in session. For example, if a kindergarten program ends at noon but the children remain in school under a care program, snacks served to these children may be reimbursed under this provision. The same would be true for older children enrolled in sites that have split sessions. If children enrolled in the early session remain on campus to participate in an approved after-school care program, they may receive reimbursable snacks even though the site continues to operate a later academic session.
- c. A residential child care institution (RCCI) may participate in the ASSP in the same manner as a regular school district. The snack service would not be in place of the evening meal, but in addition to the evening meal. The snack can be served either before or after the supper meal.

5. Content of Snacks

Snacks served under this provision must meet the meal pattern for snacks set forth in 7 CFR §210.10(a)(ii) and §210.10(o). Both snack components in the quantities required must be served to each student. ***Snacks cannot be taken off-site for consumption.*** (Reference 7 CFR §210.7[d]) Portions for children aged 13 through 18 shall be not less than the portions stipulated for children aged 6 through 12. In fact, it is recommended that sites offer larger portions for older children (aged 13 through 18), based on their greater food energy requirements. ***This means that Offer versus Serve (OvS) is not an allowable option.***

6. Record Keeping

It is the intention of the law to keep any record-keeping burden to the minimum necessary to ensure that federal reimbursement is properly paid. At a minimum, SFAs participating under this provision must maintain the following records for the time periods required in 7 CFR§210.23(c):

- a. Documentation that the site is located in an area served by a site in which at least 50 percent of the enrolled students are certified eligible for free or reduced-price meals (if all snacks are claimed free).
- b. Documentation of free and reduced-price eligibility for all children for whom free and reduced-price snacks are claimed (for all other sites).
- c. Documentation of an individual child's attendance/meal participation on a daily basis.
 - (1) For school sites that must claim categorical counts (sites that are less than 50 percent free and reduced-price):
 - (a) The snack daily attendance form must show each child in attendance and whether a meal was served. It can be marked on this form if a child is in attendance and if they received a meal.

*An X will indicate a child was in attendance and a circle around the X indicates a reimbursable meal was served to the child. See form on **page C-116**.*

- (b) Each child in attendance who was served a meal must then be placed in the proper category. See form on **page C-117**
- (2) For school sites that are not required to claim categorical counts (sites that are more than 50 percent free and reduced-price): The record must indicate when a child in attendance received a meal.
- d. Food production records indicating components and quantities of food prepared.
- e. On-site Reviews

Review each ASSP two times a year; the first review shall be made during the first four weeks that the school is in operation each school year, except that an ASSP operating year-round shall be reviewed during the first four weeks of its initial year of operation, once more during its first year of operation, and twice each school year thereafter. (Reference 7 CFR §210.9[c][7]) This includes RCCI's that operate on a year round basis. See form the monitoring form on **page C-121**.

7. After School Snack (ASSP) Meal Pattern Requirements

- a. Grain-based desserts are not allowable for ASSP. Grain-based desserts are indicated in red in the ASSP Grains Chart. This includes:
 - Granola bars, breakfast bars, cookies including vanilla wafers, doughnuts, sweet rolls such as cinnamon rolls, toaster pastries, etc.
- b. Grains served must be ounce equivalent.
- c. 80% of the grains served for the week must be whole grain-rich.
- d. Fifty percent (50%) of fruit and/or vegetable served can be in the form of juice for the week.
- e. Flavored milk can have up to 10 grams of added sugar pure 8 ounces (1/2 pint).
 - It is not required to offer a variety of milk at snack.
- f. Yogurt may have no more than 12 grams of added sugars per 6 ounces (2 grams of added sugar per ounce).

Yogurt Serving in Ounces	Yogurt Serving in Grams	Added Sugars Allowed
2 oz.	57 grams	0-4 grams
3 oz.	85 grams	0-6 grams
4 oz.	113 grams	0-8 grams
5.3 oz.	150 grams	0-10 grams
6 oz.	170 grams	0-12 grams
8 oz.	227 grams	0-16 grams

**Uses ounces for yogurt. If ounces is not indicated, then use grams.*

g.. Breakfast cereals may have no more than 6 grams of added sugars per dry ounce.

Breakfast Cereal Serving Size	Added Sugars Allowed
12-16 grams	0-3 grams
26-30 grams	0-6 grams
31-35 grams	0-7 grams
36-40 grams	0-8 grams
45-49 grams	0-10 grams
55-58 grams	0-12 grams
59-63 grams	0-13 grams
74-77 grams	0-16 grams

AFTERSCHOOL SNACK (ASSP)

MEAL PATTERNS (Updated FY2026)

Food Components and Food Items ¹	Ages 3-5	Ages 6-12	Ages 13-18 ² (At-Risk After-School Programs)
Fluid Milk²	4 fluid ounces	8 fluid ounces	8 fluid ounces
Lean meat, poultry, or fish	1/2 ounce	1 ounce	1 ounce
Tofu, soy product, or alternate protein products ³	1/2 ounce	1 ounce	1 ounce
Cheese	1/2 ounce	1 ounce	1 ounce
Large egg	1/2	1/2	1/2
Cooked dry beans or peas	1/8 cup	1/4 cup	1/4 cup
Peanut butter or soy nut butter or other nut or seed butters	1 Tbsp	2 Tbsp	2 Tbsp
Yogurt, plain or flavored, unsweetened or sweetened ⁴	2 ounces or 1/4 cup	4 ounces or 1/2 cup	4 ounces or 1/2 cup
Peanuts, soy nuts, tree nuts, or seeds	1/2 ounce	1 ounce	1 ounce
Vegetables^{5,9}	1/2 cup	3/4 cup	3/4 cup
Fruits^{5,9}	1/2 cup	3/4 cup	3/4 cup
Grains^{6, 7, 8}			
Whole grain-rich or enriched bread	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich or enriched bread product such as biscuit, roll, or muffin	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich, enriched or fortified cooked breakfast cereal ⁹ , cereal grain, and/or pasta	1/4 cup	1/2 cup	1/2 cup
Flakes or rounds	1/2 cup	1 cup	1 cup
Puffed cereal	3/4 cup	1 1/4 cups	1 1/4 cups
Granola	1/8 cup	1/4 cup	1/4 cup

¹ Select two of the five components for a reimbursable snack. Only one of the two components may be a beverage.

² Must be unflavored lowfat (1%) or unflavored fat-free (skim) milk for children aged two through five. Must be unflavored lowfat (1%), unflavored fat-free (skim) milk, flavored lowfat (1%), or flavored fat-free (skim) milk for children aged six and older. Flavored milk must contain no more than 10 grams of added sugar per 8 ounces.

³ Alternate protein products must meet the requirements in Appendix A to Part 226.

⁴ Yogurt must contain no more than 12 grams of added sugars per 6 ounces.

⁵ Pasteurized full-strength juice may only be used to meet the vegetable or fruit requirement at one meal, including snack, per day.

⁶ 80% of all the grains offered throughout the course of the week must be whole grain-rich.

⁷ Breakfast cereals must contain no more than 6 grams of added sugar per dry ounce (no more than 21.2 grams sucrose and other sugars per 100 grams of dry cereal).

⁸ Grain-based desserts do not count toward meeting the Grains requirement

⁹ No more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100 percent full-strength.

AFTERSCHOOL SNACK (ASSP) GRAINS CHART

Exhibit A—Grains for Child Nutrition Programs^{1,2}

GROUP A	MINIMUM SERVING SIZE FOR GROUP A
•Bread-type coating •Breadsticks (hard) •Chow mein noodles •Croutons •Pretzels (hard) •Savory crackers (saltines and snack crackers) •Stuffing (dry) <i>Note: Weights apply to bread in stuffing.</i>	1 oz eq = 22 gm or 0.8 oz 3/4 oz eq = 17 gm or 0.6 oz 1/2 oz eq = 11 gm or 0.4 oz 1/4 oz eq = 6 gm or 0.2 oz
GROUP B	MINIMUM SERVING SIZE FOR GROUP B
•Bagels •Batter-type coating •Biscuits •Breads (white, wheat, whole-wheat, French, Italian) •Buns (hamburger and hot dog) •Egg roll skins •English muffins •Pita bread (white, wheat, whole-wheat) •Pizza crust •Pretzels (soft) •Rolls (white, wheat, whole-wheat, potato) •Sweet crackers (graham crackers—all shapes, animal crackers) •Tortillas (wheat or corn) •Tortilla chips (wheat or corn) •Taco shells	1 oz eq = 28 gm or 1.0 oz 3/4 oz eq = 21 gm or 0.75 oz 1/2 oz eq = 14 gm or 0.5 oz 1/4 oz eq = 7 gm or 0.25 oz
GROUP C	MINIMUM SERVING SIZE FOR GROUP C
•Cookies³ (plain, includes vanilla wafers) •Cornbread •Corn muffins •Croissants •Pancakes •Pie crust (dessert pies³, fruit turnovers³, cobbler³, and meat/meat alternate pies) •Waffles	1 oz eq = 34 gm or 1.2 oz 3/4 oz eq = 26 gm or 0.9 oz 1/2 oz eq = 17 gm or 0.6 oz 1/4 oz eq = 9 gm or 0.3 oz

- ¹ Under the CACFP, the following foods are whole grain or enriched or made with enriched or whole-grain meal and/or flour, bran, and/or germ. For meals and snacks served to children and adults, at least one serving of grains per day in the CACFP must be whole grain-rich. Under the NSLP and SBP, the following food quantities from Group A-G must contain at least 16 grams of whole grain or can be made with 8 grams of whole grain and 8 grams of enriched meal and/or enriched flour to be considered whole grain-rich.
- ² Some of the following foods or their accompaniments may contain more sugar, salt, and/or fat than others. This should be a consideration when deciding how often to serve them.
- ³ Considered a grain-based dessert and cannot count toward the grain component at any meal served under the CACFP as specified in §226.20(a)(4).
- ⁴ Refer to program regulations for the appropriate serving size for supplements served to children and adult participants. Breakfast cereals are traditionally served as a breakfast menu item but may be served in meals other than breakfast.
- ⁵ Under the CACFP, cereals may be whole grain, enriched, or fortified, and must contain no more than 6 grams of sugar per dry ounce.

ASSP GRAINS CHART

Exhibit A continued

GROUP D	MINIMUM SERVING SIZE FOR GROUP D
•Doughnuts³ (cake and yeast-raised, unfrosted) •Granola bars³ (plain, cereal bars, breakfast bars) •Muffins (all except corn) •Sweet roll³ (unfrosted) •Toaster pastry³ (unfrosted)	1 oz eq = 55 gm or 2.0 oz 3/4 oz eq = 42 gm or 1.5 oz 1/2 oz eq = 28 gm or 1.0 oz 1/4 oz eq = 14 gm or 0.5 oz
GROUP E	MINIMUM SERVING SIZE FOR GROUP E
•Cookies³ (with nuts, raisins, chocolate pieces, fruit purees) •Doughnuts³ (cake and yeast-raised, frosted and glazed) •French toast •Granola bars³ (with nuts, chocolate pieces, or dried fruit) •Sweet rolls³ (frosted) •Toaster pastry³ (frosted)	1 oz eq = 69 gm or 2.4 oz 3/4 oz eq = 52 gm or 1.8 oz 1/2 oz eq = 35 gm or 1.2 oz 1/4 oz eq = 18 gm or 0.6 oz
GROUP F	MINIMUM SERVING SIZE FOR GROUP F
•Cake³ (plain, unfrosted) •Coffee cake³	1 oz eq = 82 gm or 2.9 oz 3/4 oz eq = 62 gm or 2.2 oz 1/2 oz eq = 41 gm or 1.5 oz 1/4 oz eq = 21 gm or 0.7 oz
GROUP G	MINIMUM SERVING SIZE FOR GROUP G
•Brownies³ (plain) •Cake³ (all varieties, frosted)	1 oz eq = 125 gm or 4.4 oz 3/4 oz eq = 94 gm or 3.3 oz 1/2 oz eq = 63 gm or 2.2 oz 1/4 oz eq = 32 gm or 1.1 oz
GROUP H	MINIMUM SERVING SIZE FOR GROUP H
•Cereal grains (barley, quinoa, etc.) •Breakfast cereals^{4,5} (cooked) •Bulgur or cracked wheat •Macaroni (all shapes) •Noodles (all varieties) •Pasta (all shapes) •Ravioli (noodle only) •Rice (enriched white or brown)	1 oz eq = 1/2 cup cooked (or 28 gm dry)
GROUP I	MINIMUM SERVING SIZE FOR GROUP I
•Ready-to-eat breakfast cereal^{4,5} (cold, dry)	1 oz eq = 1 cup or 1.0 oz for flakes or rounds 1 oz eq = 1.25 cup or 1.0 oz for puffed cereal 1 oz eq = 1/4 cup or 1.0 oz for granola

³ Considered a grain-based dessert and cannot count toward the grain component at any meal served under the CACFP as specified in §226.20(a)(4).

⁴ Refer to program regulations for the appropriate serving size for supplements served to children and adult participants. Breakfast cereals are traditionally served as a breakfast menu item but may be served in meals other than breakfast.

⁵ Under the CACFP, cereals may be whole grain, enriched, or fortified, and must contain no more than 6 grams of sugar per dry ounce.

*Attendance = X and Reimbursable Meal Served = O over the X

Month: _____

Year: _____

[illegible]

1. Record the name of the After-School Snack Program (ASSP) site.
2. Record the month and year.
3. List each child's first and last name.
4. Daily, check each child who is in attendance with an X.
5. As a reimbursable snack is served to each individual child, CIRCLE all checks that are circled.

AFTERSCHOOL SNACK PROGRAM MEAL COUNT WORKSHEET

Name of After-School Snack Site: _____

Month: _____ Year: _____

DATE	CATEGORICAL COUNT SITES ONLY				50% ELIGIBLE SITES ONLY
	FREE	REDUCED- PRICE	FULL-PRICE	TOTAL	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
TOTALS					

Example

AFTERSCHOOL SNACK MENUS AS SERVED INSTRUCTIONS

1. The snack menus are recorded on the menu-planning pages under the *Menu* column.
2. Each meal component being credited must be recorded in the proper component box.
3. Total quantities of food served from each meal component must be recorded. Remember to indicate package size, poundage, ounces, fresh, frozen, etc.
4. Remember to always record the following daily:
 - a. Date, including year
 - b. Total number of children served
 - c. Number of children served in each age group
 - d. Number of adults served
 - e. Number of contract snacks served
5. The menu-planning pages must be kept on-site at all times.
6. Maintain the menu-planning pages on a fiscal year basis beginning July 1 and ending on June 30 of each fiscal year.
7. Keep the menu-planning pages on file with all other CNP records at the close of the fiscal year.

SNACK	MENU	QTY SERVED: MEAT/MEAT ALTERNATE	QTY SERVED: GRAINS/ BREADS	QTY SERVED: VEGETABLE/ JUICE	QTY SERVED: FRUIT/JUICE	QTY SERVED: MILK
Date: <u>8/25/XX</u> Total children served: <u>41</u> Number of children served: 3-5: _____ 6-18: <u>41</u> Adults: <u>3</u> Contract: <u>0</u>	Apple Graham Crackers		3 lb Graham Crackers	44 Apples		
Date: <u>8/26/XX</u> Total children served: <u>39</u> Number of children served: 3-5: _____ 6-18: <u>39</u> Adults: <u>0</u> Contract: <u>0</u>	Doritos (<i>variety</i>) Milk		39 (2 5/8 oz) bags			39 (1/2 pint) white 1% milk
Date: <u>8/27/XX</u> Total children served: <u>45</u> Number of children served: 3-5: _____ 6-18: <u>45</u> Adults: <u>3</u> Contract: <u>0</u>	Peanut Butter and Jelly Sandwich Water	2 (32 oz) jar	6 lb loaf whole wheat bread			

AFTERSCHOOL SNACK (ASSP) MENUS AS SERVED

SNACK	MENU	QTY SERVED: MEAT/MEAT ALTERNATE	QTY SERVED: GRAINS/ BREADS	QTY SERVED: VEGETABLE/ JUICE	QTY SERVED: FRUIT/JUICE	QTY SERVED: MILK
Date: _____ Total children served _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served: _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served: _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served: _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						
Date: _____ Total children served _____ Number of children served: 3-5: _____ 6-18: _____ Adults: _____ Contract: _____						

AFTERSCHOOL SNACKS MENU EXAMPLE

SWEET SNACKS/GRAIN-BASED DESSERTS CANNOT BE SERVED AT SNACK

Monday	Tuesday	Wednesday	Thursday	Friday
Sausage (1 oz) Biscuit (1 oz) Water	Fresh Vegetables (3/4 cup) Ranch Dressing, Fat-Free* Milk (8 oz) Chocolate FF	Cheese Stick (1 oz) Dorito Chips (1.75 oz) Water	Peanut Butter (2 Tbsp) Ritz Crackers (1 oz) 100% Fruit Juice (3/4 cup)	Banana Nut Muffin (2 oz) Milk (8 oz) Chocolate FF
Breakfast Cereal (1 oz) Milk (8 oz) White 1%	Tortilla Chips (1 oz) Salsa* Cheese (1 oz) Water	Pancake on a Stick (4 oz - 2 oz meat/meat alternate & 2 oz grain) CN#: 343434 100% Fruit Juice (3/4 cup)	Banana (1 each) Animal Crackers (1 oz) # Water	Fish-Shaped Crackers (0.7 oz) Milk (8 oz) Chocolate FF
Graham Cracker (1 oz) 100% Fruit Juice (3/4 cup)	Corn Dog (4 Oz - 2 oz. Meat/meat alternate & 2 oz. grain) CN#: 121212 Water	Apple, Sliced (Medium) Yogurt (4 oz) 100% Fruit Juice (6 oz)	Animal Crackers (1 oz) Milk (8 oz) Chocolate FF	Carrot Sticks (9 1/2" x 4") Ranch Dip, Fat-Free* Milk (8 oz) Chocolate FF
Bread Stick (1 oz) with Cheese (1 oz) Pizza Sauce* Water	Cereal (1 oz) Milk (8 oz) White 1% 100% Fruit Juice (3/4 cup)	Applesauce (3/4 cup) Graham Crackers (1 oz) Water	French Toast Sticks (2.4 oz) Yogurt (4 oz) Water	Tortilla (1.5 oz) with Cheese (1 oz) Milk (8 oz) White 1%
Orange 1 1/2 (Medium) Milk (8 oz) Chocolate FF	Soft Pretzel (1 oz) Cheese sauce* 100% Fruit Juice (3/4 cup)	Peaches, Canned (3/4 cup) Milk (8 oz) Chocolate FF	Peanut Butter (2 Tbsp) Jelly* Bread (2 oz) Milk (8 oz) White 1%	Pineapple Chunks (3/4 cup) Blueberry Muffin Square (2 oz) Water

*Extra Food

AFTERSCHOOL SNACK PROGRAM (ASSP) ON-SITE REVIEW

Area-Eligibility Based on _____ Site

SITE: _____	YES	NO	NA*
A. ATTENDANCE			
1. Is an attendance list used in the meal count system?	☐	☐	☐
2. Is attendance list updated as needed (at least daily)?	☐	☐	☐
3. Is there an educational or enrichment component offered?	☐	☐	☐
B. MEAL COUNT RECORDING AND EDIT CHECKS			
1. Are snacks served after the students' school day has ended?	☐	☐	☐
2. Are all snacks consumed in their entirety on-site?	☐	☐	☐
3. Does the site use proper procedures for counting and recording snacks?	☐	☐	☐
4. For any day during the review month, does the number of snacks claimed exceed the daily allowance?	☐	☐	☐
5. Does the site have proper procedures to manage and safeguard cash (reconciliation, extra item sales, adult meals, etc.)?	☐	☐	☐
C. MENU MEAL PATTERN REQUIREMENTS			
1. Do all snacks served include the required components (two of the four)?	☐	☐	☐
2. Do all snacks served meet the quantity requirements for the age groups served?	☐	☐	☐
3. Do all students receive both the required components in the correct quantities before the snacks are claimed?	☐	☐	☐
4. Are adequate food production records being maintained?	☐	☐	☐
5. Is milk offered from the following?	☐	☐	☐
• Unflavored or flavored fat-free • Unflavored lowfat (1%) • Lactose-reduced lowfat (1%) or fat-free • Ultra High Temperature (UTH) lowfat (1%) or fat-free • Cultured buttermilk lowfat (1%) or fat-free • Acidified milk lowfat (1%) or fat-free • Lactose-free lowfat (1%) or fat-free			
FOR SITES NOT MEETING 50 PERCENT ELIGIBILITY ONLY			
D. APPLICATION APPROVAL			
1. Are applications approved at the school? Responsible Party: _____	☐	☐	☐
2. Are applications on file correctly approved?	☐	☐	☐
3. Do names on the attendance list match approved applications on file?	☐	☐	☐
4. Are snacks made available free or at a reduced price to all students who are determined by the school food authority (SFA) to be eligible for such benefits?	☐	☐	☐
E. MEAL COUNT SYSTEM			
1. Does the meal count system produce an accurate count of reimbursable snacks (free, reduced-price, full-price) served to eligible children?	☐	☐	☐
a. If students are charged for snacks, do the collection procedures in use match the approved collection procedures in the Policy Statement?	☐	☐	☐
b. If the meal count is not taken at the time the snack is served, does the school have a system to account for reimbursable snacks?	☐	☐	☐
2. Does the meal count system prevent overt identification?	☐	☐	☐
a. Is the medium of exchange made available to all students at the same location?	☐	☐	☐
b. Does the medium of exchange used prohibit codes for identifying students as free, reduced-price, or full-price?	☐	☐	☐

Comments (List any problems that need corrective action):

Signature of Reviewer: _____ Date: _____

*Not applicable

B. Special Milk Program (SMP)

1. In 1954 the SMP was implemented to encourage fluid milk consumption by selling milk to students at the lowest possible price and serving milk free to students determined to be eligible. Beginning in 1961 and continuing through 1986, this program was available only to schools and nonprofit child care institutions not participating in the NSLP and SBP. In 1986 the SMP was expanded to include split-session kindergarten children who do not have access to the breakfast and/or lunch programs because of their half-day schedules. The benefits of the program were also extended to preprimary class students who do not have access to the breakfast and/or lunch programs because of their half-day schedules.

School districts that have split-session kindergarten and preprimary students who do not have access to the NSLP and/or SBP may receive reimbursement for milk served to these students. Schools may choose either to serve milk free to students qualifying according to family income, serve milk at a set price to all students, or serve milk free to all students.

- a. **Nonpricing Program:** All children are served milk free of charge, and all milk served is claimed for reimbursement at the rate established by USDA.
 - b. **Option 1 Pricing Program:** Children whose family size/income falls within the free guidelines are served free milk. Reimbursement is claimed for the average cost of milk served free to eligible children. Children who are not eligible for free milk pay for the milk served, and reimbursement is claimed for paid milk at the rate established by USDA.
 - c. **Option 2 Pricing Program:** All children are charged for milk served regardless of family size/income. All milk served is claimed for reimbursement at the rate established by USDA.
2. Sites **MUST** offer students fluid pasteurized milk in **at least two choices** from the following:
Unflavored milk must be one of the choices offered at each meal service.
 - Unflavored or flavored fat-free (skim)
 - Unflavored or flavored lowfat (1%)
 - Lactose-reduced lowfat (1%) or fat-free (skim)
 - Lactose-free lowfat (1%) or fat-free (skim)
 - Acidified milk, such as acidified kefir milk and acidified acidophilus milk (1%) or fat-free (skim)
 - Cultured milk, such as cultured buttermilk, cultured kefir milk, and cultured acidophilus milk (1%) or fat-free (skim); and
 - Ultra High Temperature (UHT) Milk (1%) or fat-free (skim)
 - a. Flavored milk can be served to students 6 and older. 5 and under can only have white milk.
 - b. If *flavored milk is served, each 8 ounces (1/2 pint) can have up to 10 grams of added sugar.*

C. Summer Programs

1. Schools Operating Accredited Summer School Sites

A school site operating an accredited summer school as defined in Oklahoma Statute 210:35-15-2, after the regular school year has concluded, has **TWO** options in continuing to feed its students during the summer months:

- a. Summer Food Service Program (SFSP).
- b. Seamless Summer Option (SSO)
 - The Seamless Summer Option is an extension of NSLP/SBP/ASSP

2. Schools **NOT** Operating Accredited Summer School Sites

A school site **NOT** operating an accredited summer school as defined in Oklahoma Statute 210:35-15-2, after the regular school year has concluded, has **many different options** to consider if continuing to feed students during the summer months. Participating in any of the options listed **does not** affect the way the school site uses its carryover applications from the previous school year into the next regular school year. Refer to the Eligibility Section for additional information in carryover applications.

a. Summer Feeding Program (SFSP)

Schools may operate the SFSP at one or more sites. These are the actual locations where meals are served and children eat in a supervised setting. Eligible sites are those that serve children in low-income areas or specific groups of low-income children. Schools must provide documentation that their proposed sites meet the income-eligibility criteria required by law or use the census tract for documentation of eligibility. The most common types of sites are: open sites, restricted open sites, and closed enrolled sites. **Application deadline is April 30th.**

(1.) Types of Sites—Schools may sponsor the following types of sites:

- (a) **Open Site**—Children aged 18 and under eat free in the community where at least 50 percent of the children are eligible for free or reduced-price school meals. These sites may be operating an accredited summer school program or a 21st Century Grant Program. An open site may participate in the SFSP without offering any type of educational or enrichment program.
- (b) **Restricted Open Site**—This is an open site restricted for safety, control, or security, and that meets the 50 percent criteria. Educational or enrichment programs may or may not be offered along with the meal service.
- (c) **Closed Enrolled Sites**—This site may be in any community for an enrolled group of low-income children meeting the 50 percent criteria explained previously. This excludes accredited summer school programs, but includes programs such as 21st Century grants, tutoring, etc.

(2.) Special Types of Sites:

- (a) **Migrant Site**—This site serves children of migrant families.
- (b) **Camps**—A site is residential or nonresidential.

(3.) Basic Requirements:

- (a) **Application**—SFAs may apply for the SFSP by calling Dee Houston at 405-522-4943 or Dee.Houston@sde.ok.gov. The school will receive a Username and Password to access the SFSP system. **Training is required for new sponsors.**
- (b) **Notifying Families**— The Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, establishes requirements for conducting outreach to households on the availability of Summer Feeding Service Program meals. Section 112 of the Act amends Section 13(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761[a]) requires each SFA utilizing SFSP to inform eligible families of the availability and location of free meals for students when the regular school year ends.
 - Acceptable notification may include developing or disseminating printed or electronic materials to families of school children prior to the end of the school year that provide information on the availability and location of SFSP meals. Other notification to promote the availability and location of SFSP meals may be approved by the State agency. (Reference USDA Policy Memo SP-04-2011)
- (c) **Meals Prepared in Schools** (7 CFR 225.16[f][1][i])—Schools participating in the NSLP or SBP are accustomed to preparing meals that meet federal nutritional requirements. Sponsors serving meals that are prepared in schools may, with prior State agency approval, use the meal requirements of those programs instead of the SFSP meal patterns. Sections 210.10 and 210.10(a) of NSLP regulations and Sections 220.8 and 220.8(a) of SBP regulations describe requirements for school meals.
- (d) **Reimbursement**—Meals are reimbursed at a higher free reimbursement rate than the Seamless Summer Option. The site reports the number of reimbursable meals served each month and receives a combination of operating and administrative reimbursement. Schools receive the maximum reimbursement by claiming the number of reimbursable meals multiplied by the current rates.

2025 Rates for Summer Food Service Program for Children

Rural or Urban Self-Prep* Sites or Rural Vended Sites		Urban Vended Sites	
Breakfast	\$ 3.0875	\$ 3.0300	(Operating and administrative reimbursement rates have been added together)
Lunch/Supper	5.4025	5.3150	
Snack	1.2800	1.2500	

NOTE: Urban counties include: Canadian (09), Cleveland (14), Comanche (16), Cotton (17), Creek (19), Garfield (24), Grady (26), Lincoln (41), Logan (42), McClain (47), Oklahoma (55), Okmulgee (56), Osage (57), Pawnee (59), Rogers (66), Sequoyah (68), Tulsa (72), and Wagoner (73). Any SFSP sites located in these counties or any SFSP sites under an FSMC contract will automatically receive the lower (urban-vended) rates.

*Self-prep sites in either urban or rural areas receive the higher rate

- (e) **Monitoring by SFA**—SFAs operating sites under the SFSP must conduct the following monitoring visits:
- (1) Preoperational site visit for all new sites, or those with problems from the previous year (part of application process)
 - (2) One monitoring visit must be conducted during first four weeks of program operation for all sites.
 - (3) One monitoring visit must be conducted during the first two weeks of program operation for all new sites and those with problems in the previous year.

The chart on **page C-127-129** shows the difference between the Summer Feeding Program (SFSP) and the Seamless Summer Option (SSO).

b. Seamless Summer Option (SSO)

The Seamless Summer Option combines features of the NSLP, the SBP, and the SFSP. SFAs participating in the Seamless Summer option basically follow the same guidelines as the NSLP and SBP. **Application deadline is May 15, 2026.**

(1.) Approval Criteria:

In order for an open site to be approved, at least 50 percent of the children in the area to be served must be eligible for free or reduced-price school meals. Closed enrolled sites may also qualify if 50 percent of the enrolled children are eligible for free or reduced-price meals. At these sites, reimbursement is provided for meals served to all children aged 18 and under. Camps must qualify based on individual children's eligibility and may only claim reimbursement for children who are eligible for free or reduced-price meals.

(2.) Types of Sites:

- (a) **Open Site**—All children eat free in the community where at least 50 percent of the children are eligible for free or reduced-price meals. These sites may be operating an accredited summer school program, a 21st Century Grant Program, or the site *may just be offering the meal*. An open site may participate in the Seamless Summer Option without offering any type of educational or enrichment program.
- (b) **Restricted Open Site**—This is an open site restricted for safety, control, or security and that meets the 50 percent criteria above. Educational or enrichment programs may or may not be offered along with the meal service.
- (c) **Closed Enrolled Site**—This site may be in any community for an enrolled group of low-income children meeting the 50 percent criteria for an open site or using the eligibility status of individual children if 50 percent or more of the enrolled children are free and reduced-price. The SFA must explain why a closed enrolled site is being sponsored.
- (d) **Migrant**—This site serves children of migrant families.
- (e) **Camps**—A site must be nonresidential. A camp may qualify if 50 percent or more of the enrolled children are eligible for free or reduced-price meals and can only claim reimbursement for those children. The SFA must explain why a camp is being sponsored instead of a more conventional Seamless Summer Option site.

(3.) Basic Requirements for the Seamless Summer Option

- (a) **Application**—SFAs may apply online. Contact our office at 405-521-3327 if you have questions.
- (b) **Meal Pattern Requirements**—SFAs follow the same menu-planning option implemented during the regular school year.
- (c) **Reimbursement**—Meals are reimbursed at the same NSLP/SBP/ASSP free rate as during the regular school year.

2024 Rates for Seamless Summer Option Through June 30, 2024

Meal Rate

Breakfast	\$	2.28	or	2.73	(if site is Severe Need)
Lunch/Supper		4.25	or	4.27	(if district is a 60 percent district)
Snack		1.17			

- (d) **Meal Service**—Open and closed enrolled sites may claim up to two types of meals per day in any combination except lunch and supper. Camps and migrant sites may serve a maximum of three meals per day and may claim both lunch and supper on the same day.
- (e) **Monitoring by SFA**—SFAs must review each site at least once during operation to ensure compliance with meal counting, meal claiming, menu planning, and food safety requirements. **A monitoring review is to be conducted within the first 3 weeks of operation.**

c. Non-Congregate Meal Service in Rural Areas for SFSP and SSO (SP-13-2024)

Summer Food Service Program (SFSP) and NSLP Seamless Summer Option (SSO) sponsors are allowed operate non congregate meal service if the school meets the rural requirements, and completes the online application. Approval is on a case-by-case basis. In order to serve non-congregate meals, the district must:

Rural definition:

- Any area in a county which is not a part of a Metropolitan Statistical Area based on the Office of Management and Budget's Delineations of Metropolitan Statistical Areas
- Any area in a county classified as a non-metropolitan area based on USDA Economic Research Service's Rural-Urban Continuum Codes and Urban Influence Codes
- Any census tract classified as a non-metropolitan area based on USDA Economic Research Service's Rural-Urban Commuting Area codes;
- Any area of a Metropolitan Statistical Area which is not part of a Census Bureau-defined urban area;
- Any area of a State which is not part of an urban area as determined by the Secretary
- Any subsequent substitution or update of the aforementioned classification schemes that Federal governing bodies create; or
- Any "pocket" within a Metropolitan Statistical Area which, at the option of the State agency and with Southwest Region Office approval, is determined to be rural in character based on other data sources.

COMPARISON OF PROGRAMS - SUMMER FOOD SERVICE PROGRAM (SFSP) VERSUS SEAMLESS SUMMER FEEDING WAIVER

TOPIC	SUMMER FEEDING SERVICE PROGRAM (SFSP)	SEAMLESS SUMMER OPTION (SSO)
Application Deadline	Application is due to Oklahoma State Department of Education by April 30th	Application is due to State Department of Education by May 15th
Duration of Approval	As stated in agreement and application requirement	<i>Same as SFSP</i>
Training	- Training is required for all participants prior to application approval. - Required trainings - Annual Summer Feeding Training, Food-Buying Guide, and Civil Rights	Training is not required but highly recommended
Eligible Sponsors	- Schools/SFAs - Local government agencies - Private nonprofit organizations - Universities or colleges - Community or faith-based organizations	Schools/SFAs only
Types of Meals	- Breakfast - Lunch/supper - Snack (AM or PM) Lunch and supper cannot be reimbursed for the same day by the same site except for camp and migrant sites	<i>Same as SFSP</i>
Maximum Number of Meals	- Two for most sites - Any combination except lunch and supper - Three meals for residential camps and migrant sites	Same as SFSP, except no residential camps
Commodities	- Allowed to use Commodities - May receive bonus commodities	Same as SFSP
Reimbursement Rates	- SFSP Operating and Administrative Rates apply (these are higher rates than the National School Lunch Program [NSLP]/School Breakfast Program [SBP]/After-School Snack Program [ASSP]) - New rates are available in January	- NSLP, SBP, and ASSP rates apply these are lower rates than SFSP - New rates are available in July

COMPARISON OF PROGRAMS - SUMMER FOOD SERVICE PROGRAM (SFSP) VERSUS SEAMLESS SUMMER FEEDING WAIVER

TOPIC	SUMMER FEEDING SERVICE PROGRAM (SFSP)	SEAMLESS SUMMER OPTION (SSO)
Monitoring Required by the SFA/Sponsors	- Required to perform preoperational visit before a new or problem site operates the summer program - Must visit all sites once during first week of operation (waived for experienced Sponsors that are SFA's) - Each site must review once during first four weeks of operation and then monitor at a REASONABLE level.	Annual review of meal counting, claiming, and meal pattern compliance within three weeks of start of operations
Establishing Site Eligibility	Open sites: In the attendance area of a school or in a geographic area defined by census data where 50 percent or more of the children qualify for free or reduced price school meals, and open to community Enrolled sites: 50 percent or more of enrolled children are eligible for free or reduced price meals, determined by approved application, or operate in an eligible area Migrant sites: Certification by a migrant organization that the sites serve children of migrant farm workers Camps: Offer a regularly scheduled food service as part of an organized program for enrolled children *As applicable, alternative forms of data may be used to establish site eligibility, including Special provision data (including Community Eligibility)	Same as SFSP
Reimbursement Method	- SFSP sponsors receive the maximum reimbursement (meals times rates) without regard to their actual or budgeted costs - Sponsors may use reimbursements to pay for any allowable program cost - Camps are reimbursed only for meals served to eligible children preceding year were free or reduced	- If area eligible, all meals reimbursed at NSLP/SBP free rate - Extra reimbursements available under NSLP/SBP provided under SSO, as applicable - If applications required (camps or closed enrolled in non-eligible area), free and reduced price meals reimbursed at free NSLP/SBP rate; no reimbursement for paid meals at these sites
Monitoring Required by State	Reviewed every 3 years or more frequently based on program size and prior problems identified by the state agency	- Administration Review (AR) every 5 years. - At least one seamless site must be included in a AR of an SFA.
Non-Congregate in Rural Areas	- Non-congregate is only allowed in rural areas - Must have a state agency and USDA approved application - Non-congregate is approved on a case-by-case basis	Same as SFSP

COMPARISON OF PROGRAMS - SUMMER FOOD SERVICE PROGRAM (SFSP) VERSUS SEAMLESS SUMMER FEEDING WAIVER

TOPIC	SUMMER FEEDING SERVICE PROGRAM (SFSP)	SEAMLESS SUMMER OPTION (SSO)
Type of Sites and How Eligibility is Determined	<i>Open or Restricted-Open</i> - Based on 50 percent Free/Reduce-Price (F/R) enrollment of the attendance area of a school or census block-group data. <i>Closed Enrolled</i> - 50 percent of children enrolled based on the low-income report and are eligible for F/RP benefits. <i>Residential Camps</i> - Only meals for children who qualify for F/RP benefits are reimbursed.	<i>Open or Restricted-Open</i> - Same as SFSP <i>Closed Enrolled</i> - Same eligibility criteria, except they must be located in non-needy areas only. <i>Residential Camps</i> - Not eligible
Meal Pattern	• May use SFSP or NSLP/SBP/ASSP menu-planning approach	• Must use NSLP/SBP meal pattern requirements
Eligible Participants	• Children 18 years or younger, a person 21 years or older who meets the state definition of having a physical or mental disability.	• <i>Same as SFSP</i>
Public Notice	• SFA/Sponsor is required to send a public media notice regarding program and eligibility.	• Public media notice may be done, but it is not required • SFA must state how each site (excluding closed enrolled sites) will advertise availability of meals to the neighborhood community
Weekend Meals	• Available with State agency Approval only	• Available with State agency approval only
Times of Operation	• May - September for traditional school calendar areas • October - April during unanticipated school closures (i.e., emergencies)	• May - September for traditional school calendar areas • October - April during unanticipated school closures (i.e., emergencies)
Meal Service Locations	• Schools • Camps • Churches • Libraries • Parks • Community Centers • Housing Projects • Other public sites where children gather • Playgrounds • Migrant Centers • Pools	• <i>Same as SFSP</i>
Meal Cost for Children	All Meals are Free (Although camps are only reimbursed for children who qualify for free or reduced-priced meals, camp sponsors may, and usually do, provide meals free of charge to all children)	• <i>Same as SFSP</i>

D. Fresh Fruit and Vegetable Program (FFVP) Grant

The FFVP grant allows school to purchase fresh fruits and vegetables to be served to elementary students during the school day at a time that is not NSLP, SBP, or ASSP. To participate in the FFVP grant, the district will need to fill out the online application in CARS and be selected. The grant is given to those schools sites who apply and have the highest Free and Reduced-priced numbers. **The USDA Fresh Fruit & Vegetable Handbook** can be found at <https://fns-prod.azureedge.us/sites/default/files/resource-files/handbook.pdf>

Under the FFVP Grant:

- States are limited to an amount of \$50-\$75 per enrolled student per year.
- FFVP is a cost-reimbursement program.
- ***Fresh fruits and fresh vegetables must be served outside the normal mealtimes while school is in session.***
- This is not the Department of Defense (DoD) Fresh Fruit and Vegetable Program.
- FFVP is administered on the Federal Fiscal year (October 1 - September 30)
- The site must be an elementary school and on NSLP.

The FFVP provides all children in participating schools with a variety of free fresh fruits and fresh vegetables throughout the school day. It is an effective and creative way of introducing fresh fruits and fresh vegetables as healthy snack options. The FFVP also encourages community partnerships to support the schools when they offer free fresh fruits and fresh vegetables to children during the school year.

The goal of the Fresh Fruit and Vegetable Program is to:

1. Create healthier school environments by providing healthier food choices.
2. Expand the variety of fresh fruits and fresh vegetables children experience.
3. Increase children's fresh fruit and vegetable consumption.
4. Make a difference in children's diets to impact their present and future health.

Proper Procurement Practices must be used. Refer to the district's Procurement Plan when procuring items for FFVP.

Geographic Preference allows institutions receiving funds through CNP to use geographic preference when procuring unprocessed locally grown or locally raised agricultural products.

When geographic preference is used, an SFA must still get quotes from several farmers when procuring unprocessed locally grown or locally raised agricultural products if using small purchase procedures. This is so competitors have an opportunity to compete for the bid. If each transaction is under \$10,000, the district can use micropurchasing. ***Micropurchasing is the most common method if purchasing local.***

FOOD SAFETY

1. Food Safety Training

- a. Once every 5 years, the district Child Nutrition Director ***MUST*** have Food Safety Training.
- b. A new director must have Food Safety Training within 30 days of start date (if none prior to hiring.)
- c. Food safety links for school and school food service managers and employees: **<http://www.fns.usda.gov/food-safety/food-safety>**
- d. ***Food Safety in Schools*** a training program in safety and sanitation for all levels of food service employees: **<https://theicn.org/icn-resources-a-z/food-safety-in-schools>**
- e. Gateway to Government Food Safety Information, includes recall information and food safety tips: **<http://www.FoodSafety.gov>**

2. Food Safety Program—HACCP

- a. USDA Meat and Poultry Hotline: **1-888-674-6255**
- b. FDA Food Information Line: 1-888-SAFEFOOD (723-3366)
- c. USDA Food Safety and Inspection Service: **<https://www.fsis.usda.gov/>**
- d. Institute of Child Nutrition (ICN)
The University of Mississippi: **1-800-321-3054** or **<https://theicn.org/>**

WELLNESS POLICY (Reference memo and Q&A SP-24-2017)

What is a local school wellness policy?

A local school wellness policy (*wellness policy*) is a written document that guides a local educational agency's (LEA) or school district's efforts to establish a school environment that promotes students' health, well-being, and ability to learn. (7 CFR 210.31)

The wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). It requires each LEA participating in the National School Lunch and/or School Breakfast Program to develop a wellness policy. The final rule expands the requirements to strengthen policies and increase transparency. The responsibility for developing, implementing, and evaluating a wellness policy is placed at the local level, so the unique needs of each school under the LEA's jurisdiction can be addressed.

Content of the Wellness Policy

At a minimum, policies are required to include:

- **Specific goals for** nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. LEAs are required to review and consider evidence-based strategies in determining these goals.
- **Standards and nutrition guidelines for all foods and beverages** sold to students on the school campus during the school day that are consistent with federal regulations for:
 - * School meal Nutrition Standards.
 - * Smart Snacks in school Nutrition Standards.

- **Standards for all foods and beverages provided, but not sold, to students** during the school day (e.g., in classroom parties, classroom snacks brought by parents, or other foods given as incentives)
- **Policies for food and beverages marketing** that allow marketing and advertising that meet Smart Snacks in school Nutrition Standards.
- **Description of public involvement, public updates, policy leadership, and evaluation plan.**

Wellness Leadership Team

LEAs must establish a ***wellness policy leadership team*** of one or more LEAs and/or school officials who have the authority and responsibility to ensure each school complies with the policy.

Public Involvement

At a minimum, LEAs must:

- **Permit participation** by the general public and the school community (including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, and school administrators) in the wellness policy process.

Updates to the Wellness Policy: Triennial Assessments

State agencies are required to assess compliance with the wellness policy requirements as a part of the administrative reviews. LEAs, as well, must conduct an assessment of the wellness policy every three years, at a minimum. This assessment will determine:

- Compliance with the wellness policy.
- How the wellness policy compares to model wellness policies.
- Progress made in attaining the goals of the wellness policy.

Documentation

The State agency will examine records during the administrative review, including:

- Copy of the current wellness policy.
- Documentation of how the policy and assessments are made available to the public.
- The most recent assessment of implementation of the policy.
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate.
- Identification of the position/title responsible for oversight of the Wellness Policy activities.

Public Updates

The rule requires that LEAs must make available to the public:

- The wellness policy, including any updates to the wellness policy, on an annual basis, at a minimum.
- The Triennial Assessment, including progress toward meeting the goals of the policy.

Note: It is recommended to upload the wellness policy and all updated documents on the district website.

HEALTHY AND FIT KIDS COMMITTEE

Oklahoma Statute Section 24-100a of Title 70—each school site is required to establish a Healthy and Fit School Advisory Committee.

1. Committee members:
 - a. Must be composed of six members.
 - b. May include teachers, administrators, parents of students, health care professionals, and business representatives.
2. The committee may be combined with the school's Safe School Committee (established in Oklahoma Statute Section 24-100.5 of Title 70).
3. The committee serves as a catalyst for systemic changes in schools to promote student health and educational outcomes and can develop and implement school wellness policies and health enhancing programs which foster family and community support and involvement..
4. Each Healthy and Fit School Advisory Committee shall study and make recommendations to the school principal regarding:
 - a. **Menu Planning:** Suggesting healthy menu options for school meals.
 - b. **Food and Beverage Standards:** Reviewing and enforcing nutrition guidelines for competitive foods and beverages.
 - c. **Nutrition Education:** Promoting nutrition education in the classroom and cafeteria.
 - d. **Physical Activity:** Encouraging physical activity through physical education programs and other activities.
 - e. **Community Involvement:** Involving parents, students, and community members in promoting healthy habits.
5. Resources
<https://www.healthiergeneration.org/take-action/schools/wellness-topics/policy/school-wellness-committees>.

SMART SNACKS IN SCHOOL/COMPETITIVE FOODS

1. Items sold to students during the school day **MUST** be smart snack compliant on the entire school grounds not just during the meal service area. Smart Snack foods can be served at any time during the day even at the same time as a meal service.
2. A school site is not authorized to conduct or allow any exempt fundraisers unless the school district has adopted a **written policy**. If the food items offered are not smart snack compliant, the item cannot be served anywhere on the school grounds during the entire duration of the meal service time. This includes breakfast, lunch, and after school snack. **Note: All competitive foods sold in a school district that does not have such a written policy must meet the nutritional guidelines under Smart Snacks.**
3. Nutrition Standards are set in place for all foods and beverages sold to students in school during the school day, including foods sold outside of the meals served through the NSLP and the SBP. The new Smart Snacks in School Nutrition Standards help schools to make the healthy choice the easy choice by offering students more of the foods and beverages we should be encouraging—whole grains, fruits and vegetables, leaner protein, lower-fat dairy—while limiting foods with too much sugar, fat, and salt.

4. Smart Snack Calculator

To assist districts in determining if a food meets the Smart Snack Rule, you will need to use the Smart Snack calculator using the product's nutrition facts label.

Go to <https://foodplanner.healthiergeneration.org/calculator>

5. Definitions

- a. School Day—From midnight on any given day when school is in session to 30 minutes past when the last bell rings.
- b. All Foods—Any foods sold on school premises during the school day, no matter what fund purchased the food. ***All foods*** includes all foods in snack shops, student stores, vending machines, concession stands operating during the school day, etc.

6. Fundraisers: Exemption from Smart Snack Standards

A school site is not authorized to conduct or allow any exempt fundraisers unless the school district has adopted a written policy. If the food items offered are not smart snack compliant, the item cannot be served anywhere on the school grounds during the entire duration of the meal service time. This includes breakfast, lunch, and after school snack **All competitive foods sold in a school district that does not have such a written policy must meet the nutritional guidelines under Smart Snacks.**

A school district that wishes to conduct fundraisers exempt from the Smart Snack rules must adopt a written policy which shall be board-approved and provide the following:

- a. Each school site shall designate a Smart Snacks in School Exempt Fundraiser contact person who shall be responsible for maintaining up-to-date documentation regarding each fundraiser held at the school site. An example of the School Organization Fund-Raising Form can be found under Other Documents on the CARS System.
- b. ***A limit of 30 exempt fundraisers per semester may be held at each school site.*** (Vending machines, snack shops, and student stores are all considered fundraisers.)
- c. Exempt fundraisers ***are prohibited*** from taking place during the entire meal service time to students under the NSLP or the SBP and while after-school snacks are being served to students under the ASSP.
- d. The maximum duration of any individual exempt fundraiser shall be 14 fundraising days.
- e. For each individual exempt fundraiser, documentation must be kept on file at the school site showing:
 - (1) The school organization, activity, class, or other group that benefits from the fundraiser.
 - (2) The date(s) the fundraiser is conducted, with the duration not to exceed 14 fundraising days per semester.

7. Nutrient Standards for All Foods Sold in Schools

A chart showing nutrient standards starts on the following page

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL		
Food/Nutrient	General Standard	Exemptions to the Standard
General Standard for Competitive Food	To be allowable, a competitive FOOD item must: 1. The food must meet the nutrient standards for calories, sodium, fats, and total sugar; AND 2. A grain product that contains 50 to 100 percent or more whole grains by weight or have whole grains as the first ingredient; OR 3. Have as the first ingredient a fruit, a vegetable, a dairy food, or a protein food (meats, beans, poultry, seafood, eggs, nuts, seeds, etc.); OR 4. Be a combination food that contains at least 1/4 cup fruit and/or vegetable. * If water is the first ingredient, the second ingredient must be one of Items 2, 3, or 4 above.	• Fresh and frozen fruits and vegetables with no added ingredients except water are exempt from all Nutrient Standards. • Canned fruits packed in 100 percent juice, extra light syrup, or light syrup with no added ingredients except water or are exempt from all Nutrient Standards. • Canned vegetables (no salt/low sodium), with no added fats are exempt from all Nutrient Standards.
NSLP/SBP Entrée Items Sold À la Carte	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after the service in the lunch or breakfast program.	
Sugar-Free Chewing Gum	Sugar-free chewing gum is exempt from all competitive food standards.	
Accompaniments	Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.	
Calories	Snack items and side dishes sold à la carte: ≤ 200 calories per item as served, including any added accompaniments. Entrée items sold à la carte: ≤ 350 calories per item as served, including any added accompaniments.	• Entrée items served as an NSLP or SBP entrée are exempt on the day of or the day after service in the Program meal.

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL continued		
Food/ Nutrient	Nutrient Standard	Exemptions to the Standard
Total Fats	Acceptable food items must have $\leq$ 35 percent of calories from total fat as served.	- Reduced-fat cheese (including part-skin mozzarella) is exempt from the total fat standard. - Nuts and seeds and nut/seed butters are exempt from the total fat standard. - Bean dip including hummus are exempt from the total fat standard - Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the total fat standard. - Seafood with no added fat is exempt from the total fat standard. Combination products are not exempt and must meet all the Nutrient Standards.
Saturated Fats	Acceptable food items must have < 10 percent of calories from saturated fat as served.	- Reduced-fat cheese (including part-skin mozzarella) is exempt from the saturated fat standard. - Nuts and seeds and nut/seed butters are exempt from the saturated fat standard. - Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard. Combination products are not exempt and must meet all the Nutrient Standards.
Sodium	Snack items and side dishes sold à la carte must be: $\leq$ 200 mg sodium per item as served, including any added accompaniments. Entrée items sold à la carte: $\leq$ 480 mg sodium per item as served, including any added accompaniments	
Sugar	Acceptable food items must have $\leq$ 35 percent of weight from total sugar as served.	- Dried whole fruits or vegetables, dried whole fruit or vegetable pieces, and dehydrated fruits or vegetables with no added nutritive sweeteners are exempt from the sugar standard. - Dried whole fruits or pieces with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, tart cherries, or blueberries) are exempt from the sugar standard. - Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard.

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL continued		
Food/ Nutrient	Nutrient Standard	Exemptions to the Standard
Caffeine	Elementary and middle school: Foods and beverages must be caffeine -free with the exception of trace amounts of naturally occurring caffeine substances. High School: Foods and beverages may contain caffeine.	
Beverages	Elementary School • Plain water or plain carbonated water (no size limit) • Lowfat milk, flavored or unflavored (≤ 8 fl oz) • Nonfat milk, flavored or unflavored (≤ 8 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements • 100 percent fruit/vegetable juice (≤ 8 fl oz) • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 8 fl oz) Middle School • Plain water or plain carbonated water (no size limit) • Lowfat milk, flavored or unflavored (≤ 12 fl oz) • Nonfat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements • 100 percent fruit/vegetable juice (≤ 12 fl oz) • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 12 fl oz) High School • Plain water or plain carbonated water (no size limit) • Lowfat milk, flavored or unflavored (≤ 12 fl oz) • Nonfat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements • 100 percent fruit/vegetable juice (≤ 12 fl oz) • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 12 fl oz) • Other flavored and/or carbonated beverages (≤ 20 fl oz) that are labeled to contain < 5 calories per 8 fl oz or ≤ 10 calories per 20 fl oz • Other flavored and/or carbonated beverages (≤ 12 fl oz) that are labeled to contain ≤ 40 calories per 8 fl oz or ≤ 60 calories per 20 fl oz If flavored milk is served, it must meet the added sugar requirements. • 8 ounces of flavored milk = 10 grams of added sugar • 10 ounces of flavored milk - 15 grams of added sugar	



USDA MEMOS AND RESOURCES FOR COMPLIANCE SECTION

Afterschool Snack Q&A	https://www.fns.usda.gov/cn/afterschool-snacks-faqs
Community Eligibility Provision (CEP) Manual and Resources	https://www.fns.usda.gov/cn/cep
Guidance on Prohibition of Separation of Gender	SP-15-2015
Preschool: Flexibility for Co-Mingling	SP-37-2017
Provision 2 Guidance Manual	https://fns-prod.azureedge.us/sites/default/files/Prov2Guidance.pdf
Smart Snacks Calculator	https://foodplanner.healthiergeneration.org/calculator/
Smart Snack Q&A	SP 23-2014 (v.3)
Unpaid Meals/Charge Policy Memos	SP 58-2016 & SP 23-2017
Unpaid Meals/Charge Policy Website	https://www.fns.usda.gov/cn/unpaid-meal-charges
Unpaid Meal: Clarification on Collection of Delinquent Meal Debt	SP-47-2016
Wellness Policy	SP-24-2017

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Eligibility
Documentation
for
Meal Application
and
Verification Section

INTRODUCTION

This section contains information on determining eligibility for free and reduced-price meals for the National School Lunch Program (NSLP) (including charter schools and the After-School Snack Program [ASSP]) and the School Breakfast Program (SBP). It is also applicable to the Special Milk Program (SMP) when schools and institutions serve free milk to eligible children. While this eligibility guidance directly addresses the school programs, it is also generally applicable to the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP) when individual children's eligibility must be established. These programs are collectively considered the Child Nutrition Programs (CNP).

Statutory and Regulatory Authority

Statutory authority for the CNP includes the Richard B. Russell National School Lunch Act (NSLA) and the Child Nutrition Act of 1966 (CNA). The statutory citations are, respectively, 42 United States Code 1751 et seq. and 42 United States Code 1771 et seq. Regulatory authority is found, as follows, in the Code of Federal Regulations (CFR):

- 7 CFR Part 210, National School Lunch Program (NSLP)
- 7 CFR Part 215, Special Milk Program (SMP)
- 7 CFR Part 220, School Breakfast Program (SBP)
- 7 CFR Part 225, Summer Food Service Program (SFSP)
- 7 CFR Part 226, Child and Adult Care Food Program (CACFP)
- 7 CFR Part 245, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools

Administration of the Programs

The school meals programs are administered at the federal level by the Food and Nutrition Service (FNS) of the United States Department of Agriculture (USDA). At the state level, the programs are administered by the Oklahoma State Department of Education (the *State agency*).

Resources

- To keep up-to-date, regularly check the Child Nutrition (CN) Division's Web site at **<http://www.fns.usda.gov/cnd>** for recently posted regulations, policy clarifications, prototype application materials, and other information.

ADMINISTRATION

A. General Requirements (Reference page 8 of USDA Eligibility Manual—2017)

1. State agencies that administer the school meals programs must issue free and reduced-price policy guidance and any other instructions necessary to local educational agencies (LEAs) to ensure the awareness of federal and state requirements pertaining to free and reduced-price meals and free milk. Participating LEAs must provide free and reduced-price meal benefits to eligible children in accordance with the statutory and regulatory requirements as detailed in this manual.
2. All schools participating in the NSLP or SBP must make free and reduced-price meals available to eligible children, and all schools and institutions participating in the free milk option of the SMP must make free milk available to eligible children.
3. The term ***school food authority*** (SFA) is used for local agencies administering the school meals programs (i.e., the governing body that is responsible for the administration of one or more schools and has the legal authority to operate the school meals programs in those schools) while the term ***local educational agency*** (LEA) is used for those responsible for the application, certification, and verification activities of the NSLP and SBP.
4. LEA means:
 - a. The public board of education or other public nonprofit authority legally constituted within a state for the administrative control of a nonprofit school in a political subdivision of a state.
 - b. An administrative agency or combination of school districts or counties recognized by the state.
 - c. Any other nonprofit institution or agency having administrative control and direction of a nonprofit school or residential child care institution (RCCI).

B. Policy Statement (Reference page 8 of USDA Eligibility Manual—2017)

Each LEA participating in the NSLP, SBP, or the SMP (with free milk option) must have an approved free and reduced-price policy statement on file at the State agency. If an LEA is just starting its participation in the NSLP, SBP, or SMP, it must submit its policy statement to the State agency for approval. Once approved, the policy statement becomes a permanent document, amended when the LEA makes a substantive change in its free and reduced-price policy.

1. The free and reduced-price policy statement must contain, at a minimum, the following:
 - a. Name of determining official(s), or the position of the LEA or school official, designated to make eligibility determinations.
 - b. An assurance that the LEA will determine eligibility in accordance with the current Income-Eligibility Guidelines (IEGs).
 - c. LEA's specific procedures to accept applications for benefits and its Direct Certification procedures.
 - d. Description of the method(s) used to collect payments from children paying the full price of the meal or milk or the reduced-price of the meal that prevents the overt identification of the children receiving free or reduced-price meals or free milk.
 - e. An assurance that the school will abide by the hearing procedures and the nondiscrimination practices.
 - f. Copy of the application form and Letter to Household.

2. The free and reduced-price policy statement should also contain a copy of the following:
 - a. Media release
 - b. Notice to households of approval or denial of benefits
 - c. Notice to households of selection for verification
 - d. Notice to households of adverse action
 - e. In LEAs that have opted to implement Direct Certification, the notice of eligibility under Direct Certification
3. Amendments:
 - a. The LEA must amend its policy statement for any substantive changes to its free and reduced-price policy and include a description of the change. In all cases, the LEA must have an approved policy statement on file at the State agency that accurately describes its current free and reduced-price policies. Amendments must be submitted for approval to the State agency by October 15. The amendment must be approved by the State agency prior to implementation.
 - b. The amendments must reflect:
 - Changes made necessary by law/regulations.
 - Changes made by the LEA (e.g., changes in collection procedures, designation of new approving/hearing official[s], changes in procedures for accepting applications, revisions in the Letter to Household or free and reduced price meal/milk application).
 - Additional information specified by the State agency.
4. Policy Statement for the Special Milk Program (SMP)

A free policy statement must be submitted to and approved by the State agency for LEAs participating in the SMP with the free milk option. An LEA may submit a single policy statement for the NSLP/SBP and SMP when some of its schools participate in the SMP and others participate in the NSLP/SBP.

C. Public Release (7 CFR 245.5(a))

1. Near the beginning of each school year, the public must be notified that the NSLP, SBP, and/or SMP are available in the school or school district. This notice must include the eligibility criteria for free and reduced-price meals and/or free milk. It must be provided to the local news media such as a newspaper, the unemployment office, and any major employers who are contemplating large layoffs in the attendance area of the school.
2. The public release must include:
 - a. The public release must contain the same information supplied in the Letter to Household, except that the public release must contain both the free and reduced-price IEGs. A public release that only refers to the SMP should not contain the reduced-price IEGs.

NOTE: The Provision public release does not required to include free/reduced-price IEG.
 - b. Households will be notified of their children's eligibility for meals if they are receiving assistance from:
 - The Supplemental Nutrition Assistance Program (SNAP)
 - The Food Distribution Program on Indian Reservations (FDPIR).

- The Temporary Assistance for Needy Families (TANF) if the state program meets the statutory requirements.
- c. An application is *NOT* required if the household is receiving one of the assistance programs listed above.
 - d. If any children were not listed on the eligibility notice, the household should contact the LEA or school as free meal benefits are extended *ALL* children living in the same household.
 - e. Households will be notified if a child is eligible for free meals because they are considered Other Source Categorically Eligible which is:
 - Homeless, migrant, or runaway as defined by law.
 - Enrolled in an eligible Head Start or Even Start.
 - For any child not listed on the eligibility notice, the households should contact the LEA or school about any child also eligible under one of these programs or should submit an income application for other children.
 - If households/children receiving benefits under Assistance Programs or other source programs are not notified by the school of their free meal benefits, the parent/guardian should contact his/her school.
 - Households notified of their children's eligibility must contact the LEA or school if they choose to decline the free meal benefits.
3. Copies of the public release must be made available upon request to any interested person.
- D. Definitions and Terms (Reference page 14 of USDA Eligibility Manual—2017)

1. **Assistance Programs**

- a. Supplemental Nutrition Assistance Program (SNAP)
- b. Temporary Assistance for Needy Families (TANF)
- c. Medicaid (*through the WAVE only*)
- d. Food Distribution Program on Indian Reservations (FDPIR)

The determination is made through an application with appropriate case numbers or through ***Direct Certification***.

2. **Categorically eligible children** are those children automatically eligible for free meal benefits because they, or any household member, receive benefits under Assistance Programs or those children who are designated as members of Other Source Categorically Eligible Programs. An individual child's eligibility under any of the Other Source Categorically Eligible Programs does not convey to other children in the household.

Two ways to be classified as categorically eligible:

- If a child or any member of the household is participating in an Assistance Programs such as SNAP, TANF, or FDPIR, as determined through Direct Certification or an application with appropriate case numbers.

OR

- If a child is considered Other Source Categorically Eligible designation which is being homeless, runaway, migrant, a foster child, or participating in a federal Head Start program, and Even Start program.

3. **Direct Certification** is determining a student's eligibility for free or reduced-priced meal benefits based on documentation obtained directly from the appropriate State agency or Tribe. The communication exchange is between the appropriate agency and the LEA/school. An application is not necessary if eligibility is determined through the Direct Certification process. Refer to **page E-29** for more information on direct certification.
4. **Direct Verification** means using public records as means to verify children's eligibility for free meals.
NOTE: Direct verification is only done AFTER the initial application has been processed at face value.
5. **Even Start** refers to a federally funded Even Start Family Literacy program and must be at prekindergarten level.
6. **Extension of categorical eligibility** means that all children in a household with at least one child or household member who receives benefits from Assistance Programs are considered categorically eligible for free meals. Any one child's or household member's receipt of benefits under Assistance Programs extends free school meal eligibility to all children who are members of the household.
7. **Foster child** is a child whose care and placement is the responsibility of an agency that administers a state plan under Part B or E of Title IV of the Social Security Act or a child who is formally placed with a relative or other caretaker household by a court or state child welfare agency. Whether placed by the state child welfare agency or a court, in order for a child to be considered categorically eligible for free meals, the state must retain legal custody of the child. For purposes of eligibility for Child Nutrition Programs, a foster child is considered a member of the foster parents' household if the child is placed through a formal arrangement by a court or state child welfare agency.
8. **Free meal** is a meal served in the NSLP or SBP to a child eligible for such benefits under 7 CFR Part 245. Neither the child nor any member of the household pays or is required to work in the school or in the school's food service to receive a free meal.
9. **Free milk** is milk served in the SMP to a child eligible for free milk under 7 CFR Part 245. Neither the child nor any member of the household pays or is required to work in the school or in the school's food service to receive free milk.
10. **Head Start** refers to the federal Head Start program and any state-funded prekindergarten classes using identical or more stringent eligibility criteria than the federal Head Start program.
11. **Household** means a group of related or nonrelated individuals who are living as one economic unit. The term **FAMILY** has the same definition. These definitions are found in 7 CFR Part 245.2.
12. **Income-Eligibility Guidelines (IEGs)** are the household-size and income levels prescribed annually by the Secretary of Agriculture for determining eligibility for free and reduced-price meals and for free milk. The free guidelines are at or below 130 percent of the federal poverty guidelines and the reduced-price guidelines are between 130 percent and at or below 185 percent of the federal poverty guidelines.
13. **Mixed households** are households that include children designated as Other Source Categorically Eligible as well as children who are not.

14. **Operating days** are the accredited days during which meal service is provided.
15. **Other Source Categorically Eligible Programs** are those which make children automatically eligible for free benefits, either through Direct Certification or application, because the children are:
- a. Determined to be a foster child whose care and placement is the responsibility of the state or formally placed by a court with a caretaker household and the state retains legal custody of the child.
 - b. Enrolled in a federally funded Head Start/Even Start program and enrolled in the school district.
 - c. Determined a homeless child by the school district's homeless liaison or by the director of a homeless shelter.
 - d. Determined a migrant child by the state or local Migrant Education Program (MEP) coordinator.
 - e. Determined a runaway child who is receiving assistance from a program under the Runaway and Homeless Youth Act and is identified by the local education liaison.

NOTE: A child's eligibility for free meals under Other Source Categorical Eligibility does not extend to any other child in the household.

16. **Overt identification.** (Reference USDA Memo SP-45-2012 and pages 18-19 of USDA Eligibility Manual—2017)
- a. ***Defining Overt Identification:*** Overt identification is any action that may result in a child being recognized as potentially eligible to receive free or reduced-price school meals. SFAs must assure that a child's eligibility status is not disclosed at any point in the process of providing free or reduced-price meals. This includes when notifying the household of free or reduced-price benefits, certification and notification of eligibility, provision of meals in the cafeteria, the point of service, providing additional services such as educational services to low-income children, and through the method of payment.
 - b. ***Preventing Overt Identification of Directly Certified Children:*** SFAs are not required to provide applications to parents when children are eligible for free meals through Direct Certification, but must assure that these children are not overtly identified through the method used to distribute applications. If the SFA distributes applications to individual households, by mail, e-mail, in student packets, etc., the applications do not have to be provided to households if all the children were approved by Direct Certification. If the distribution of applications is not individualized, all households must be provided applications. (See 7 CFR §245.6[b][10].)
 - c. ***Prohibited Actions:*** The following actions are prevented by law and regulation:
 - Publicizing or announcing eligible households or children's names
 - Using different mediums of exchange (*see Item d*)
 - Having separate dining areas, service times, or serving lines
 - Limiting choices of reimbursable meals
 - Requiring that children work for their meals

(*See the Richard B. Russell National School Lunch Act Section 9[b][10], 42 U.S.C. 1758[b][10], and 7 CFR §245.8.*)

- d. **Medium of Exchange Restrictions:** Any meal cards, tickets, tokens, or other methods to obtain reimbursable meals cannot be coded or colored in a manner that would overtly identify free and reduced-price eligible children. The SFAs must take steps to assure that rosters, computer screens, or other equipment used at the point of service cannot be viewed by anyone not needing the information, especially students. The information on the rosters or screens should be masked or coded to avoid other students discerning any student's eligibility status.

SFAs are encouraged to use prepayment systems to limit exchange of money which can inadvertently indicate a student's eligibility status. SFAs must make reasonable efforts to publicize and encourage use of prepayment options by students and parents. SFAs should provide multiple ways to make prepayments, such as online; multiple locations within the school, especially when students are arriving or changing classes; and reminding parents through e-mail, written notices, or other means when a student's balance is low.

- e. **Food Service Area Considerations:** SFAs are prohibited from having separate dining areas, service times, serving lines, or limiting the choices of reimbursable meals based on a student's eligibility status. SFAs choosing to sell competitive foods during the meal service are encouraged to ensure the operation of the sale of competitive foods does not inadvertently result in eligible children being identified. Ways to limit overt identification related to the sale of competitive foods include:
- Limit competitive foods to those also offered as part of reimbursable meals on the reimbursable lunch lines.
 - Offer competitive foods on the same lines as reimbursable meals are offered.
 - Only allow competitive foods to be purchased with a prepaid card.
- f. **Monitoring:** SFAs must avoid any policy or practice that has the effect of overtly identifying eligible children. Where necessary, LEAs should promptly update their policy statements, implementation procedures, and operations to comply with this guidance.
17. **Reduced-price meal** is a lunch priced at 40 cents or less, an afternoon snack priced at 15 cents or less, or a breakfast priced at 30 cents or less, to a child eligible for such benefits under 7 CFR Part 245.
18. **Residential child care institution (RCCI)** is generally any distinct part of a public or nonprofit private institution that:
- a. Maintains children in residence.
 - b. Operates principally for the care of children.
 - c. If private, is licensed by the state or local government to provide residential child care services under the appropriate licensing code.
- The definitions of "School" and "Child" in 7 CFR 210.2, 215.2 and 220.2, outline the requirements for eligible Residential Child Care Institutions and eligible residents.
19. **School year** is the period between July 1 and June 30.
20. **Working days** are those days when school is open, teachers and/or school administrators are on-site, but food service is not in operation.

APPLICATIONS (Reference pages 22-34 of USDA Eligibility Manual—2017)

A. Submission of Free and Reduced-Price Meal Applications by Households

1. The NSLA, the SBP, ASSP, and the SMP, requires SFAs to inform households of the availability of the program(s), and how a household may apply for free or reduced-price benefits (7 CFR §245.6). School officials must make families aware of the availability of free and reduced-price meals (except for RCCIs and nonpricing schools) and may even request that households apply. School officials **may not require** that a household submit a free and reduced-price meal application. A site or SFA wishing to require income information from all households with enrolled children for purposes other than Child Nutrition must secure information through means other than the household's free and reduced-price meal application. SFAs that provide households with multiuse applications (i.e., those which include both meal program benefits as well as nonfood benefits) must ensure that the process does not violate the requirements specified herein. A copy of the Letter to Household and free and reduced-price applications can be found on **pages E-51-E-59**.
2. It is the households's responsibility to complete the application. The LEA may send households an application with the child's name and the household's name and address preprinted on it. However, no other information required for an eligibility determination may be preprinted.

B. Household Applications

Section 105 of the Child Nutrition and WIC Reauthorization Act of 2004 requires SFAs to distribute household applications rather than individual student applications.

1. SFAs may not request a separate application for each child in the household who attends different sites within the same district.
2. If a household does submit a separate application for each student in the household, the SFA should:
 - a. Staple all individual applications pertaining to the same household together.
 - b. Make sure all information on each application is the same; if so, approve or deny the application as usual.
 - c. If the information is different, contact the household to clear up any questions and document correct information. Once correct information is obtained, approve or deny the application as usual.
 - d. Count all individual student applications pertaining to the same household as **ONE** application when calculating the number that needs to be verified.

C. Types for Applications for Free and Reduced-Price for School Meals—Refer to **pages E-57-58** for a prototype application.

- If the SFA changes the prototype, paper application, online application, or have one that was created by a software company, the application **MUST** be approved by the State agency before the SFA is allowed to use it.
- Household applications and Letter to Household cannot be accepted or processed by an SFA prior to July 1 of each school year.
- The district **MUST** always use the Free and Reduced-priced application for the current school year.

1. Categorically Eligible Children

Categorical applications based on ***SNAP, TANF, and/or FDPIR Households (Assistance Programs)***. The application ***MUST*** have the following:

- a. Names of all household members.
- b. A SNAP, TANF, or FDPIR case number for any household member. One case number will qualify all enrolled students to receive free meal benefits within that household. (Reference USDA Policy Memo SP-38-2009)
 - (1) ***SNAP***:* A valid SNAP number may begin with the letters ***A, B, C, D, H, J, or T*** followed by six to nine digits. All valid numbers ***MUST*** be Oklahoma-issued. Some numbers could also include a dash, followed by two additional numbers. ***Individuals receiving Sooner Select benefits DO NOT automatically qualify for free meal benefits.***
 - (2) ***TANF***:* A valid TANF number is recognized by a six- to nine-digit number beginning with the letter ***C*** or ***H***. All valid numbers ***MUST*** be Oklahoma-issued. This number could be followed by a dash with two additional numbers.
 - (3) ***FDPIR***:* FDPIR is a federal program that provides USDA Foods (commodities) to low-income households living on Indian reservations and to participating Native American families residing in the State of Oklahoma. An FDPIR number may appear to be any combination of letters and/or numbers. It has no identifiable format. ***A tribal roll card is not verification of receiving FDPIR benefits.***
 - * There are no ***mixed households*** under the Assistance Programs. If an application contains a single case number for SNAP, TANF, or FDPIR, all enrolled children listed on the application must be approved for free meal benefits. This extension of categorical eligibility also applies to the Direct Certification process. ***Any income information on an application containing a single/correct SNAP, TANF, or FDPIR case number should be disregarded.*** (Reference USDA Policy Memo SP-38-2009)
 - * If there is any doubt of the validity of a case number submitted on an application, the SFA should contact the appropriate SNAP, TANF, or FDPIR official and document the findings. (This is only for numbers that are not formatted as Oklahoma numbers.)
- c. The signature of an adult household member.

2. Other Source Categorically Eligible: ***Foster Children***

- a. Section 102 of the Healthy, Hunger-Free Act of 2010 amends Section 9(b)(12)(A) of the NSLA provides categorical eligibility for free meals, without an application, to any foster child whose care and placement is the responsibility of the state or who is placed by a court with a caretaker household. The LEA or other CNP institution can obtain documentation directly from an appropriate state or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the state or that the foster child has been placed with a caretaker household by a court.

These provisions only apply to foster children formally placed by a state child welfare agency or a court. They do not apply to informal arrangements that may exist outside of state- or court-based systems.

- b. Households with foster and nonfoster children include the foster child as a household member, as well as any personal income earned by the foster child on the same household application

that includes their nonfoster children. This may help the foster family's nonfoster children qualify for free or reduced-price meals based on household size and income.

- c. The SFA can certify the foster child for free meals and then make an eligibility determination for the remainder of the household based on the household's income (including personal income earned by the foster child) or other categorical eligibility information reported on the application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported.

NOTE: A foster child in the household does NOT give eligibility for free meals to all children in the household.

3. Other Source Categorical Eligibility (*Except Foster Children*)

- a. Other Source Categorical Eligibility applies to ***migrant, runaway, and homeless children***. If you receive an application with the homeless box checked, to contact the district homeless liaison to see if the student is on the homeless, migrant, and runaway list. Simply checking this box does not validate a homeless student as free. CNP personnel ***CANNOT*** determine if a child is homeless, migrant, or runaway.
- b. Documentation from a federally-funded Head Start program personnel will send a list of children enrolled in the Head Start/Even Start program to indicate free eligibility. To receive free meals, these children must be enrolled in the district. The Head Start authority must list those eligible Head Start children and sign off on the form. A sample form is on **page E-63**.
- c. A school official may complete a temporary application on behalf of a child based on household size and income or Other Source Categorical Eligibility until status can be determined by the liaison or State agency. The source of information must be noted on the application. (Refer to page 42 in the Eligibility Manual, 2017.)

4. Income application must contain the following in order to be deemed a completed application: (Refer to of Eligibility Manual, 2017 for the IEGs.)

- a. The names of all household members, including each child for whom the application is made.
- b. The total income earned by children in the household, if applicable.
- c. The amount of gross income (*before taxes*) received in the prior month by each adult household member.
- d. The last four digits of the social security number of the adult household member who signs the application or an indication that the household member does not have one. (Reference USDA Policy Memo SP-19-2011)
- e. The signature of an adult household member (An electronic signature is acceptable for web-based applications)

D. Applications in Foreign Language Translations

1. The application materials and other communications with households concerning eligibility determinations must be in a language that parents and guardians can understand in order to diminish any language barriers to participation for Limited English Proficient (LEP) families. (Title 6 of the Civil Rights Act of 1964) If households need information in a language other than English, LEAs must make reasonable efforts, considering the number of such households, to

provide household letters and application forms to them in the appropriate languages. Failure to do so may be discrimination on the basis of national origin and in violation of the Act. (Reference Memo SP-37-2016)

2. Application and verification documentation in other languages can be found at <http://www.fns.usda.gov/school-meals/translated-applications>. Households can be assisted with completing the application process through the use of personnel proficient in foreign languages. If a language needed is not listed on USDA's website, contact the State agency.
3. LEAs must have a system in place to identify language needs of families. LEAs can use the information gained through the Home Language Survey conducted during the school enrollment process to identify the language used in households.
4. LEAs and state agencies must:
 - Be familiar with the translated application materials available through FNS. Use the Home Language Survey, USDA's *I Speak* survey, or other surveys to help identify LEP families. Be familiar with languages used in the community and the potential need for materials in those languages.
 - After assessing potential language needs, determine where information or translation services in those languages may be obtained.
 - After identifying LEP households, ensure that the households applying for benefits receive language services.
 - For parents or guardians who are unable to read or have limited literacy, state agencies and LEAs must provide the necessary services so that parents or guardians are assisted with completing the application process. This may entail providing oral interpretation services. Parents should not be expected to rely on family members (especially children) or friends as interpreters as they may not be able to provide quality and accurate interpretations.
 - Must have a system in place to assist LEP households through the verification process. Follow up with LEP households that do not respond to the initial verification request.
 - When possible, partner with other local resources, such as migrant or refugee assistance agencies.

E. Application Information—Reimbursement, Benefits Issuance, and Carry Over

1. Free and Reduced-Price Reimbursement

The SFAs **MUST** have an approved application on file or a list of directly certified students showing the name of each student served a meal or milk which meets program requirements.

2. Carry Over

- a. Before applications are approved for the school year, the SFA may only claim and be reimbursed for free and reduced-price meals or free milk served to:
 - Children from households with approved applications on file from the previous year.
 - New children in an SFA from households with children who were approved for benefits the previous year.
 - **Transfer Students**—Children who transfer from one district to another can use the application approved at the previous school. A copy of the current year or previous year application can be sent by the original district to the new LEA.

- b. LEAs have flexibility concerning the effective date of certification for ***application approval as well as Direct Certification determination*** for program benefits. Section 9(b)(9)(A) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1758(b)(9)(A), states that a child in a household meeting the income limits ***at the time the application is submitted*** shall be served a free or reduced-priced meal, ***or the date of submission as the effective date of eligibility*** rather than the date the official approves it. **This flexibility applies to eligibility determinations made through the application process only**, and only to complete applications containing all required information at the time of submission. LEAs can use this flexibility when waiting for documentation of Other Source Categorical Eligibility (e.g., for homeless or migrant children) indicated on a household application.

LEAs must indicate in the renewal application as to what date will be used for application approval. (Reference USDA Memo SP-11-2014)

3. Carryover of Benefits

Enrolled students' eligibility status from a prior year is only valid for the first 30 operating days of the school year. It begins with the first day of school in which meals are served and claimed for reimbursement in the new school year.

If a site within the district operates a summer school in which meals are served ***under the Seamless Summer Program (SSO)***, and the summer school continues into the month of July, the first day of the 30-day operating period for that particular site would begin on the first day summer school is in session in July.

- a. SFAs ***MUST*** carry over the eligibility status from the previous year for any child enrolled in the current school year. This applies to Direct Certification, categorical eligibility, and income applications. Carryover of the eligibility status from the previous year applies to children in Head Start programs ***IF*** the SFA administers both the Head Start program and the school in which the child attends kindergarten.
- b. The carryover period allows schools time to process applications. It is not the intent that schools delay the processing of applications. Schools are required to process applications within 10 operating days as they are received and promptly notify the household.
 - (1) Once a new application is obtained and approved, the carryover application is no longer valid.
- c. If a new application is not received within the 30 day period, benefits are terminated for the child on Day 31. A letter of adverse action ***is not necessary*** if terminating benefits for this reason. However, if the eligibility status ***has changed***, the SFA would report the student's eligibility in both categories for the month that the new application was approved.
- d. If, during the same month, a student's benefits are denied on the 31st day and then an application is submitted and approved at the same eligibility as before the 31st day, the SFA would only count that student's eligibility once during that month.
- e. If students listed on the household application attend different sites and each site begins school on a different date, each child's benefit on the household application would then expire on a different date.
- f. SFAs ***CANNOT*** establish a shorter time frame for carryover applications.

4. Disaster Response (Reference USDA Policy Memo SP-25-2012)

The following students would be eligible for free meals in situations resulting from danger or disruptions due to natural disasters such as hurricanes, tornadoes, and/or floods.

- a. Children determined to be homeless under the McKinney-Vento Homeless Assistance Act.
- b. Children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP).
- c. Certification by school officials.

PROCESSING APPLICATIONS (Reference pages 50-64 of USDA Eligibility Manual - 2017)

A. Time Frame for Processing Applications

1. Applications should be reviewed and eligibility determination must be made within 10 operating days of the receipt of the application. (Whenever possible, applications should be processed immediately, particularly for children who do not have approved applications on file from the previous year.)

NOTE: The SFA must not delay approval of the application if the household fails to provide only information that is not required.

2. Households should be notified immediately if benefits are denied or reduced from the level of the previous year in order to provide adequate time for the family to make appropriate arrangements for payment to prevent the household from accumulating meal charges. Appeal rights must be sent in writing to the household.
3. A new, lower eligibility determination should be implemented 10 operating days after the family has been notified. ***Do not change benefits until AFTER the 10 operating days from notification in case a family appeals.*** For example, if the household received free benefits in the previous year and will now receive reduced-price benefits in the new school year, adequate notice should be provided.

B. Eligibility Criteria

1. For a child to be eligible for free or reduced-price benefits, the child ***MUST*** have been directly certified or the household ***MUST*** have submitted a complete application and be either categorically eligible or income-eligible. This includes students attending public school during the day, but who also reside in an institution.
 - a. ***Complete Application***—An application that contains all required information for making an eligibility determination.
 - b. ***Categorical Eligibility***—If SNAP, TANF, or FDPIR benefits are received for a household, all enrolled children in that household are eligible for free meals or milk.
 - c. ***Other Source Categorically Eligible Programs*** are programs that make children automatically eligible for free benefits, either through Direct Certification or applications, because the children are:
 - Determined a homeless child by the school district's homeless liaison or by the director of a homeless shelter.

- Determined a migrant child by the state or local MEP coordinator.
- Determined a runaway child who is receiving assistance from a program under the Runaway and Homeless Youth Act and identified by the local educational liaison.
- Determined to be a foster child whose care and placement is the responsibility of the state or formally placed by a court with a caretaker household.
- Enrolled in a federally-funded Head Start program.
- Enrolled in Even Start—a participant in a federally funded Even Start Family Literacy program must be at the prekindergarten level.

A child's eligibility for free meals under Other Source Categorical Eligibility does not extend to any other child in the household.

- d. **Medicaid on the Wave (DC-M)**—Children who appear on the direct certification list pulled from the Wave are approved for Free or Reduced-priced meals.
 - If a child is indicated receiving Medicaid on the Wave, benefits are extended to other children living in the household.
 - If the household list a Medicaid number on the application, it does not approve the child for benefits
 - If a letter of Medicaid benefits is given to the district or printed off the portal, it does not approve the child for benefits.
- e. **Income Eligibility**—Children from a household that submits a complete application, and the sum of the reported income for the household is at or below the income-eligibility guidelines, are eligible for either free or reduced-price benefits, as applicable.
 - (1) Applications when there is no income to report must have ***ZERO written in.***
 - If a zero income application is provided and all of the household members state they do not have income, the application is considered complete it includes a social security number, date, and signature.
 - If local officials have known or available information that household income was reported incorrectly, the application will be verified for cause.
 - Income for all children is consolidated in one income field on the application.
2. The determining official ***MUST*** review each incoming application to ensure that the household has submitted a complete application. If the application is complete, the official ***MUST*** then determine whether the household is categorically eligible or income-eligible for benefits.
3. Applications for households that are not categorically eligible or income-eligible cannot be approved for benefits.
4. United States citizenship is ***NOT*** a condition of eligibility for free or reduced-price benefits. SFAs ***MUST*** apply the same eligibility criteria for citizens and noncitizens, regardless of immigration status.
5. USDA has determined that the CNP is not subject to Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) that restricts certain welfare and public benefits for aliens.

C. Mixed Eligibility Benefits on a Household Application

1. On applications indicating ***mixed households*** where some children are Other Source Categorically Eligible and some children are not, the LEA must have a method to process different eligibility statuses that may result from these applications.

While the household cannot be required to submit multiple applications, the LEA may reproduce the application to accommodate more than one eligibility status or may process the application separately in a computer-based system.

2. The LEA must use a household's income and size to determine if the noncategorically eligible children listed on the application are eligible for meal benefits.
3. A Completed Mixed Application Must Include:
 - Names of all household members including Other Source Categorical Eligibility children.
 - A checked box indicating the Other Source Categorical Eligibility status of a child; for a foster child, list any personal income made available to the foster child and earned by the foster child, as appropriate.
 - Signature of an adult household member.
 - Last four digits of the social security number of the adult household member who signs the application or an indication that the household member does not have a social security number.
5. Other Source Categorical Eligible children will continue receive free meal benefits even if other children listed on the application are determined either eligible for reduced-price meals or ineligible for free or reduced-price meal benefits.

D. Computing of Household Income

1. Each household member receiving income ***MUST*** provide the amount of gross amount (before taxes). Income ***MUST*** be identified with each individual, the frequency received, and the source of the income (such as wages or welfare). It is the responsibility of the determining official to compute the household's total current income and compare the total amount to the income-eligibility guidelines. A copy of the IEG is on **page E-60**.

2. Income received at different intervals: **Converting Income to Annual**

Households may have income from different sources which are paid on different schedules. If the household is getting paid at different interval, all incomes are to be converted annually.

For example: The household may receive paychecks on a weekly basis and child support on a monthly basis. Refer to the following page to convert income to annual.

- a. Conversion is ***NOT*** required if there is only one source of income or if all sources are received in the same frequency. The SFA will convert all the incomes listed on the application to annual income and then total all sources.

For example: If a household of three reported receiving a monthly social security check and monthly child support, those amounts would be added together and the result compared to the monthly IEG for a household of three.

b. Converting to an Annual Income:

- ***Weekly income multiplied by 52.***
- ***Every other week income multiplied by 26.***
- ***Twice a month income multiplied by 24.***
- ***Monthly income multiplied by 12.***

NOTE: SFAs CANNOT use conversion factors such as 4.33 to covert weekly income or 2.15 to convert biweekly income to monthly amounts. Software used must reflect this policy.

(1) Do not round the values resulting from each conversion.

(2) Add all of the unrounded, converted values, and compare the unrounded total to the appropriate IEG for annual income for the household size.

NOTE: In situations where income is reported weekly, every two weeks, monthly, or twice a month, and the software has no provision for dealing with dollars and cents, calculations must be done manually.

E. Application Approval or Denial

1. Households that submit an incomplete application cannot be approved. If any ***REQUIRED*** information is missing, the information ***MUST*** be obtained before an eligibility determination can be made.
2. To get the required information, the school may return the application to the household or contact the household either in person, by phone, or in writing. The determining official must document the details of the contact and date and initial the entry. Applications missing the signature of an adult household member ***MUST*** be returned for a signature.
3. Every reasonable effort should be made to obtain the missing information prior to denying the application.
4. If there are any inconsistencies or questions concerning the required eligibility information provided, the household's application ***MUST*** be denied unless the inconsistencies or questions are resolved. For instance, if it is unclear whether the household provided weekly or monthly income, this issue ***MUST*** be resolved before an eligibility determination can be made. The official may contact the household prior to denial, document the details of the contact, and date and initial the entry.

F. Homeless, Migrant, Runaway Children (Refer to pages 38-42 of the 2017 USDA Eligibility Manual)

1. Documentation of Free meal eligibility:
 - a. Site officials must accept documentation from the local educational homeless, migrant, runaway liaison/coordinator or a director of a shelter where the child resides to establish free meal benefits. Documentation to substantiate free meal eligibility must consist of the child's name or a list of names, effective date(s), and the signature of the local educational liaison/coordinator or the director of the shelter. This list comes from the liaison, not Child Nutrition. Child Nutrition just accepts the list at face value unless there is a concern that something is questionable. In this case, Child Nutrition would still move forward with approval but then conduct ***verification for cause***.

Exception: Because of delays in receiving documentation from appropriate agencies or officials, a school official may submit an application on behalf of a child that he or she knows to be categorically eligible if a migrant, homeless, or runaway child. These applications must be done in accordance with the temporary approval procedures.

- b. School officials must work closely with the educational liaison/coordinator or director of a shelter to ensure that the child is provided free meal benefits as soon as possible.
- c. Once the documentation is received, information must be noted on the application, if applicable, and the child's eligibility status is effective for the remainder of the school year and will carry over for up to 30 operating days in the next school year. If no documentation is received to confirm the child's status as a migrant, homeless, or runaway child, the child's benefits are terminated and a new application must be filed, either by a school official or by the child's parent or guardian.

2. Homeless, Migrant, Runaway Children Residing with Living with Another Household:

A child or family may temporarily reside with another household and still be considered homeless under the definition of homeless in the McKinney-Vento Homeless Assistance Act. In these cases, the household size and income of the host family is **NOT** taken into consideration in determining the free meal eligibility for the child designated by the LEA liaison/coordinator.

- a. Free meal eligibility for the homeless/migrant/runaway child is based on the documentation provided by the LEA liaison/coordinator, even when the child is included on the host family's free and reduced-price meal application.
- b. When a host family applies for free or reduced-price meals for its own children, the host family may include the homeless/migrant family or runaway children as household members. Only if the host family provides financial support to the homeless/migrant family or runaway children, such as shelter, utilities, clothing, or food. In such cases, the host family must include any income received by the homeless/migrant family or runaway children. Site officials must determine eligibility for the host family in the traditional manner. If the host family meets the free or reduced-price meal eligibility criteria, school officials should provide the host family with approval for free or reduced-price meal benefits, as appropriate.

3. Continuing Certification:

Public Law 108-265 establishes that once a homeless/migrant or runaway child is certified as eligible to receive free meals, eligibility remains effective for the remainder of the school year. Further, SFAs are allowed to continue the child's eligibility from the previous year for 30 operating days into the subsequent school year or until a new eligibility determination is made. This determination must be reconfirmed with the liaison each school year.

G. Households That Fail to Apply

1. School officials may complete an application for a student **known to be eligible** if the household fails to apply. When exercising this option, the school official **MUST** complete an application on behalf of the student based on his or her knowledge of household-size and income information. **The source of the information MUST be noted on the application.** Names of household members and the last four digits of the social security number and signature of an adult household member need not be secured. These applications is excluded from verification. The household **MUST** be notified that the student has been certified and is receiving free meal benefits.

2. This option is intended for **LIMITED** use in **INDIVIDUAL** situations and **must not** be used to make eligibility determinations for categories or groups of students. This option **is not intended** to be used for households who qualified in the previous year but for some reason have failed to apply in the current school year.

H. Notice to Households of Approval/Denial of Benefits

1. All households **MUST** be notified of their eligibility status verbally, in writing, or by e-mail. The notification must advise the household of:
 - a. The reason for denial of benefits.
 - b. The right to appeal.
 - c. Instructions on how to appeal.
 - d. A statement that households may reapply for free or reduced-price benefits at any time during the school year. Nonpricing SFAs are exempt from being required to notify the household of approval/denial of benefits. However, the Notice of Direct Certification is still required.

A copy of the Notice of Approval/Denial of Benefits is located on **page E-61**.

2. Households **DENIED** benefits or approved for benefits through Direct Certification **MUST** be given written notification of denial or approval.
3. Duration of Eligibility
 - a. The Child Nutrition and WIC Reauthorization Act of 2004 states once a household is approved for free and reduced-price benefits, the household will remain eligible for those benefits for the remainder of the school year plus a maximum of 30 operating days in the subsequent school year. (Reference USDA Policy Memos 2004-CN-07, 2004-CN-09, 2004-SP-02, and 2004-SP-03)
 - b. There are three exceptions in which the duration of an application would not last the entire school year.
 - **Application error:** The SFA finds that it made an error in initial approval.
 - **Verification Process:** If documentation does not support initial approval.
 - **Family refuses benefits:** Family notifies SFA to decline any meal benefit.

I. Change of Benefits During the School Year (Reference the USDA Eligibility Manual for Schools)

1. Households may voluntarily report a change in status. If a change is reported that will **increase benefits**, the LEA must change the benefits immediately. Schools should inform families they may submit applications at any point during the school year and remind families their child may become eligible if the household experiences a change in financial circumstances (i.e., household size goes up or income goes down). Schools are encouraged to reach out to families experiencing a financial hardship which may result in a change in eligibility status for their child.
2. **Reduction or Decrease in Benefits.** If a family notifies the SFA later in the year, and the change will decrease benefits (from free to reduced price) or terminate benefits (from free or reduced price to paid), the LEA must explain to the household the change is not required and will only go into effect if the household requests the change in writing, for example, by submitting a new application [7 CFR 245.6(c)(3)(i)]. If any change (such as a household's voluntary request to withdraw) is made, the determining officials must indicate the change on the application.

If benefits are voluntarily decreased, the LEA must send a notice of adverse action that includes:

- Written confirmation of the action;
 - An indication that the change was made at the request of the household; and
 - An explanation of the household's right to continue receiving free or reduced price benefits, should the household choose to do so.
3. If there are changes in application status (i.e., approval errors, verification, parental request), determining officials should note the change and the date of the change on the application and on any rosters used. Thorough annotation includes:
- a. The date the change was reported.
 - b. Why the change was made.
 - c. Who called and reported the change.
 - d. The initials of the person making the change.

J. Record Keeping of Applications

1. All free and reduced-price applications, including denied and inactive applications, **MUST** be kept on file for a minimum of three years after the final claim is submitted for the fiscal year to which they pertain, and they **MUST** be readily retrievable by school site. Files **MUST** be kept longer if they are required for an audit. If audit findings have not been resolved, the applications **MUST** be maintained as long as required for resolution of the issues raised by the audit.
2. **Provision 2 and Provision 3 schools** must maintain base year applications for as long as the site(s) are participating in Provision 2 or Provision 3.
3. For applications from households approved for benefits, the determining official must indicate the date each application is approved and the level of benefit for which each child is approved. The determining official must also sign or initial the application.
3. For applications from households denied benefits, the determining official **MUST** identify and retain on file the reasons for the denial. Records should also include the date of the denial, the date the denial notice is sent, and the signature or initials of the determining official. These may be noted directly on the application.

K Applications of Transferring Students

1. When a child transfers to another site within the SFA or transfers to another district within the state, a copy of the application **MUST** be retained at both the sending and receiving sites and the date of the transfer noted, unless applications are filed centrally. Current applications **MUST** be on file, and there **MUST** be records to support transfers of students in and out of the site.
2. When a child transfers within the same LEA from a school using Provision 2 or 3, a new application or Direct Certification is required unless the transfer is in a base year and the child's individual eligibility information is available. If the transfer is done in a nonbase year, a new application is required. This is also applicable when a child transfers to a new school district.

L. Restrictions for Processing Applications

1. Distribution and processing applications *solely for information about household income* to determine the funding or benefits for programs other than the school meals programs or to determine eligibility for other programs is not permitted. Funds from the nonprofit school food service account cannot be used to pay the costs associated with collecting and processing such information.
2. If a school must obtain the household income information for nonprogram purposes through means other than the household's application for free or reduced-price school meal benefits, the applications *may not be labeled as applications for meal benefits* under the school meals/milk programs or give any indication that such benefits are contingent upon a household returning the application. **An example of this is the Economically Disadvantaged form provided by State Aid.**
3. If the LEAs provides households with a multiuse applications, which include both meal program benefits as well as nonfood benefits, they must ensure that the process allows submission of an application solely for free or reduced-price meal or free milk benefits.
4. The LEA must seek consent from the parent(s) or guardian(s) to use the information provided on the application for nonprogram purposes or for purposes not permitted in this guidance.

M. Using A Computerized System for Application Approval and Verification

1. If a school is using a computer software system to approve Free and Reduced-priced applications, A signature of approval is not required on each application. A copy of the Free, Reduced, and Paid roster **MUST** to be printed, signed, and dated **EVERY MONTH** to indicate approval of the applications.
2. LEAs are responsible for assuring that the certification and verification processes meet all regulatory requirements and policies, including the calculation of income frequencies. The LEA must assure the software used is performing correctly and meets all requirements. **USDA, FNS, and state agencies do not evaluate, recommend, approve, or endorse any software used for certification or verification purposes.**

N. Electronic Free and Reduced-Priced Applications

1. Electronic applications must be approved annually by the State agency before use. **Send the link to fill out an application along with a printed copy** to Karen Davis at Karen.Davis@sde.ok.gov for approval. **USDA, FNS, and state agencies do not evaluate, recommend, approve, or endorse any software used.**
2. The SFA must assure the electronic application system is accurately and reliably capturing the free and reduced-price meal application information. It must be capturing both the dollar and cent amounts reported by the household unless computed manually. (Reference USDA Policy Memo 2007-CN-04)
3. If the software is being used to determine eligibility from the electronic applications, the SFA must ensure that manual edits are in place to secure free and reduced-price determinations. (Reference USDA Policy Memo 2007-CN-04)

4. Access or security procedures are to be maintained and ensure confidentiality. All disclosure restrictions must be met, and acceptance of the application and electronic signatures must be in accordance with guidance issued by FNS <http://www.fns.usda.gov/cnd/governance/Policy-Memos/2007/SP 10-2007.pdf>.
5. Electronic application must be maintained at a minimum of three years after the submission of the final claim for reimbursement for the fiscal year or longer as required for audit resolution.
6. Procedures are to be developed to ensure an accurate count of the free and reduced-price meal applications.
7. The State agency requires electronic application be printed when requested for review or audit purposes. Applications must be accessible in a timely manner or for any other reason.
8. Electric applications must be retained for any sites on Provision 1, 2, or 3 for three years beyond the establishment of a new base year or longer as needed for audit resolution.
9. An adequate backup system is to be maintained for the electronic files.
10. The electronic application system must include a statement which explains how to obtain a paper application should a household decide it no longer wants to complete an electronic application.
11. Electronic Signatures on Electronic Applications (Public Law 108-265, Section 105).
A household application may be executed using an electronic signature if:
 - (a) The application is submitted electronically.
 - AND**
 - (b) The electronic application filing system meets confidentiality standards established by USDA.

O. CNP Rosters

1. Once applications are approved, the SFA is responsible for maintaining current eligibility status of all students. Benefit issuance rosters are lists of students eligible to receive free, reduced-price, or full-price meals. As with the free and reduced-price meal application, these rosters are to be confidential and used only by persons directly involved with the CNP. An example of a CNP roster is on **page E-62**.
2. Although most SFAs are computerized in their meal-counting and meal-claiming process, most of these systems do not provide all the necessary information that the roster reflects.
 - (a) Rosters should include the following information:
 - (1) The date a student became eligible for benefits.
 - (2) The date a student withdraws from school or transfers to another school.
 - (3) The date a student's eligibility category changes as a result of verification or reported change in household status.
3. If multiple rosters are used (e.g., one in the office for benefit issuance and one at the point of service for meal counts), all rosters must be updated and printed on a regular basis (at least monthly) to reflect current eligibility status.

P. Definitions to Determine Household Size and Income

1. Determining Household Size

- a. ***Adopted Child***—An adopted child for whom a household has accepted legal responsibility is considered to be a member of that household. If the adoption is a ***SUBSIDIZED*** adoption (children who are difficult to place), the subsidy is included in the total household income.
- b. ***Child Attending an Institution***—A child who attends but does not reside in an institution is considered a member of the household in which he or she resides.
- c. ***Child Away at School***—A child who is temporarily away at school (e.g., attending boarding school or college) should be considered as a member of the household.
- d. ***Child Living With One Parent, Relatives, or Friends***—In cases where no specific welfare agency or court is legally responsible for the child or where the child is living with one parent, other relatives, or friends of the family, the child is considered to be a member of the household with whom he or she resides. Children of divorced or separated parents are generally part of the household that has custody.
- e. ***Emancipated Child***—A child living alone as a separate economic unit is considered to be a household of one. ***No portion of a social security number is required on an application of an emancipated child.***
- f. ***Family Members Living Apart***—Family members living apart on a temporary basis are considered household members. Family members not living with the household for an extended period of time are not considered members of the household for purposes of determining eligibility, but any money made available by them or on their behalf for the household is included as income to the household.
- g. ***Foreign Exchange Student***—A foreign exchange student is considered to be a member of the household in which he or she resides; i.e., the household hosting the student.
- h. ***Foster Child***—A foster child is a child whose care and placement is the responsibility of an agency that administers a state plan under Part B or E of Title IV of the Social Security Act or a foster child who the court has placed with a caretaker household. These provisions only apply to children formally placed in foster care by a state child welfare agency or a court. They do not apply to informal arrangements such as caretaker arrangements or permanent guardianship placements that may exist outside of or as a result of state- or court-based systems. Whether placed by the state child welfare agency or a court, in order for a child to be considered categorically eligible for free meals, the state must retain legal custody of the child. The household keeping the foster child ***DOES*** include the foster child in its family size, and it does include as part of the household income any monies the foster child receives. However, the household does not report any monies the foster parents are receiving for the care of the foster child. ***NOTE: If a foster child is adopted, he or she must be determined eligible based on the economic unit. All income available to that household, including any adoption assistance, is counted when making an eligibility determination.*** (Reference USDA Memo SP-17-2011)
- i. ***Homeless***—An individual who lacks a fixed, regular, and adequate nighttime residence is considered homeless. The LEA must consider the following: Can the student go to routine or consistent (regular) place (fixed) to sleep in a safe and sufficient space (adequate). The definition includes:
 - (1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; living in emergency or transitional shelters; abandoned in hospitals; or awaiting foster care placement.

- (2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 - (3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 - (4) Migratory/runaway children who qualify as homeless because the children are living in circumstances described on **page E-18**.
 - (5) **The definition of homeless does not include students of divorced parents when the student spends part of the time with each parent. Reference Item l for the definition of joint custody.**
- j. ***Household/Economic Unit***—A group of related or unrelated individuals who are not residents of an institution or boarding house, but who are living as one economic unit and who share housing and/or significant income and expenses of its members. Generally, individuals residing in the same house are an economic unit. However, more than one economic unit may reside together in the same house. Separate economic units in the same house are characterized by prorating expenses and maintaining economic independence from one another.
 - k. ***Institutionalized Child***—An institutionalized child is a child who resides in a residential-type facility that the state has determined is not a boarding school. Such a child is considered a household of one.
 - l. ***Joint Custody***—In cases where joint custody has been awarded and the child physically changes residence, the SFA has the authority to assign the child’s eligibility to the household that best benefits the child. This eligibility does not extend to members of the second household.
 - m. ***Military Family Member***—A deployed service members should be considered as family members living apart on a temporary basis. A school or an institution would instruct families to include the names and only that portion of the deployed service member’s income made available by the service member, or on his or her behalf, to the household where the children are staying should be counted as income for eligibility determination purposes.

2. Determining Reportable Household Income

a. Reportable Income

- (1) Income is any money received on a recurring basis, including **GROSS** earned income, unless specifically excluded by legislation. Specifically, gross earned income means all money earned before deductions for employee’s income taxes, social security taxes, insurance premiums, bonds, savings programs, and/or other income deductions.
- (2) Income includes the following:
 - (a) ***Adopted Child Subsidy***—The subsidy a household receives for a child who has been adopted is counted as income.
 - (b) ***Alimony and Child Support***—Any money received by a household in the form of alimony or child support is considered as income to the receiving household. However, any money paid out for alimony or child support may not be deducted from that household’s reported gross income.
 - (c) ***Child’s Income***—The earnings of a child who is a full-time or regular part-time employee **MUST** be listed on the application as income. However, occasional earnings such as income from occasional baby-sitting or mowing lawns should not be listed on the application as income.

- (d) **Current Gross Income**—Households **MUST** report current income (before taxes) on a free and reduced-price meal application.

Current income is income received by the household. For the purposes of certification of eligibility for free or reduced-price meals or free milk, the household must provide its current income which is based on the most recent information available. This may be for the current month, the amount projected for the first month the application is made for, or for the month prior to application. If the household's current income is not a reflection of income that will be available over the school year, the household should contact the SFA for assistance. The SFA would determine the amount and frequency of income available during the school year for households.

- (e) **Earnings From Work**—Wages, salaries, tips, commissions, net income from self-owned businesses and farms, strike benefits, unemployment compensation, and workers' compensation.
- (f) **Foster Child's Income**—A foster child is a child who is living with a household but who remains the legal responsibility of the welfare agency or court. The household keeping the foster child **DOES** include the foster child in its family size, and it does include as part of the household income any monies the foster child receives. However, the household, does not report any monies the foster parents are receiving for the care of the foster child. **NOTE: If a foster child is adopted, he or she must be determined eligible based on the economic unit and all income available to that household, including any adoption assistance, is counted when making an eligibility determination.**
- (g) **Garnisheed Wages and Bankruptcy**—Income is the gross income received by a household before deductions. In the case of garnisheed wages and income ordered to be used in a specified manner, the total gross income **MUST** be considered, regardless of whatever portions are garnisheed or used to pay creditors.
- (h) **Income for the Self-Employed**—Self-employed persons may use last year's income as a basis to project their current year's net income, unless their current net income provides a more accurate measure. Self-employed persons are credited with net income rather than gross income. Net income for self-employment is determined by subtracting business expenses from gross receipts.
- 1) Gross receipts include the total income from goods sold or services rendered by the business.
 - 2) Deductible business expenses include the cost of goods purchased, rent, utilities, depreciation charges, wages, and salaries paid, and business taxes (not personal, federal, state, or local income taxes).
 - 3) Nondeductible business expenses include the value of salable merchandise used by the proprietors of retail businesses.
 - 4) For a household with income from wages and self-employment, each amount **MUST** be listed separately. When there is a business loss, income from wages may not be reduced by the amount of the business loss. If income from self-employment is negative, it should be listed as zero income.
- (i) **Institutionalized Child's Income**—Payments from any source directly received by the institution on a child's behalf are not considered as income to the child. Only the income a child earns from full-time or regular part-time employment and/or personally receives while in residence at the institution is considered as income.

- (j) **Lump Sum Payments**—When lump sum payments are put into a savings account and the household regularly draws from that account for living expenses, the amount withdrawn is counted as income.
- (k) **Military Benefits**—Gross income, including base pay, regular housing allowance (BAH, VHA, BAQ), subsistence (BAS), clothing allowance, hazardous duty, hostile fire, flight pay, incentive, etc., must be included for military families. The only exceptions are as follows:
- 1) **U.S. Armed Forces Family Subsistence Supplemental Allowance (FSSA)**. (Reference USDA Policy Memo 2006-CN-10)
 - 2) **Privatized housing** refers to the Military Housing Privatization Initiative, a program operating at a number of military installations. This initiative puts the operation of military-owned housing under private contractors. Under this privatization initiative, a housing allowance appears on the leave and earnings statement of service members living in privatized housing. It is important to note that this income exclusion is only for service members living in housing covered under the Military Housing Privatization Initiative. It is not an allowable exclusion for households living off base in the general commercial/private real estate market.
 - 3) **Military Combat Pay** exclusion is authorized by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80, October 21, 2009).

Combat pay is defined as an additional payment made under Chapter 5 of Title 37 of the United States Code, or as otherwise designated by the Secretary to be excluded, that is received by the household member who is deployed to a designated combat zone. Combat pay is excluded if it is:

- Received in addition to the service member's basic pay.
- Received as a result of the service member's deployment to or service in an area that has been designated as a combat zone.
- Not received by the service member prior to his or her deployment to or service in the designated combat zone.

A combat zone is any area that the President of the United States designates by Executive Order as an area in which the U.S. Armed Forces are engaging or have engaged in combat. As with other types of income commonly received by military personnel (such as the Basic Allowance for Housing or Basic Allowance for Subsistence payments), combat pay received by service members is normally reflected in the entitlements column of the military Leave and Earning Statement (LES). Information regarding deployment to or service in a combat zone may also be available through military orders or public records on deployment of military units. Deployed service members are considered members of the household for purposes of determining income eligibility for the CNP. (Reference USDA Memo SP-06-2010)

- 4) **Deployment Extension Incentive Pay (DEIP)** exclusion of combat pay, as described in P.L. 111-80, is extended to DEIP. DEIP is given to active-duty service members who agree to extend their military service by completing deployment with their units without reenlisting. This exemption applies only until the service members return to their home station. Any additional DEIP payments provided to service members serving at their home station is considered income as they are no longer considered deployed. (Reference USDA Policy Memo SP-06-2011)

- 5) ***The Earned Income Tax Credit (EITC)***. (Reference USDA Policy Memo 2003-CN-13)
 - 6) Any payments made under the ***Agent Orange Compensation Exclusion Act***.
 - 7) Any payments made or any mandatory salary reduction related to the ***Veteran's Educational Assistance Act of 1964 (GI Bill)***.
- (l) ***Other Income***—Net rental income; annuities; net royalties; disability benefits; interest; dividend income; cash withdrawn from savings; income from estates, trusts, and/or investments; regular contributions from persons not living in the household; any other money that may be available to pay for the children's meals.
 - (m) ***Pensions/Retirements/Social Security***—Pensions, retirement income, social security, supplemental security income (SSI), and veterans' payments.
 - (n) ***Seasonal/Temporary Workers***—Seasonal workers such as migrants and others whose income fluctuates. They usually earn more money in some months than in other months. In these situations, the household may project its annual rate of income and report this amount as its current income. If the prior year's income provides an accurate reflection of the household's current annual rate of income, the prior year may be used as a basis for the projected annual rate of income.
 - (o) ***Welfare***—Public assistance payments/welfare receipts (General Assistance, General Relief, etc.).
- b. **Income Exclusions**—Income **NOT** to be reported or counted as income in the determination of a household's eligibility for free or reduced-price benefits includes:
- (1) Any ***cash income*** or value of benefits excluded by statute, such as the value of benefits under SNAP or FDPIR and some Federal educational benefits;
 - (2) ***Payments received from a foster care*** agency or court for the care of foster children;
 - (3) ***Student financial assistance*** provided for the costs of attendance at an educational institution, such as grants and scholarships awarded to meet educational expenses and not available to pay for meals;
 - (4) ***Loans***, such as bank loans, since these funds are only temporarily available and must be repaid; and
 - (5) ***Infrequent earnings*** received on an irregular basis, such as payment for occasional baby-sitting or yard work.

Examples of income exclusions are on pages 31-34 in the USDA Eligibility Manual for School Meals (v. 2017). For the full list of income sources excluded by other Federal laws, see: Appendix to Subpart K of Part 416—List of Types of Income Excluded under the SSI Program as Provided by Federal Laws Other Than the Social Security Act (http://www.socialsecurity.gov/OP_Home/cfr20/416/416-app-k.htm).

Q. Preprimary, Head Start, and Even Start and Eligibility

1. Preprimary

Preprimary is defined as a child ranging from birth to school age. Preprimary children are **NOT** eligible to participate in NSLP and SBP. If these children are **NOT** enrolled in the school district, the meals **cannot** be claimed. They are not to be reported on the site's free and/or reduced-price eligible counts on the claim for reimbursement, and cannot be added to the Low-Income Student Count Report.

NOTE: The only three-year-olds enrolled in a district are those with an IEP or 504 plan as they are receiving services. (Reference FNS Instruction 776-7, Rev. 1, 6/6/88)

(a) Allowable Preprimary Options:

- (1) Preprimary children can participate in the regular CACFP program and claim meals for reimbursement.

Note: These children cannot participate in the At-Risk program as it is only allowed for school age children.

- (2) Preprimary meals can be paid for out of General Fund. If the district pays for all or a portion of preprimary meals. The district needs to keep track of how much is owed to Child Nutrition. A Preprimary Lunch and Breakfast Cost form is located in Other Documents.
- (3) The district can bill the parents the adult/contract price listed in Schedule B in the online application and agreement.
- (4) Head Start and Even Start children who are not enrolled in the school district **cannot** be claimed. The school can bill the Head Start/Even Start for contract meals.
—It is required by the federal government for Head Start/Even Start programs to participate in the regular CACFP program. The district should bill the Head Start/Even Start program for all reimbursable meals served, and the Head Start/Even Start program will claim these meals directly with Child Nutrition.

2. Head Start

- a. Children enrolled in a **FEDERALLY** funded Head Start **AND** enrolled in the school district are considered categorically eligible for free meals no matter what the income level of the household. Public Law 110-134 makes any child enrolled in a federally-funded Head Start automatically eligible for free meals without further application or eligibility documentation. (Reference USDA Policy Memo SP-40-2013) The following documentation is needed for meeting this criteria:
 - (1) **Documentation for Head Start Enrollees**—The SFA must obtain documentation of Head Start participants in order to confirm automatic eligibility for free meals. The documentation is a list of the names of the Head Start participants. The documentation must include the signature of a Head Start employee authorized to provide the certification on behalf of the Head Start office, and the date. Refer to **page E-63** for a copy of the Even Start/Head Start **Federally** Funded Enrollment form.
 - (2) **Annual Update**—At the beginning of each year, the determining official must establish whether each child continues to be enrolled in Head Start. Carryover of the eligibility status from the previous year also applies to children in Head Start programs **IF** the SFA administers both the Head Start program and the school in which the child attends kindergarten.
 - (3) **Record Retention**—The list Head Start of participants must be maintained on file and readily available for review by USDA, the State agency, or other appropriate agencies for a minimum of three years from the end of the fiscal year to which the information applies or as otherwise specified in program regulations.
- b. The categorical eligibility of a Head Start child does **NOT** extend to the other children in the household.

3. Even Start

- a. For a child to be categorically eligible for free meals based on his or her participation in Even Start, the child **MUST** be enrolled as a participant in a **FEDERALLY** funded Even Start

Family Literacy Program, **MUST** be at the prekindergarten level, and **MUST** be enrolled in the school district. The following documentation is needed for meeting this criteria:

- (1) **Documentation for Even Start Enrollees**—The SFA must obtain documentation of the Even Start participants. The documentation may be a list of the names of the Even Start participants and a statement certifying that those children are currently enrolled as participants in the Even Start program. The documentation must include the signature of an Even Start employee authorized to provide the certification on behalf of the Even Start office, and the date. Refer to **page E-63** for a copy of the Even Start/Head Start **Federally** Funded Enrollment form.
 - (2) **Recertification of Categorical Eligibility**—At the beginning of each year, the official responsible for determining Even Start participation must update each child on the list to ensure each one has not entered kindergarten.
- b. Categorical eligibility does **NOT** apply to other family members.
- c. Meal Requirements for Adults Participating in Even Start
- (1) Reimbursements may be claimed for adults participating in Even Start programs when the adults are enrolled in a General Educational Development (GED) program that meets in the school during the school day. GED students are not enrolled in the school; thus, they cannot be counted in the school's free and/or reduced-price eligible counts. **NOTE: If the adult is not enrolled in a daytime GED program, he or she should be treated as a visitor.**
 - (2) In the case where the adult student is enrolled in a school of high school level or under (not in a GED program), meals served may be claimed for reimbursement. The adult student would be included in the SFA's total enrollment of students for funding and other purposes the same as other students of high school level or under. Any adults meeting either of these criteria who wish to obtain free or reduced-price benefits under the NSLP/ SBP must complete an application for meal benefits.
 - (3) **If an adult is only enrolled in English as a Second Language (ESL) classes that are not part of a regular high school completion program, he or she should be treated as a visitor.**

DIRECT CERTIFICATION (Reference page 65 of USDA Eligibility Manual—2017)

- A. Direct Certification (DC) is a simplified method of determining some children's eligibility for free meals under the NSLP, SBP, or free milk under the SMP without having the family complete a free and reduced-price meal application or a free milk application. **ALL SFAs ARE REQUIRED TO PARTICIPATE IN DIRECT CERTIFICATION.**
1. All students' eligibility status must be recorded in the State agency Student Information System—the WAVE.
 2. If one child in the household is directly certified, then **ALL** children in the household who are enrolled in the school must be given free or reduced-priced meal benefits. (Reference SP-38-2009)

3. Every district is required to send a written notice to each household that has students identified as being directly certified, even if a school is on provision, CEP, or is nonpricing. Refer to page E-64 for a copy of the Notice of Direct Certification form. If not using the USDA prototype, the SFA must send a copy of their form to the State agency for approval

Once the notice is sent to families, the district may begin claiming every meal served to these students at the free or reduced-priced reimbursement rate.

B. Direct Certification Through the WAVE

1. The WAVE is Oklahoma's secure electronic student information system (SIS). There is a mandatory element in the SIS where a district must indicate whether a student qualifies for free, reduced-price, or no (paid) meal benefits. Since this is confidential information, the meal-eligibility information must be entered into the SIS or provided to SIS staff in same manner. The WAVE is located in Single Sign-on or at <https://sde.ok.gov/wave-system> or email studentdatainfo@sde.ok.gov.
2. The WAVE identifies each student as follows:

01	Identified through Direct Certification—SNAP only
02	Identified as foster child (not subject to verification)—Foster child who was directly certified
03	Identified as foster child (categorically eligible)—Foster child who was NOT directly certified
04	Identified through homeless/migrant/runaway liaison list—Directly certified
05	Identified through income-eligible Head Start—Directly certified
06	Identified through Even Start
07	Identified as residential students in RCCIs
08	Identified as nonapplicants approved by local officials
09	Identified based on SNAP/TANF/FDPIR case number submitted on an application (categorically eligible)
10	Identified based on income/household size information submitted on an application (<i>do not include foster children</i>)
12	Identified through Direct Certification—TANF only
13	Identified through Direct Certification—FDPIR only
14	Identified as homeless/migrant/runaway based on application (not directly certified)
15	Identified as directly certified other (do not include these categories: SNAP, TANF, FDPIR, foster, homeless, migrant, runaway, Head Start, Even Start)
16	Identified through Direct Certification - Medicaid (This does not override SNAP or TANF)
OT	Identified in some other way other than listed above. OSDE does not expect to receive code OT for Lunch Eligibility Determination. This code is reserved for emergency legislative updates or mid-year policy changes and is not valid for any other reason.
NA	The student is NOT eligible for free or reduced-price lunch (<i>Does not qualify for free or reduced-price eligibility</i>)

3. The Direct Certification reports contain students who are enrolled in the district, and who are directly certified through DHS or the Health Department. The list of students listed on these reports will automatically receive **FREE or REDUCED-PRICED** meal benefits. A **Direct Certification Application Manual** containing instructions for using this application is provided on the WAVE Web site at <https://thewave.sde.ok.gov/thewave/Portals/0/District%20Documents/Direct%20Certification%20Manual%20v2.0.pdf>.

4. The Direct Certification report first match of the school year is available in August, barring any computer issues. DHS and Oklahoma Department of Health direct certification information is then updated the first **Monday** of every month for the rest of the year. All students contained in this report are a Direct Certification Match.
 - a. Direct Certification Reports on the WAVE
 - (1) **Full Report**—This report shows students who are directly certified for free lunch for this entire current school year. It displays students directly certified in the match process conducted by the WAVE and will display data based on the filters you will provide.
 - (2) **Full Report Address and Case Number**—This report shows students who are directly certified for free lunch for the entire current school year. This report is best viewed when exported to an Excel format as it contains a large amount of data. From Excel, you can modify the report and use only the data you need. If the data is blank or empty, it is because that data was not supplied to the WAVE by DHS. It will display students directly certified in the match process conducted by the WAVE and will display data based on the filters you will provide.
 - (3) **Eligible First 30 Days**—This report will show all students, based on the filters provided by the user, who only qualify for free lunch for the first 30 days of school. They qualify because they were directly certified from the previous school year. However, they are not directly certified for the current school year. **NOTE: A student can drop from this list and move to the Full Report if they qualify for the appropriate services from DHS again.**
 - (4) **Eligible First 30 Days Address and Case Number**—This report will show all students, based on the filters you provide, who currently qualify for free lunch for the first 30 days of school (see Eligible First 30 Days description). This report is best viewed when exported to an Excel format as it contains a large amount of data. From Excel, you can modify the report and use only the data you need. If the data is blank or empty, it is because that data was not supplied to the WAVE by DHS.
 - (5) **Remaining Records**—This contains all of the records by zip code for which the WAVE was unable to find a direct match. With this file, you will need to search for students to directly certify using your own match criteria and your own student level data. **This report is not currently working.**
 - b. Filters available on the WAVE reports
 - (1) **Select Student Filter**
 - (a) **All matched students for this report**—Provides every student found in the current database who matches the DHS Direct Certification and the Oklahoma Health Department and meets the criteria of the report you select.

NOTE: This may contain data on students from the previous school year until September 30.
 - (b) **All matched students who have attended this school year for this report**—Provides every student in the WAVE who matches the DHS Direct Certification data and attended your district at some point during this current year and who meets the criteria of the report you select.
 - (c) **All matched students without an enrollment for this school year for this report**—Provides every student in the WAVE who matches the DHS Direct Certification but who does **NOT** yet have an enrollment in the WAVE at your school district at some point during this school year and who meets the criteria of the report you select. This

filter is available only until September 30 of each year to make sure all data has time to process into the WAVE from school districts and allows you to identify students who qualify prior to the start of school.

- (d) ***Only currently attending matched students for this report***—Provides every student found in the WAVE who matches the DHS Direct Certification data and is shown to be currently attending your school district/site based on enrollment information sent from Student Information System and who meets the criteria of the report you select.

(2) **Match Date Filter**—**This filter is not currently working**

- (a) ***All Records***—Provides every matched record regardless of the data to which it was matched. ***NOTE: The Match Date will update only once during each school year. It will show the first time the student is matched for that particular year.***
- (b) ***Only records matched on this date***—Provides every record matched new on the date supplied.
- (c) ***Only records matched on or before the following dates***—Provides every record that matched new on or between the dates supplied.

- 5. The WAVE generates a report that will show students who have the same address of a student that has been directly certified. The LEA will need to verify the information, and when it is accurate, also directly certify these students.

- 6. The Data Validation Wizard validates the actual codes being supplied by the school districts.

C. Other Direct Certification Methods

1. Direct Certification: **SNAP and TANF**

- a. SNAP and TANF may also be conducted using letters provided to eligible participants from agencies that the family submits to the LEA/school.
- b. The use of eligibility letters does not fulfill the Direct Certification requirement for households receiving SNAP benefits. No application is necessary if eligibility is determined through the Direct Certification process.

2. Direct Certification: **FDPIR Listing**

- a. SFAs may request and accept a list provided by tribal authorities indicating households that are receiving FDPIR or tribal food assistance program benefits. ***This is not a list of children that are on a tribe roll.***
- b. Upon receipt of the FDPIR list from the tribe, it is the responsibility of the SFA to compare each child enrolled in the SFA, using at least two identifying pieces of information; i.e., name of child, social security number, birth date, name of parent or legal guardian, or sex. When a child matches on at least two identifying pieces of information, the child automatically qualifies for free meal benefits. In addition, any other children within the same household who are enrolled in school will also qualify for free meal benefits. The SFA should identify the children on the FDPIR list ***AND*** who are enrolled in the SFA along with any other children identified as part of that household who are also enrolled. An example of this would be highlighting each child's name on the list that matches the SFA's enrollment. The SFA must then notify the parent or legal guardian of the child's/children's eligibility.

3. Direct Certification: **Foster Children**

If the SFA can obtain a list of foster children who are enrolled in its district from the local DHS foster care office, these children can then be counted on the SFA's certification list.

3. Direct Certification: **Medicaid Children**

- a. Medicaid information used to qualify students can **ONLY** be pulled from *The WAVE* located in Single Sign-on or at <https://sde.ok.gov/wave-system>
 - A letter from the portal or from the family CANNOT be accepted for benefits.
- b. The child is approved for either Free or Reduced-priced depending on what it states on the Direct Certification Report
 - Medicaid benefits are extended to other children living in the household.
- c. SNAP benefits supercede Medicaid benefits

4. Direct Certification: **Other Source Categorically Eligible Programs**

Other Source Categorically Eligible is conducted through a computer/electronic match between appropriate officials from Other Source Categorically Eligible Programs and the LEA.

- a. Direct Certification may be conducted using lists of eligible participants for *Head Start/Even Start* and provided to the LEA from appropriate officials from Other Source Categorically Eligible Programs. Letters provided by such programs to eligible participants may also be used for Direct Certification.

D. Frequency of Direct Certification

1. LEAs must conduct Direct Certification at least three times during the school year. More frequent Direct Certification efforts are permissible and encouraged. Schools who are district-wide Provision 2, 3, or CEP are required to pull the Direct Certification list at least one time per year.

Recommended times to conduct direct certification:

- At or around the beginning of the school year.
 - Three months after the beginning of the school year.
 - The beginning of the calendar year (after Christmas break).
 - **ALWAYS pull direct certification in April. This is the required month direct certification must be pulled for sites participating in CEP. Even if the district is not interested in CEP at that time, the school may change their mind once April has passed.**
2. Check the DC reports to find out if the new students are directly certified once the district receives a Student Testing Number (STN). The WAVE will update this information nightly so that students may be readily identified upon enrollment. If information is received on a student from another district and Direct Certification information did not come with the student's transfer papers or the student is received before the records arrive, check the WAVE Web site to ensure that every child possible is identified.
 3. LEAs may make the effective date of eligibility for free school meal or milk benefits to be the date of the automated data matching file (or benefit recipient file from another agency) which first identifies the student as eligible for Direct Certification, rather than the date the LEA accesses and processes the automated data matching file into its local point-of-service (POS) system. To

be used for this purpose, the data file must have been generated and received by the LEA *in the current school year*. (Reference USDA Policy Memo SP-51-2014)

4. If an application for directly certified children is received at any time during the school year, the school will disregard the application. Once a household is approved for free or reduced-price benefits, the household will remain eligible for those benefits for the remainder of the school year plus a maximum of 30 operating days in the subsequent school year.
5. Direct Certification documentation **MUST** be retrievable by the school to ensure proper delivery of benefits and to allow substantiation of the number of children eligible for free meals or milk.

Note: The district should print or save the DC list every time the direct certification list is downloaded. Include the date in the title of the day it was pulled and saved. If printing the DC list, sign and date the day it was pulled.

6. Benefit Issuance from Direct Certification
 - a. The SFA **MUST** provide benefits promptly. Eligible students may receive benefits immediately. The SFA may assume consent if refusal has not been received by a certain number of days as determined by the SFA.
 - b. If the household refuses benefits, the SFA **MUST** discontinue benefits immediately and document the refusal. Even though the family refuses the benefit, the LEA can still use that benefit for eligibility on reports.

CONFIDENTIALITY/DISCLOSURE OF ELIGIBILITY INFORMATION

(Reference page 83 of USDA Eligibility Manual—2017)

A. General Information

1. The issues of privacy and confidentiality of personal data are complicated as well as sensitive. SFAs may disclose children's free or reduced-price meal eligibility information to programs, activities, and individuals who are specifically authorized access under the NSLA. This is an option, not a requirement; therefore, funds in the nonprofit school food service account cannot be used to pay the costs associated with collecting and processing such information.
2. The eligibility status of a child by a noncustodial parent must not be released without a court order.
3. The SFA may opt to disclose children's eligibility information to Sooner **Select** Benefits officials if the household does not decline to have its children's eligibility information released. The Oklahoma Health Care Authority (which administers the Sooner Select Benefits Program) receiving children's free and reduced-price meal or free milk eligibility information **MUST** use that information to enroll eligible children in the Sooner Select Benefits Program.
4. The SFA may disclose aggregate information to any program or individual, such as the number of children eligible for free or reduced-price meals. Information in the aggregate does not identify individual children. Therefore, parental notification and parental consent are not needed.
5. The NSLA specifies that persons directly connected to the administration or enforcement of certain programs or activities are permitted to have access to children's eligibility information. The Disclosure Chart for Eligibility Information on **page E-65** lists programs, the extent of

information that may be disclosed (only eligibility status or all eligibility information), and whether the program may have access to children's eligibility information without parental consent or without the opportunity to decline the disclosure.

6. Although a program or person may be authorized under the NSLA to receive free and reduced-price eligibility information, there **MUST** be a legitimate need to know to provide a service or carry out an authorized activity.
7. Every Student Succeeds Act (ESSA)—ESSA is the nation's federal education law. School district officials may disclose a child's eligibility status to persons directly connected with, and who have a need to know a child's free or reduced-price meal eligibility status in order to administer and enforce ESSA requirements. However, other information obtained from a free and reduced-price meal application or obtained through Direct Certification cannot be disclosed. School district officials must keep in mind that the intent of the confidentiality provisions is to limit the disclosure of a child's eligibility status to those who have a **need to know** for proper administration and enforcement of a federal education program. School districts must establish procedures that limit access to a child's eligibility status to as few individuals as possible.
8. National Assessment of Education Progress (NAEP)
 - a. LEAs may disclose, without parent/guardian consent, children's names and eligibility status to persons who are directly connected to the administration or enforcement of NAEP because NAEP is a federal education program. Additionally, LEAs may disclose children's names and eligibility status to persons directly connected with the administration or enforcement of state educational assessment programs to the extent that the state assessment is part of the NAEP or the assessment program is established at the state, not local, level. Other state education programs also are eligible to have access to participants' names and eligibility status, without parent/guardian consent, but the program must be established at the state, not local, level.
 - b. The term **persons directly connected** for the purpose of disclosure to NAEP includes federal, state, and local program operators responsible for NAEP program administration or program compliance and their contractors. This does not imply that these persons have routine access to participants' eligibility status. There must be a **need to know** for legitimate NAEP purposes.
 - c. LEAs are encouraged to inform households when they plan to disclose or use eligibility information outside the originating program and to have a written agreement with NAEP officials.

9. Family Educational Rights and Privacy Act (FERPA)

The federal Department of Education has established that education records are under the purview of FERPA. However, for school meals and milk programs, the restrictions imposed by the laws governing these programs apply, not FERPA.

B. Sharing Student Eligibility Information: On a Need to Know Basis

1. The LEA may disclose children's eligibility status only to persons determined to be **directly connected** with the administration or enforcement of a federal education program, state education program, state health program, or a means-tested nutrition program, as well as to persons directly connected with the Comptroller General Office or law enforcement for an authorized activity.

2. Although a program or person may be authorized to receive free and reduced-price eligibility information, there must be a legitimate **need to know** to provide a service or carry out an authorized activity. State agencies, LEAs, and schools must ensure that data systems, records, and other means of accessing a student's eligibility status are limited to officials directly connected with administration or enforcement of a federal or state program or activity. This includes federal, state, or local program operators responsible for the ongoing operation of the program or activity or responsible for program compliance.
3. Eligibility information cannot be made available to all school officials. Access must be limited to a student's teachers who are directly responsible for the administration of a federal education program (e.g., NCLB) or who are providing tutorial or other assistance under such a program. Teachers, guidance counselors, principals, etc., who **are not** providing such assistance under the appropriate statutory or regulatory requirements cannot have access. Online data systems must have masking or identification capability to prevent unauthorized access to free or reduced-price eligibility status.

C. Parental Notification for Disclosure

1. Unless otherwise indicated, SFAs should inform households if they plan to disclose or use eligibility information outside the originating program (i.e., disclosure to a means-tested federal or state nutrition program, federal education program, law enforcement, the United States Comptroller General for audit purposes, or other child nutrition programs).
 - a. The notice of potential disclosure is in the Letter to Household that accompanies the free and reduced-price meal application or free milk application; on the application; or for children directly certified in the document informing households of the participants' eligibility through Direct Certification.
 - b. The notification should state that the children's names, eligibility status, and other information provided on the application or obtained through Direct Certification may be disclosed to certain other federal, state, or local agencies as authorized by the NSLA.
2. Parents or guardians **MUST** be notified of the potential disclosure and given the opportunity to elect **NOT** to have their children's information disclosed in certain cases (i.e., Federal Education Program).
 - a. The notification **MUST** inform the parents or guardians:
 - (1) They are not required to consent to the disclosure.
 - (2) The information will be used to facilitate the enrollment of eligible children in a health insurance program.
 - (3) Their decision will not affect their children's eligibility for free or reduced-price meals or free milk.

D. Agreements/Memorandum of Understanding with other Agencies

1. An agreement is not needed for federal, state, or local agencies evaluating or reviewing CNP operations. Similarly, an agreement is not necessary for disclosure to the Comptroller General. These activities are part of routine CNP operations and enforcement.
2. Non-Medicaid Sooner **Select** Agencies: The SFA should enter into a written agreement (refer to the Disclosure of Free and Reduced-Price Information Agreement form on **page E-66-68**) with other entities, including NAEP, requesting the information prior to disclosing children's eligibility information. The agreement must:

- a. Be signed by both the SFA and receiving entity.
- b. Identify the entity receiving the information.
- c. Describe the information to be disclosed and how it will be used. Eligibility information may only be used for the purpose for which the disclosure was made.
- d. Describe how the information will be protected from unauthorized uses and disclosures. Further use or disclosure to other parties is prohibited.
- e. Describe the penalties for unauthorized disclosure. A violation of this provision may result in a fine of not more than \$1,000 or imprisonment of not more than one year, or both.

3. Medicaid/Sooner **Select** Agencies

- a. For any disclosures to Medicaid or Sooner Select agencies, the LEA and receiving agency must have an agreement or Memorandum of Understanding that includes:
 - Health insurance program or health agency receiving child's eligibility information.
 - Information that will be disclosed, specifying that the information must only be used to seek to enroll children in state Medicaid or Sooner Select.
 - How the information will be used and how it will be protected from unauthorized uses and disclosures.
 - Penalties for unauthorized disclosure.
 - Signature of the determining agency and the state Medicaid/Sooner Select or agency receiving the children's eligibility information.
- b. The receiving entity must be informed in writing that:
 - Eligibility information may only be used for the purpose for which the disclosure was made.
 - Further use or disclosure to other parties is prohibited.
 - A violation of this provision may result in a fine of not more than \$1,000 or imprisonment of not more than one year, or both.

4. Other Disclosures That Require Parental Consent

- a. Parents or guardians may always provide consent for the disclosure of any or all of the information related to their children's eligibility status (i.e., whether children are eligible for free or reduced-price meals) or the information that the household provided through the free and reduced-price meal eligibility process. In addition, parents or guardians may request release of information to programs. The LEA must obtain written consent signed by a parent or guardian that follows the guidelines below.
- b. A disclosure to any other federal, state, or local program or individual not included in the NSLA requires parental consent. Other programs that require parental consent are local health and local educational programs and other local-level activities. For example, the disclosure of children's eligibility for free or reduced-price meals to determine children's eligibility for free textbooks or reduced-price fees for summer school requires consent when these are local initiatives and not state programs.
- c. The disclosure of information other than names and eligibility status to the programs authorized only to receive participants' names and eligibility status also requires written consent. For example, determining agencies may disclose names and eligibility status to a federal education program, but if the program requests family size, determining agencies **MUST** obtain consent prior to disclosure.

5. Consent Statement Requirements

- a. The consent statement **MUST** be in writing. It may be obtained at the time of application or at a later time. The consent statement must:
 - Be obtained each school year, and consent forms cannot be extended from one school year to the next. (Reference page 91, USDA Eligibility Manual—2017)
 - Identify the information that will be shared and how the information will be used.
 - Be signed and dated. In the case of a child participant, the consent statement **MUST** be signed by the parent or guardian of the applicant's household, even though the free and reduced-price meal application or free milk application may be signed by any adult household member.
 - State that failing to sign the consent statement will not affect eligibility or participation for the program and that the information will not be shared by the receiving program with any other entity or program.
 - Enable the parent/guardian to limit consent to only those programs with which he or she wishes to share information. For example, the consent statement could use a checkoff system under which the applicant would check or initial a box to indicate that he or she wants to have information disclosed to determine eligibility for benefits from a particular program.

6. Requirement for Social Security Number

The free and reduced-price meal application requires the last four digits of the social security number of the adult household member who signs the application, or the No SS# box checked if the adult household member does not have a social security number.

VERIFICATION OF ELIGIBILITY (Reference page 96 USDA Eligibility Manual—2017)

A. General Information

Section 9(b)(3) of the NSLA and regulations at 7 CFR §245.6a(c)(1) establish requirements for LEAs in conducting verification of eligibility for free and reduced price meals based on applications in participating schools. **Verification is only required when eligibility is determined through the application process**, and is not required for eligibility determinations made through the direct certification process. *Verification can begin after October 1 and MUST be completely finished by November 15th of each year.*

1. Definitions

- a. **Verification** is confirmation of eligibility for free and reduced-price meals under the NSLP and SBP. Verification is only required when eligibility was determined through the application process. Verification must include confirmation of income eligibility or confirmation that the child or any member of the household is receiving assistance under SNAP, TANF, or FDPIR, or that a child is Other Source Categorically Eligible.
- b. **Direct verification** is using records from public agencies to verify income and/or program participation.
- c. **Error-prone** means applications within \$100 per month of the applicable IEGs.

- d. **Random sampling** means each application has an equal chance of being selected. A statistically valid random sample is not required. The LEA must determine a selection interval by dividing the number of applications by the required sample size.
 - e. **Written Evidence**—Written evidence is the primary source of eligibility confirmation for all households, including SNAP, TANF, FDPIR households; Other Source Categorical Eligibility Programs; and foster child households.
- 2. Verification must take place **AFTER** the application has been approved.
 - 3. Prior to any verification activity, each SFA must ensure to provide a toll-free phone number for households to use during the verification process. The toll-free phone number must be included in the SFA's written notice to the household. USDA has indicated that if an SFA has no **long-distance** telephone patrons, a regular phone number will suffice. A toll-free phone number must be provided, the household can get help from the SFA without any expense to the household. If an SFA could provide a **collect call** number to households to meet this requirement.

B. Verification Process Requirements

- 1. Definitions
 - a. **Sample pool** means the total number of applications approved as of October 1
 - Any student approved for benefits by an application will be in the sample pool for verification including *students who were MED REDUCED on the WAVE but are free based on an application ARE to in the verification pool.*
 - b. **Sample size** means the number of applications subject to verification; the minimum and maximum sample size is 3 percent total.
- 2. Exempt From Verification (7 CFR §245.6a(c)(2))
 - a. For children who have been Directly Certified, including children documented as eligible migrant, runaway, homeless children; foster children; and children participating in Head Start/Even Start.
 - b. Children in a RCCI, except for applications for any day students attending the institution.
 - c. Schools participating only in the SMP.
 - d. Schools where all children are served with no separate charge for food service and no special cash assistance is claimed (i.e., nonpricing programs claiming only the paid rate of reimbursement).
 - e. In districts where all sites participate in Provision 2 and 3, except in those years in which applications are taken for all students in attendance (i.e., the base year).
 - f. Sites may choose not to count applications for students in split-session kindergarten programs participating in the SMP when determining the verification sample size.
 - g. LEAs where all schools participate in CEP.
- 3. Suggested Verification Time Line

Each SFA may develop its own time frame calendar. The process can start on October 1 and ***the entire verification process must be completed by November 15.*** The following is an example of dates that could be used:

OCTOBER 1—(First notice required) Select applications and notify households and/or SNAP, TANF, or FDPIR agency. The SFA must indicate the date that the information from the household or agency is due.

OCTOBER 18—(Second notice required) Contact households who have not responded or those who submitted insufficient written documentation.

NOVEMBER 4—Send ten calendar days' advance Notice of Adverse Action to households that have not responded or have not submitted the required information in full or are no longer eligible for meal benefits by the established due date.

NOVEMBER 14—Terminate benefits to families who did not respond. If a household appeals, benefits must continue as approved until the hearing official's decision is rendered.

NOVEMBER 15—All verification efforts must be completed.

4. **Initial Steps for Verification** (Reference USDA Policy Memos 2005-SP-09 and 2005-SP-1)

- a. Annually, each SFA **MUST** select and verify a sample of applications approved for benefits unless the SFA is otherwise exempt. At least one application must be verified.
- b. Number of Application to Verify—**Selecting the Sample Size:**
 - (1) The required sample size is based on the total number of approved applications on file as of October 1. **NOTE: SFAs must remove any applications for students who have been directly certified prior to counting the number of approved applications on file as of October 1.** Verification may begin prior to October 1 if the SFA projects the number of approved applications that will be on file as of October 1. SFAs following this procedure must check the number of applications on file as of October 1 to ensure that the minimum required sample size has been verified. (Memo SP-42-2017)

NOTE: If the school's 30th operating day happens to fall on or after October 1, do not include carryover applications in this pool because they are temporary.
 - (2) An application is counted as one application, regardless of the number of children represented on the application.
 - (3) The sample size depends on the number of paper applications, not the number of children represented. When calculating sample sizes, all fractions or decimals **MUST** be rounded upward to the nearest whole number.

NOTE: If one household has submitted an individual application for each student, the SFA should staple all of them together and count them as one application.
 - (4) **School districts CANNOT verify more than or less than the sample size chosen.**

5. Types of Sample Sizes.

- a. **Standard Sample Size**—The standard sample size is the lesser of 3 percent of all approved applications or 3,000 applications and must be drawn *from error-prone applications*. **Fractions must be rounded up.**

Standard Sample Size [7 CFR 245.6a(c)(3)]	
Standard	Sample size equals the lesser of: • Three percent of all applications approved by the LEA for the school year, as of October 1 of the school year, selected from error prone applications; or • 3,000 error prone applications approved by the LEA for the school year, as of October 1 of the school year,

- b. **Error-Prone Application:** An application with incomes of \$1,200 annually or \$100 monthly **BELOW** the free scale or **BELOW** the reduced-price scale. In cases in which there are not enough error-prone applications to comply with the required sample size options, SFAs must randomly select additional applications to fulfill the percentage or number requirement. ***An Error Prone Scale is available in Other Documents***

- c. **Qualifying to Use an Alternate Sample Size:** In lieu of the standard sample size, SFAs may elect to use one of two ***alternate sample sizes ONLY*** if the district had a verification nonresponse rate of less than 20 percent in the previous school year. This means 80% of those selected for verification responded in the previous school year

If the district uses an alternate sample size, the Verification Response Worksheet from the previous year is required be maintained. The worksheet can be found on **page E-70. (Page E-71 for Large SFAs)** (Reference USDA Policy Memo 2005-SP-27)

An LEA with more than 20,000 children approved by application as eligible, as of October 1 of the school year, may use an alternate sample size for any school year when its non-response rate for the preceding school year was at least 10 percent below the non-response rate for the second preceding school. (7 CFR 245.6a(d)(3))

d. Alternate Sample Sizes

- Alternate One
- Alternate Two

Alternate Sample Sizes Available to Qualified SFAs [7 CFR 245.6a(c)(4)] (District must have a response rate of 80% or higher to conduct Alternate Sample Size)	
Alternate One	Sample size equals the lesser of: • Three percent of all applications approved by the LEA for the school year, as of October 1 of the school year, selected at random; or • 3,000 applications approved by the LEA for the school year, as of October 1 of the school year, selected at random.
Alternate Two	Sample size equals the lesser of the sum of either: • 1,000 of all applications approved by the LEA, as of October 1 of the school year, selected from error prone applications; or • One percent of all applications approved by the LEA, as of October 1 of the school year, selected from error prone applications. PLUS the lesser of: • 500 applications approved by the LEA, as of October 1 of the school year, which provide case numbers in lieu of income information; or • One-half of one percent (.05 percent) of applications approved by the LEA, as of October 1, of the school year that provide case numbers in lieu of income information.

C. Confirmation Review

1. Prior to conducting any verification activities, the SFA must ensure that the initial eligibility determination is reviewed for accuracy by an individual other than the determining official. Any LEA that conducts a confirmation review of all applications at the time of certification is not required to conduct confirmation reviews prior to verification.

NOTE: The State agency may waive the confirmation review requirement if the local SFA is using a computer software program that demonstrates a high level of accuracy in processing an initial eligibility determination in accordance with the IEGs. The district will need to contact the program specialist.

2. Outcome of Confirmation Review

No Change in Status	The SFA verifies the application
Changed from Reduced to Free	• Increase the benefits to Free immediately; • Notify the household of the change in benefits; and • Verify the application
Changed from Free to Reduced	• Do not change the child's status • Verify the application • Notify the household of the correct eligibility status after verification is completed, and if required, send the household a notice of adverse action.
Changed from Free or Reduced to Paid	• Immediately send the household a notice of adverse action. • Do not verify the application • Select a similar application, such as another error-prone application. • Follow the confirmation of review procedures for the newly selected application.

If there are status changes during the confirmation review, SFAs must notify households by using the Confirmation Review of Benefits Notification and Adverse Action form located on **page E-72**.

3. **Replacing Applications from the Original Sample:** After completing the confirmation reviews, the LEA may, on a case-by-case basis, replace up to five percent of applications selected [7 CFR 245.6a(e)(2)]. Applications may be replaced when the LEA believes the household would be unable to satisfactorily respond to the verification request.
 - a. ***Any application removed must be replaced with another approved application selected on the same basis.*** For example, an error prone application must be substituted for a withdrawn error prone application. The newly selected application must then have confirmation review.
 - b. If the 5 percent of total applications results in less than one application, one application may still be replaced. ***ALWAYS ROUND UP.***

D. **Direct Verification** is only to be used during the verification process (Reference USDA Policy Memos SP-08-2005 and SP-29-2005)—When the SFA uses the WAVE direct certification list, or contacts a State agency directly to verify SNAP, TANF, or FDPIR to verify eligibility. The household's eligibility may be confirmed through the use of information maintained by other government agencies to which the SFA has legal access. **Direct verification must be conducted prior to contacting the household for documentation.** When verification is made through other agency records, such agencies may have their own notification requirements.

1. The LEA must only submit the names of school children to the agency administering an eligible program (for example, the SNAP program). The names of other household members (all adults, children who are not attending school, or children not approved for free or reduced-price meals) cannot be submitted for direct verification purposes. (Refer to **page E-74-75** for a copy of a Direct Verification form.)

- a. If information obtained through direct verification indicates a child is participating in one of these programs, no additional verification is required. The eligibility status of the child or children listed on the application is considered verified.
- b. If information provided by the public agency does not verify eligibility or they do not respond in a timely, the LEA must proceed with regular verification activities.

2. Direct Verification Time Line

- The latest available information for one month (no older than 180 days prior to the date of the free and reduced-price application).
- Information for all months from the month prior to application through the month direct verification is conducted.

E. Notification of Selection for Verification

1. When a household is selected for verification, the SFA **MUST** send the household a notice informing of its selection and the types of information acceptable to the SFA. 7 CFR §245.6a(f).
 - a. Any communications with households concerning verification must be in an understandable and uniform format and, to the maximum extent practicable, in a language that parents and guardians can understand [7 CFR 245.6a(f)]. State agencies and LEAs are expected to have a system in place to provide written verification notices in the parent or guardian's primary language, and to provide oral assistance if the parent or guardian has difficulty understanding the written request. Translations of FNS prototype verification materials are available at: <http://www.fns.usda.gov/school-meals/translated-applications>.
 - b. The household may provide proof that the child is currently certified for SNAP, TANF, or FDPIR household instead of providing income information or that a child is Other Source Categorically Eligible. Documentation must include effective dates.
 - c. Information **MUST** be provided by a date specified by the SFA and that failure to do so will result in termination of benefits.
 - d. The name and toll-free/collect/local telephone number of a site official who can answer questions and provide assistance.
 - e. **Collateral Contacts**—A collateral contact is a person outside of the household who is knowledgeable about the household's circumstances and can give confirmation of a household's income or SNAP, TANF, FDPIR, or Other Source Categorical Eligibility Program status.
 - (1) Collateral contacts include employers, social service agencies, migrant workers' agencies, and religious or civic organizations.
 - (2) The verifying official must give the household the opportunity to designate the collateral contact. However, the verifying official may select a collateral contact if the household fails to designate a collateral contact or designates a contact that is unacceptable to the verifying official. In either case, no contact may be made without first notifying the household and obtaining its consent.

- (3) At the time of the notice, the household may consent to the contact or provide acceptable documentation in another form. If the household refuses to choose one of these options, the household's eligibility will be terminated in accordance with normal verification procedures.
 - (4) All information provided by collateral contacts (written or oral) must be documented, dated, and initialed. The LEA will examine any written information provided by the collateral contact or evaluate any oral information. If the collateral contact is unwilling or unable to provide the requested information, the LEA must contact the household to complete the verification process.
2. Verification Notice **MUST** be sent to households. Refer to **page E-72-73** for a copy of ***Notification of Selection for Verification of Eligibility***. The notification includes:
 - a. The household has been selected for verification.
 - b. Use of Information Statement.
 - c. The types of acceptable information that may be provided to confirm current income, including pay stubs, award letters from assistance agencies for benefits such as social security or supplemental security income, and support payment decrees from courts.
 - d. The household is to provide documentation of income for any point in time between the month prior to application and the time the household is required to provide income documentation. (Reference USDA Policy Memo 2004-SP-5)
3. Zero Income Application Selected for Verification

If a household is selected for verification or is verified for cause and the application indicates zero income, the LEA must request an explanation of how living expenses are met and may request additional written documentation or collateral contacts.

F. **Household Verification Documentation—*Written Evidence***

Acceptable documentation of income or receipt of assistance from any of the following sources may be provided for any point in time between the month prior to application and the time the household is required to provide income documentation.

1. Written evidence **MAY** be in the form of:
 - Pay stubs from employers
 - An award letter from a welfare departments, other government agencies or tribe.
 - A copy of the direct certification list where the child appeared during the verification process.
2. Acceptable written evidence for ***income-eligible households*** contains:
 - The name of the household member;
 - The amount of income received;
 - The frequency received; and
 - The date the income was received. For example, a pay stub with no dates would be insufficient.

If the household submits a pay stub including overtime, the determining official should work with the household to determine whether the overtime for the month being verified is representative of overtime received in other months. If overtime is a one-time or sporadic source of income, income should be calculated based on the regular monthly income without overtime.

3. Acceptable written evidence for *categorically eligible* households contains:
 - A written statement from the SNAP, TANF, or FDPIR agency that specifies that the child is a member of a household currently receiving benefits.
 - For Other Source Categorical Eligibility Programs, an official letter, notice, or list from the appropriate State agency; from a social services agency or court system for foster children;
 - Head Start/Even Start enrollees, from the office or coordinator for those programs will suffice as written evidence.
 - The verifying official should examine the document provided to ensure that the child for whom the application was made is part of a household currently participating in any of these programs or is a foster child.
4. Unacceptable written evidence for categorically eligible households contains:
 - Electronic Benefit Transfer (EBT) cards cannot be used to confirm eligibility in SNAP and therefore cannot be used for categorical eligibility purposes.
 - A document from an assistance program that does not specify the certification period is not adequate for documentation. For example, the SNAP identification card is not acceptable because it usually does not have an expiration date.
 - A household that does not have satisfactory documentation from the assistance office, state or local agency for other source categorical eligibility may request a signed, dated letter from these offices verifying that the child is part of a household currently receiving their benefits.
5. Acceptable written evidence for *other source categorically eligible*
 - An official letter, notice, or list from the appropriate State agency, social service agency, program office or coordinator, or court would be acceptable written evidence.

G. Second Notice to the Household—**Verification Follow-up**

1. It is **REQUIRED** the district send out a second notice if the household does not respond to the initial verification request. All households not responding to the initial verification notice **MUST** be contacted again in writing, by e-mail, by phone, or by text. This information **MUST** be documented.

The site officials advise the household that failure to comply or designate a collateral contact will result in termination of benefits. The Verification Results and Adverse Action form on **page E-76** may be used for this purpose.
2. **Nonresponse** includes no response and incomplete or ambiguous responses from the household that do not permit the LEA to resolve children's eligibility for free and reduced price meals.
 - a. The LEA must ensure LEP households are provided adequate language assistance and understand the need to respond to the verification request, as outlined in Section 9(b)(8) of the NSLA and USDA LEP guidance.

b. The following are considered a nonresponse:

- If the household does not contact the SFA when the initial request for verification is sent or when the SFA attempts follow-up.
- If the household responds to the initial request but provides incomplete information, and the SFA is unable to determine if the eligibility determination was correct.
- If the household responds to the initial request but fails to provide the SFA with documents or is otherwise unable to provide appropriate documentation. (Reference USDA Policy Memo 2009-SP-13)

3. The SFA must make a follow-up attempt when:

- The household does not respond to the initial request for verification;
- The household submits insufficient or obsolete written evidence.
- The household does not designate collateral contacts; or
- The collateral contacts are unable or unwilling to provide the requested evidence

4. If, after the follow-up attempt, the household responds and provides all needed evidence, verification is considered complete for the household.

5. A household's refusal to cooperate with efforts to verify will result in the termination of household benefits. Households refusing to complete the verification process are counted toward meeting the LEA's required sample of verified applications [7 CFR §245.6a(f)4)]

6. SFAs may contract with a third party to assist in the follow-up process.

G. Verification Documentation Submitted from the Household

1. To continue the verification process subsequent to household notification, the LEA must either determine:

- If the household submitted adequate information to complete its individual verification activity.
- If follow-up with the household is needed.

2. When the Household Complies

a. If the household submits written evidence, review the document for the name, date, and amounts stated to determine if it is sufficient to determine total **CURRENT** income. If the written evidence is current and confirms the eligibility determination previously made, the verification requirement has been satisfied.

b. If the written evidence confirms a higher or lower income and changes the eligibility determination previously made, the verification requirement has been satisfied.

- If written evidence confirms a higher income and benefits are reduced or terminated, procedures below need to be implemented.
- If written evidence confirms a lower income and benefits are increased, the household must be notified, per Item H (c) listed below.

- c. Complete the verification section at the bottom of each free and reduced-price meal application verified in order to document the verification process. ***If this information is computer-generated, this step is not required.***

3. When the Household Does Not Comply

- a. If the household does not submit sufficient written evidence or fails to respond, send the 10 calendar days' advance notice of adverse action and the verification requirement has been satisfied.
- b. If the household selected for verification transfers out of the district before the information can be verified, verification cannot be completed. To meet the minimum verification requirements, a new application ***MUST*** be selected.

H. Verification Results

- 1. Parents should be notified through whatever channels the SFA uses to notify the household of approval for benefits. Verification of a household's income eligibility for free or reduced-price meals ***MUST*** result in one of the following:
 - a. **No change in benefit level**—The household's current documentation supports the level of benefits for which the household has been approved.
 - b. **Reduction in benefit level**—The household's current documentation identifies income too high for the level of benefits for which the child has been approved. Therefore, the household's eligibility ***MUST*** be changed from free to reduced-price, free to full-price, or from reduced-price to full-price.
 - c. **Increase in benefits level**—The household's current documentation qualifies the household for free meals rather than reduced-price meals. The household's eligibility ***MUST*** be changed from reduced-price to free meals.
 - d. **Termination of Benefits**—Free or reduced-price benefits ***MUST*** be terminated for households that do not respond to verification efforts or whose current documentation does not support eligibility for either free or reduced-price meals.

2. Change in Benefits Due to Verification Results

a. **Reduction in Benefits**

If verification results in a change in benefit level or termination, the change ***MUST*** be extended to all children in the household who were determined eligible by information that no longer supports the benefit level. ***Notify the household by sending the Letter of Verification Results and Adverse Action, but wait 10 days to change the eligibility status.***

b. **Increase in Benefits**

If verification results in higher benefits (e.g., a child who is moved from the reduced-price to free category), this change is effective immediately and ***MUST*** be implemented no later than three operating days after verification.

H. Letter of Verification Results and Adverse Action

All households for whom benefits are to be reduced or terminated **MUST** be given ten calendar days' written advance notice of the change.

Exception: If the SFA is **NONPRICING** and all students eat free, regardless of whether they are **REDUCED-PRICE** or **PAID**, written notification is not required.

1. The first day of the advance notice period is the day the notice is sent.
2. The notice **MUST** advise the household of the following:
 - a. The change in benefits.
 - b. The reason(s) for the change.
 - c. An appeal **MUST** be filed within the ten calendar days' advance notice period to ensure continued benefits while awaiting a hearing and decision.
 - d. The instructions on how to appeal.
 - e. The household may reapply for benefits at any time during the school year. (Verification documentation must be submitted before approval can be given.)
 - f. Assistance Program households may submit an application containing household names and income information and provide written evidence of current household income.
3. If the household reapplies for benefits, by submitting a new application, after the ten-day notice of adverse action has been processed. The SFA must verify the household's verification documentation prior to approving the application.

I. Benefits During Appeal

When a household appeals a reduction or termination of benefits within the ten calendar days' advance notice period, the SFA **MUST** continue to provide the benefits for which the child was originally approved until a final determination is made. The SFA may continue to claim reimbursement at that level during this period.

When a household does not appeal a reduction or termination of benefits during the ten calendar days' advance notice period, or the hearing official rules that benefits **MUST** be reduced, the actual reduction or termination of benefits **MUST** take place no later than ten operating days or ten calendar days after the decision of the hearing official.

J. Hearing Procedures

- The hearing procedure is in the SFA's Policy Statement in the CARS application checklist and **MUST** be followed.
- The hearing official **MUST** be an individual who was not connected with the approval or verification process. *The hearing official is listed the policy statement.*
- The household may request a school conference prior to a formal hearing. Any such conference **must not** prejudice a later appeal.

K. Households That Reapply for Program Benefits Once Verification has Been Completed and had Reduction in Benefits or a Termination of Benefits

Households affected by a reduction or termination of benefits may reapply for benefits at any time during the school year. ***However, if benefits to a household have been reduced or terminated and the household reapplies in the same school year, the household must be required to submit income documentation or proof of participation in Assistance Programs at the time of reapplication.*** The SFA may verify the household's eligibility prior to approval. These are not considered new applications.

L. Verification for Cause

1. An SFA has the authority and is obligated to verify all questionable applications (***verification for cause***) at any time. ***For cause*** applications are verified outside the basic sample process. A ***for cause*** verification is when an SFA has reason to believe that an application is not correct or information has come to the SFA's attention that questions the validity of the application. Please remember that an ***application cannot be verified until it has been approved.*** SFAs should be cautioned that ***for cause*** verification should be handled in such a manner that there is no discrimination or intended harassment in the selection.

NOTE: Directly certified students cannot be included for verification for cause.

2. To verify an approved application for cause, the SFA must send the household a letter explaining that it must submit verification of eligibility information for continued eligibility. The verification letter may be sent at the same time as a notice of eligibility.
3. The SFA verifies applications for cause following the same procedures as normal verification procedures. Any household that fails to submit requested verification information by the date specified by the SFA or that submits verification information that does not support the initial determination of eligibility must be sent a Notice of Adverse Action.
4. **Verification for Cause for School District Employees**

The LEAs can verify for cause to review approved applications when known or available information indicates school district employees may have misrepresented their income on the application. For example, the LEA could identify children of school district employees and use available salary information to identify questionable applications, and then conduct verification for cause on those questionable applications. ***It is recommended that an LEA consult with legal counsel in establishing the parameters of verification for cause for school district employees.*** (Reference USDA Policy Memo SP-13-2012)

M. Record Keeping for Verification

Documentation ***MUST*** be kept by the SFA to demonstrate compliance with the verification requirements when SFAs are reviewed by state or federal reviewers. Documentation would also be needed in case of an applicant's appeal.

1. The Verification process documentation must include:
 - A summary of the verification efforts, such as the selection process and the source of information used.
 - The total number of applications on file October 1.

- The percentage and number of applications verified. (Remember to always round fractions upward when figuring the number of applications to be verified.)
2. The verifying official's signature on the free and reduced-price meal application must be completed by the SFA to document verification results.
 3. SFAs must submit the Verification Summary Report through CARS before the December claim may be submitted.
 4. The Documentation to be Maintained on File Each Year:
 - A copy of the Verification Summary of Applications and the Verification Summary Report submitted to the State agency.
 - A copy of each free and reduced-price meal application selected for verification.
 - Written evidence submitted by households, including a ***stamped-in*** date and/or the envelope in which the documents were sent to the SFA.
 - Calculation information used in comparing the income documents submitted and the amount of income originally reported by the households.
 - A copy of any correspondence to the households concerning verification efforts, including notice of reduction or termination of benefits.
 - Annotation of any information obtained through telephone or ***in-person*** contacts that resulted in some type of action being taken in completing the verification process.

O. Verification Report

ALL SFAs, including districts that did not collect household applications, are required to complete and certify a Verification Summary Report after November 15. This report must be completed prior to the SFA being able to access its December claim for reimbursement. (Refer to **pages E-76-79** for an example)

P. CNP Reports Time Line

- Step 1: Once the October claim is submit and certify your, the Low-Income report will be unlocked.
- Step 2: Once the Low-Income is approved by the State Agency, the November claim will be unlocked.
- Step 3: After the November claim is submitted and certified, the Verification Summary Report will be unlocked.
- Step 4: Once the Verification Summary Report is approved by the State Agency, the December claim will be unlocked.

FREQUENTLY ASKED QUESTIONS ABOUT FREE AND REDUCED-PRICE SCHOOL MEALS

Dear Parent/Guardian:

Children need healthy meals to learn. **(Name of School/School District)** offers healthy meals every school day. Breakfast costs (\$); lunch costs (\$). **Your children may qualify for free meals or for reduced-price meals.**

Reduced-price is (\$) for breakfast and (\$) for lunch. This packet includes an application for free or reduced-price meal benefits and a set of detailed instructions. Below are some common questions and answers to help you with the application process.

1. WHO CAN GET FREE OR REDUCED-PRICE MEALS?

- All children in households receiving benefits from **(Supplemental Nutrition Assistance Program [SNAP])**, **(Food Distribution Program on Indian Reservations [FDPIR])**, or **(Temporary Assistance for Needy Families [TANF])** are eligible for free meals.
- Foster children who are under the legal responsibility of a foster care agency or court are eligible for free meals.
- Children participating in their school's Head Start program are eligible for free meals.
- Children who meet the definition of homeless, runaway, or migrant are eligible for free meals.
- Children may receive free or reduced-price meals if your household's income is within the limits on the federal Income-Eligibility Guidelines (IEGs). Your children may qualify for free or reduced-price meals if your household income falls at or below the limits on this chart.

FEDERAL ELIGIBILITY INCOME CHART FOR SCHOOL YEAR 2026					
Household Size	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	28,953	2,413	1,207	1,114	557
2	39,128	3,261	1,631	1,505	753
3	49,303	4,109	2,055	1,897	949
4	59,478	4,957	2,479	2,288	1,144
5	69,653	5,805	2,903	2,679	1,340
6	79,828	6,653	3,327	3,071	1,536
7	90,003	7,501	3,751	3,462	1,731
8	100,178	8,349	4,175	3,853	1,927
For each additional member, added:	10,175	848	424	392	196

2. HOW DO I KNOW IF MY CHILDREN QUALIFY AS HOMELESS, MIGRANT, OR RUNAWAY? Do the members of your household lack a permanent address? Are you staying together in a shelter, hotel, or other temporary housing arrangement? Does your family relocate on a seasonal basis? Are any children living with you who have chosen to leave their prior family or household? If you believe children in your household meet these descriptions and have not been told your children will get free meals, please call or e-mail **(school, homeless liaison, or migrant coordinator)**.
3. DO I NEED TO FILL OUT AN APPLICATION FOR EACH CHILD? No. *Use one Free and Reduced-Price School Meals Application for all students in your household.* We cannot approve an application that is not complete, so be sure to fill out all required information. Return the completed application to: **(Name, Address, Phone Number)**.
4. SHOULD I FILL OUT AN APPLICATION IF I RECEIVED A LETTER THIS SCHOOL YEAR SAYING MY CHILDREN ARE ALREADY APPROVED FOR FREE MEALS? No, but please read the letter you got carefully and follow the instructions. If any children in your household were missing from your eligibility notification, contact **(Name, Address, Phone Number, E-Mail)** immediately.
5. CAN I APPLY ONLINE? Yes! You are encouraged to complete an online application instead of a paper application if you are able. The online application has the same requirements and will ask you for the same information as the paper application. Visit **(Web site)** to begin or to learn more about the online application process. Contact **(Name, Address, Phone Number, E-Mail)** if you have any questions about the online application.

6. MY CHILD'S APPLICATION WAS APPROVED LAST YEAR. DO I NEED TO FILL OUT A NEW ONE? Yes. Your child's application is only good for that school year and for the first few days of this school year, through **(date)**. You must send in a new application unless the school told you that your child is eligible for the new school year. If you do not send in a new application that is approved by the school or you have not been notified that your child is eligible for free meals, your child will be charged the full price for meals.
7. I GET WIC. CAN MY CHILDREN GET FREE MEALS? Children in households participating in WIC **MAY** be eligible for free or reduced-price meals. Please send in an application.
8. WILL THE INFORMATION I GIVE BE CHECKED? Yes. We may also ask you to send written proof of the household income you report.
9. IF I DO NOT QUALIFY NOW, MAY I APPLY LATER? Yes, you may apply at any time during the school year. For example, children with a parent or guardian who becomes unemployed may become eligible for free and reduced-price meals if the household income drops below the income limit.
10. WHAT IF I DISAGREE WITH THE SCHOOL'S DECISION ABOUT MY APPLICATION? You should talk to school officials. You also may ask for a hearing by calling or writing to: **(Name, Address, Phone Number, E-Mail)**.
11. MAY I APPLY IF SOMEONE IN MY HOUSEHOLD IS NOT A UNITED STATES (U.S.) CITIZEN? Yes. You, your children, or other household members do not have to be U.S. citizens to apply for free or reduced-price meals.
12. WHAT IF MY INCOME IS NOT ALWAYS THE SAME? List the amount that you **NORMALLY** receive. For example, if you normally make \$1000 each month, but you missed some work last month and only made \$900, put down that you made \$1000 per month. If you normally get overtime, include it, but do not include it if you only work overtime sometimes. If you have lost a job or had your hours or wages reduced, use your current income.
13. WHAT IF SOME HOUSEHOLD MEMBERS HAVE NO INCOME TO REPORT? Household members may not receive some types of income we ask you to report on the application or may not receive income at all. Whenever this happens, please write a **0** in the field. However, if any income fields are left empty or blank, those will **ALSO** be counted as zeroes. Please be careful when leaving income fields blank, as we will assume you **MEANT** to do so.
14. WE ARE IN THE MILITARY. DO WE REPORT OUR INCOME DIFFERENTLY? Your basic pay and cash bonuses must be reported as income. If you get any cash value allowances for off-base housing, food, or clothing, it must also be included as income. However, if your housing is part of the Military Housing Privatization Initiative, do not include your housing allowance as income. Any additional combat pay resulting from deployment is also excluded from income.
15. WHAT IF THERE IS NOT ENOUGH SPACE ON THE APPLICATION FOR MY FAMILY? List any additional household members on a separate piece of paper, and attach it to your application. Contact **(Name, Address, Phone Number, E-Mail)** to receive a second application.
16. MY FAMILY NEEDS MORE HELP. ARE THERE OTHER PROGRAMS WE MIGHT APPLY FOR? To find out how to apply for **(SNAP)** or other assistance benefits, contact your local assistance office or call **1-877-760-0114** or **scan the QR code:**

If you have other questions or need help, call **(Phone Number)**.

Sincerely,

(Signature)



HOW TO APPLY FOR FREE AND REDUCED-PRICE SCHOOL MEALS

Please use these instructions to help you fill out the application for free or reduced-price school meals. You only need to submit **ONE** application per household, even if your children attend more than one school in **(School District)**. The application must be filled out completely to certify your children for free or reduced-price school meals.

Please follow these instructions in order! Each step of the instructions is the same as the steps on your application. If at any time you are not sure what to do next, please contact **(School/School District Contact Here—Phone and E-Mail Preferred)**.

PLEASE USE A PEN (NOT A PENCIL) WHEN FILLING OUT THE APPLICATION, AND DO YOUR BEST TO PRINT CLEARLY.

STEP 1: LIST ALL HOUSEHOLD MEMBERS WHO ARE INFANTS, CHILDREN, AND STUDENTS UP TO AND INCLUDING GRADE 12

Tell us how many infants, children, and school students live in your household. They do **NOT** have to be related to you to be a part of your household.

Who should I list here?

When filling out this section, please include **ALL** members in your household who are:

- Children aged 18 or under **AND** are supported with the household's income.
- In your care under a foster arrangement or qualify as homeless, migrant, or runaway youth.
- Students attending **(School/School System Here)**, *regardless of age*.

- A. **List each child's name.** For each child, print his/her first name, middle initial, and last name. Use one line of the application for each child. If there are more children present than lines on the application, attach a second piece of paper with all required information for the additional children.
- B. **Is the child a student at (Name of School/School System Here)?** Mark *Yes* or *No* under the column titled *Student* to tell us which children attend **(Name of School/School District Here)**.
- C. **Do you have any foster children?** If any children listed are foster children, mark the *Foster Child* box next to the child's name. If you are **ONLY** applying for foster children, after completing STEP 1, skip to STEP 4 of the application and these instructions. If you are applying for both foster and nonfoster children, go to STEP 3. **Foster children who live with you may count as members of your household and should be listed on your application.**
- D. **Are any children homeless, migrant, or runaway?** If you believe any child listed in this section may meet this description, please mark the *Homeless, Migrant, Runaway* box next to the child's name and **complete all steps of the application.**

STEP 2: DO ANY HOUSEHOLD MEMBERS (INCLUDING YOU) CURRENTLY PARTICIPATE IN ONE OR MORE OF THE FOLLOWING ASSISTANCE PROGRAMS: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF), OR FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS (FDPIR)? If *Yes*, record the proper case number (only one per household) in the box. Skip to STEP 4.

If anyone in your household participates in the assistance programs, your children are **ELIGIBLE** for free school meals.

If NO ONE in your household participates in any of the above programs:

- Leave **STEP 2** blank and go to **STEP 3**

If ANYONE in your household participates in any of the above programs:

- Write a case number for SNAP, TANF, OR FDPIR. You only need to provide one case number. If you participate in one of these programs and do not know your case number, contact your caseworker..
- Go to **STEP 4**.

STEP 3: REPORT INCOME FOR ALL HOUSEHOLD MEMBERS

How do I report my income?

- Use the charts titled *Sources of Income for Adults* and *Sources of Income for Children* printed on the back side of the application form to determine if your household has income to report.
 - Report all amounts in **GROSS INCOME ONLY**. Report all income in whole dollars. Do not include cents.
 - Gross income is the total income received before taxes.
 - Many people think of income as the amount they *take home* and not the total **gross** amount. Make sure that the income you report on this application has **NOT** been reduced to pay for taxes, insurance premiums, or any other amounts taken from your pay.
 - Write a 0 in any fields where there is no income to report. Any income fields left empty or blank will also be counted as a zero. If you write 0 or leave any fields blank, you are certifying (promising) that there is no income to report. If local officials suspect that your household income was reported incorrectly, your application will be verified for cause.
 - Mark how often each type of income is received using the check boxes to the right of each field.
- A. **Report all income earned or received by children.** Report the combined gross income for ALL children listed in **STEP 1** in your household in the box marked “Child Income.” Only count foster children’s income if you are applying for them together with the rest of your household.

What is Child Income?

Child income is money received from outside your household that is paid **DIRECTLY** to your children. Many households do not have any child income.

Sources of Income for Children	
Sources of Child Income	Example(s)
• Earnings from work	• A child has a regular full- or part-time job where he/she earns a salary or wages
• Social Security — Disability payments — Survivor’s benefits	• A child is blind or disabled and receives social security benefits • A parent is disabled, retired, or deceased, and his/her child receives social security benefits
• Income from persons OUTSIDE the household	• A friend or extended family member REGULARLY gives a child spending money
• Income from any other source	• A child receives income from a private pension fund, annuity, or trust

FOR EACH ADULT HOUSEHOLD MEMBER:

Who should I list here?

When filling out this section, please include **ALL ADULT** members in your household who are:

- Living with you and share income and expenses, *even if not related and even if they do not receive income of their own.*

Do **NOT** include people who:

- Live with you but are not supported by your household’s income **AND** do not contribute income to your household.
- Infants and children and students already listed in STEP 1.

How do I fill in the income amount and source?

FOR EACH TYPE OF INCOME:

- Use the charts in this section to determine if your household has income to report.
- Report all amounts in **gross income ONLY**. Report all income in whole dollars. Do not include cents.
 - Gross income is the total income received before taxes or deductions.
 - Many people think of income as the amount they *take home* and not the total *gross* amount. Make sure that the income you report on this application has **NOT** been reduced to pay for taxes, insurance premiums, or any other amounts taken from your pay.

FOR EACH ADULT HOUSEHOLD MEMBER: continued

- Write a **0** in any fields where there is no income to report. Any income fields left empty or blank will be counted as zeroes. If you write **0** or leave any fields blank, you are certifying (promising) that there is no income to report. **If local officials have known or available information that your household income was reported incorrectly, your application will be verified for cause.**
- Mark how often each type of income is received using the check boxes to the right of each field.

- B. **List adult household members' names.** Print the name of each household member in the boxes marked *Names of Adult Household Members (First and Last)*. **Do not list any household members you listed in STEP 1.** If a child listed in STEP 1 has income, follow the instructions in STEP 3, Part A.
- C. **Report earnings from work.** Refer to the chart titled *Sources of Income for Adults* in these instructions, and report all income from work in the *Earnings From Work* field on the application. This is usually the money received from working at jobs. If you are a self-employed business or farm owner, you will report your net income. This is calculated by subtracting the total operating expenses of your business from its gross receipts or revenues.
- D. **Report income from public assistance/child support/alimony.** Refer to the chart titled *Sources of Income for Adults* in these instructions, and report all income that applies in the *Public Assistance/Child Support/Alimony* field on the application. Do not report the value of any cash value public assistance benefits **NOT** listed on the chart. If income is received from child support or alimony, only **court-ordered** payments should be reported here. Informal regular payments should be reported as *Other* income in the next part.
- E. **Report income from pensions/retirement/all other income.** Refer to the chart titled *Sources of Income for Adults* in these instructions, and report all income that applies in the *Pensions/Retirement/All Other Income* field on the application.
- F. **Report total household size.** Enter the total number of household members in the field *Total Household Members (Children and Adults)*. This number **MUST** be equal to the number of household members listed in STEP 1 and STEP 3. If there are any members of your household that you have not listed on the application, go back and add them. It is very important to list all household members, as the size of your household affects your eligibility for free or reduced-price meals.
- G. **Provide the last four digits of your social security number.** The household's primary wage earner or another adult household member must enter the last four digits of his/her social security number in the space provided. **You are eligible to apply for benefits even if you do not have a social security number.** If no adult household member has a social security number, leave this space blank and mark the box to the right labeled *Check if no SSN*.

Sources of Income for Adults		
Earnings From Work	Public Assistance/Alimony/ Child Support	Pensions/Retirement/ All Other Income
• Salary, wages, cash bonuses • NET income from self-employment (farm or business) If you are in the U.S. Military: • Basic pay and cash bonuses (do NOT include combat pay, FSSA, or privatized housing allowances) • Allowances for off-base housing, food, and clothing	• Unemployment benefits • Worker's compensation • Supplemental Security Income (SSI) • Cash assistance from state or local government • Alimony payments • Child support payments • Veteran's benefits • Strike benefits	• Social Security (including railroad retirement and black lung benefits) • Private pensions or disability benefits • Regular income from trusts or estates • Annuities • Investment income • Earned interest • Rental income • REGULAR cash payments from outside household

STEP 4: CONTACT INFORMATION AND ADULT SIGNATURE

All applications must be signed by an adult member of the household. By signing the application, that household member is promising that all information has been truthfully and completely reported. **Before completing this section, please also make sure you have read the privacy and civil rights statements on the application.**

- A. ***Provide your contact information.*** Write your current address in the fields provided if this information is available. **If you have no permanent address, this does not make your children ineligible for free or reduced-price school meals.** Sharing a phone number, e-mail address, or both is optional, but helps us reach you quickly if we need to contact you.
- B. ***Print and sign your name.*** Print your name in the box *Printed Name of Adult Completing the Form*. Sign your name in the box *Signature of Adult Completing the Form*.
- C. ***Today's date.*** In the space provided, write today's date.
- D. ***Share children's racial and ethnic identities (optional).*** On the back of the application, we ask you to share information about your children's race and ethnicity. **This field is optional and does not affect your children's eligibility for free or reduced-price school meals.**

STEP 1 List ALL household members who are infants, children, and students, up to and including Grade 12 (if more spaces are required for additional names, attach another sheet of paper)

Definition of Household Member—Anyone who is living with you and shares income and expenses, even if not related.	Child's First Name	M I	Child's Last Name	School Name	Grade	Birth Date	Student? Yes No	Foster Child	Homeless, Migrant, Runaway
Children in foster care and children who meet the definition of homeless, migrant, or runaway are eligible for free meals. Lead How to Apply for Free and Reduced-Price School Meals for more information.							☐	☐	☐
							☐	☐	☐
							☐	☐	☐
							☐	☐	☐
							☐	☐	☐

STEP 2 Do any household members (including you) currently participate in one or more of the following assistance programs: SNAP, TANF, or FDIPIR?

No, go to STEP 3. If Yes, write a case number here, then go to STEP 4. (Do not complete STEP 3.)

Case Number:

Write only one case number in this space.

STEP 3 Report income for ALL household members (Skip this step if you answered YES to STEP 2)

A. Child Income

Sometimes children in the household earn or receive income. Please include the TOTAL income received by all children in the household listed in STEP 1 here.

Child Income	\$

How Often

Weekly	Bi-weekly	2x Monthly
☐	☐	☐
☐	☐	☐

B. All Adult Household Members (Including Yourself)

List all household members not listed in STEP 1 (including yourself), even if they do not receive income. For each household member listed, if he/she does receive income, report gross income (before taxes) for each source in whole dollars (no cents) only. If they do not receive income from any source, write 0. If you enter 0 or leave any fields blank, you are certifying (promising) that there is no income to report.

Names of Adult Household Members (First and Last)	Earnings From Work	Public Assistance/Child Support/Alimony	How Often			Pensions/Retirement/All Other Income	How Often		
	Weekly	Bi-weekly	2x Monthly	Weekly	Bi-weekly		2x Monthly		
	☐	☐	☐	☐	☐		☐		
	☐	☐	☐	☐	☐		☐		
	☐	☐	☐	☐	☐		☐		
	☐	☐	☐	☐	☐		☐		
\$	\$	\$	\$	\$	\$	\$	\$	\$	

Total Household Members (Children and Adults)

Last Four Digits of Social Security Number (SSN) of Primary Wage Earner or Other Adult Household Member

Check if No SSN ☐

STEP 4: Contact information and adult signature

Mail Completed Form to: Insert Your School District Mailing Address Here

Adult Signature

Adult Name

Daytime Phone and E-Mail (Optional)

City

State

Zip Code

Apt #

Set Address (if available)

INSTRUCTIONS Sources of Income

Sources of Child Income		Example(s)
Earnings from work		A child has a regular full- or part-time job where he/she earns a salary or wages
Social Security —Disability payments —Survivor's benefits		A child is blind or disabled and receives social security benefits A parent is disabled, retired, or deceased, and his/her child receives social security benefits
Income from persons OUTSIDE the household		A friend or extended family member REGULARLY gives a child spending money
Income from any other source		A child receives income from a private pension fund, annuity, or trust

Sources of Income for Adults		
Earnings From Work	Public Assistance/Alimony/Child Support	Pensions/Retirement/All Other
Salary, wages, cash bonuses NET income from self-employment (farm or business) If you are in the U.S. Military: Basic pay and cash bonuses (do NOT include combat pay, FSSA, or privatized housing allowances) Allowances for off-base housing, food, and clothing	Unemployment benefits Worker's compensation Supplemental Security Income (SSI) Cash assistance from state or local government Alimony payments Child support payments Veteran's benefits Strike benefits	Social Security (including railroad retirement and black lung benefits) Private pensions or disability benefits Regular income from trusts or estates Annuities Investment income Earned interest Rental income REGULAR cash payments from outside household

OPTIONAL Children's Racial and Ethnic Identities

We are required to ask for information about your children's race and ethnicity. This information is important and helps to make sure we are fully serving our community. Responding to this section is optional and does not affect your children's eligibility for free or reduced-price meals.

Ethnicity (Check One): ☐ Hispanic or Latino ☐ Not Hispanic or Latino
Race (Check One or More): ☐ American Indian or Alaskan Native ☐ Asian ☐ Black or African American ☐ Native Hawaiian or Other Pacific Islander ☐ White

The **Richard B. Russell National School Lunch Act** requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced price meals. You must include the last four digits of the social security number of the adult household member who signs the application. The last four digits of the social security number is not required when you apply on behalf of a foster child or you list a Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) Program or Food Distribution Program on Indian Reservations (FDPIR) case number or other FDPIR identifier for your child or when you indicate that the adult household member signing the application does not have a social security number. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the lunch and breakfast programs. We MAY share your eligibility information with education, health, and nutrition programs to help them evaluate, fund, or determine benefits for their programs, auditors for program reviews, and law enforcement officials to help them look into violations of program rules.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by: mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; or fax: (833) 256-1665 or (202) 690-7442; or email: intake@usda.gov. This institution is an equal opportunity provider.

Do not fill out For School Use Only

Annual Income Conversion: Weekly x 52, Every 2 Weeks x 26, Twice a Month x 24, Monthly x 12

Total Income	How Often?				Household Size		Categorical Eligibility		Eligibility:	
	Annually	Weekly	Bi-Weekly	2 x Month	Monthly		Free	Reduced	Denied	
Determining Official's Signature	Date					Confirming Official's Signature	Date		Verifying Official's Signature	Date

SHARING INFORMATION WITH OTHER PROGRAMS

Dear Parent/Guardian:

To save you time and effort, the information you gave on your Free and Reduced-Price School Meals Application may be shared with other programs for which your children may qualify. For the following programs, we must have your permission to share your information. Sending in this form will not change whether your children get free or reduced-price meals.

-
- ☐ Yes! **I DO** want school officials to share information from my Free and Reduced-Price School Meals Application with *(Name of Program Specific to Your School)* _____.
- ☐ Yes! **I DO** want school officials to share information from my Free and Reduced-Price School Meals Application with *(Name of Program Specific to Your School)* _____.
- ☐ Yes! **I DO** want school officials to share information from my Free and Reduced-Price School Meals Application with *(Name of Program Specific to Your School)* _____.
- ☐ No! **I DO NOT** want school officials to share information from my Free and Reduced-Price School Meals Application.

If you checked **Yes** to any or all of the boxes above, fill out the form below to ensure that your information is shared for the children listed below. Your information will be shared only with the programs you checked.

Child's Name: _____ School: _____

Child's Name: _____ School: _____

Child's Name: _____ School: _____

Child's Name: _____ School: _____

Signature of Parent/Guardian: _____ Date: _____

Printed Name: _____

Address: _____

For more information, you can call *(Name)* _____ at *(Phone)* _____
or e-mail _____.

Return this form to: *(Address)* _____

by *(Date)* _____.

INCOME-ELIGIBILITY GUIDELINES FOR SCHOOL YEAR 2025-2026
FOR FREE AND REDUCED-PRICE MEALS
(Effective from July 1, 2025 to June 30, 2026)

(The Free Scale Should Not Be Distributed to Families)

ELIGIBILITY SCALE FOR FREE MEALS					
130 Percent of Poverty Level					
Household Size	Income				
	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	20,345	1,696	848	783	392
2	27,495	2,292	1,146	1,058	529
3	34,645	2,888	1,444	1,333	667
4	41,795	3,483	1,742	1,608	804
5	48,945	4,079	2,040	1,883	942
6	56,095	4,675	2,338	2,158	1,079
7	63,245	5,271	2,636	2,433	1,217
8	70,395	5,867	2,934	2,708	1,354
For each additional family member, add:	7,150	596	298	275	138

ELIGIBILITY SCALE FOR REDUCED-PRICE MEALS					
185 Percent of Poverty Level					
Household Size	Income				
	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	28,953	2,413	1,207	1,114	557
2	39,128	3,261	1,631	1,505	753
3	49,303	4,109	2,055	1,897	949
4	59,478	4,957	2,479	2,288	1,144
5	69,653	5,805	2,903	2,679	1,340
6	79,828	6,653	3,327	3,071	1,536
7	90,003	7,501	3,751	3,462	1,731
8	100,178	8,349	4,175	3,853	1,927
For each additional family member, add:	10,175	848	424	392	196

NOTICE TO HOUSEHOLDS OF APPROVAL/DENIAL OF BENEFITS

Dear Parent/Guardian:

You applied for free or reduced-price meals for the following children:

_____	_____	_____
_____	_____	_____
_____	_____	_____

- ☐ Approved for free meals.
- ☐ Approved for reduced-price meals at \$ _____ for lunch, \$ _____ for breakfast, and \$ _____ for snacks.
- ☐ Denied for the following reason(s):
- ☐ Income over the allowable amount
 - ☐ Incomplete application
 - ☐ Other: _____

If you do not agree with the decision, you may discuss it with the school.

If you wish to review the decision further, you have a right to a fair hearing. This can be done by calling or writing the following official:

Name: _____

Address: _____

Toll/Free, Collect, or Local Phone Number: _____ E-Mail: _____

If you are not eligible now but have a decrease in household income, become unemployed, or have an increase in family size, fill out an application at that time.

Sincerely,

_____	_____
(Name)	(Date)

(Title)	

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English.

Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax: (833) 256-1665 or (202) 690-7442; or
email: program.intake@usda.gov

This institution is an equal opportunity provider

Child Nutrition Programs (CNP) Roster

	STUDENT NAME	CATEGORY F OR R	DATE APPROVED	DATE DROPPED OR TRANSFERRED	DATE OF STATUS CHANGE
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					
21.					
22.					
23.					
24.					
25.					

EVEN START/HEAD START *FEDERALLY* FUNDED ENROLLMENT

Name of School: _____

Manager: _____

[illegible]

I certify that the children listed above are currently enrolled as participants in a Head Start/Even Start Program and children enrolled at the school district.

Signature of Person Authorized to Provide Certification
on Behalf of Head Start

Date

ATTACHMENT G
NOTICE OF DIRECT CERTIFICATION

Dear Parent/Guardian:

We want to let you know that the child(ren) in your household were directly certified through ***SNAP***, ***TANF***, ***Medicaid***, or ***FDPIR*** and will receive free or reduced-priced lunches, breakfasts, and snacks at school.

The children listed on this form will receive: Free Meals ☐ **Reduced-Priced Meals** ☐

United States Department of Agriculture (USDA) regulations require that if one person within a household is directly certified through a household member receiving SNAP, TANF, Medicaid, or FDPIR benefits, then all children within the household are directly certified.

Name of Child	Name of School

Please contact the school your child/children attends in the following situations:

- If there are other children in your household who are not listed above and you would like them to receive benefits at school.
- If you do not want your children to have free or reduced-priced meals.
- If you have any additional questions.

Name of Contact: _____

Phone Number: _____

E-Mail Address: _____

Signature of School Official: _____

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To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax: (833) 256-1665 or (202) 690-7442; or email: program.intake@usda.gov

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DISCLOSURE CHART FOR ELIGIBILITY INFORMATION

Recipient of Information	Information That May Be Disclosed to Recipient	Required Notification and Content
Child Nutrition Programs (CNP) under the National School Lunch Act (NSLA) or Child Nutrition Act (CNA)	All eligible information	Prior notice and consent not required
Federal, state, or local means-tested nutrition programs with eligibility standards comparable to the National School Lunch Program (NSLP)	Eligibility STATUS Only	Prior notice and consent not required
Federal education programs, including Every Student Succeeds Act (ESSA)	Eligibility STATUS Only	Prior notice and consent not required
The WAVE (Student Information System)	Eligibility STATUS Only	Prior notice and consent not required
State Education programs , administered by a State agency or local education agency	Eligibility STATUS Only	Prior notice and consent not required
Local education program	NO eligibility information unless parental consent is obtained	Must obtain parental consent
Sooner Select Benefits , administered by a state or local agency authorized under Title XIX or XX of the Social Security Act to identify and enroll eligible children	All eligibility information unless parents elect not to have information disclosed	Must give prior notice to parents and opportunity for parents to decline to have their information disclosed
State health programs other than Sooner Select administered by a State agency or local education agency.	Eligibility STATUS Only	Prior consent not required
Federal health programs other than Medicaid/Sooner Select	NO eligibility information unless parental consent is obtained	Must obtain prior parental consent
Local health programs	NO eligibility information unless parental consent is obtained	Must obtain prior parental consent
Comptroller General of the United States for purpose of audit and examination	All eligibility information	Prior notice and consent not required
Federal, state, or local law enforcement officials investigating alleged violations of any of the programs under the NSLA or Can or investigating violations of any of the programs that are authorized to have access to names and eligibility status	All eligibility information	Prior notice and consent not required
SFA may use the form on the next page for parents to complete for release of eligibility information that requires parental approval.		

DISCLOSURE OF FREE AND REDUCED-PRICE INFORMATION AGREEMENT

I. PURPOSE AND SCOPE

_____ and _____ acknowledge and agree that children's free
and (Insert Name of LEA) (Insert Name of Receiving Agency)

reduced-price meal and free milk eligibility information obtained under provisions of the Richard B. Russell National School Lunch Act (NSLA) (42 USC 1751 et. seq.) or Child Nutrition Act of 1966 (42 USC 1771 et. seq.) (CNA) and the regulations implementing those Acts is confidential information. This Agreement is intended to ensure that any information disclosed by the _____ to the _____
(Insert Name of Receiving Agency)

about children eligible for free or reduced-price meals or free milk will be used only for purposes specified in this Agreement and that the _____ and the _____
(Insert Name of LEA) (Insert Name of Receiving Agency)

recognize that there are penalties for unauthorized disclosures of this eligibility information.

II. AUTHORITY

Section 9(b)(6)(A) of the NSLA (42 USC 1758[b][6][A]) authorizes the limited disclosure of children's free or reduced-price meal or free milk eligibility information to specific programs or individuals without prior parent/guardian consent. Except that, the parent/guardian must be provided the opportunity to decline to share eligibility information prior to the disclosure for identifying children eligible for benefits under or enrolling children in the state Medicaid program and the Sooner Select program. Additionally, the statute specifies that, for any disclosures not authorized by the statute, the consent of children's parents/guardians must be obtained prior to the disclosure.

The receiving agency certifies that it is currently authorized to administer the following program(s) and that information requested will only be used by the program(s) indicated.

NOTE: Section 9(b)(6)(A) specifies that certain programs may receive children's eligibility status only, without parental consent. Parental consent must be obtained to disclose any additional eligibility information. Section 9(b)(6)(D)(ii) specifies that for state Medicaid or Sooner Select, parents must be notified and given the opportunity to elect not to have information disclosed. Social security numbers may only be disclosed if households are given notice of the disclosure and the uses to be made of their social security numbers as required by Sec. 7 of the Privacy Act.

III. RESPONSIBILITIES

_____ will:
(Insert Name of LEA)

- When required, secure parents/guardians consent prior to any disclosure not authorized by the NSLA or any regulations under that act, unless prior consent is secured by the receiving agency and made available to the LEA.
- For state Medicaid and Sooner Select, notify parents/guardians of potential disclosures and provide the opportunity for parents/guardians to elect not to have information disclosed.
- Disclose eligibility information only to persons directly connected to the administration or enforcement of programs authorized access under the NSLA or regulations under the Act or to programs or services for which parents/guardians gave consent.

_____ will:
(Insert Name of Receiving Official)

- Ensure that only persons who are directly connected with the administration or enforcement of the _____ and whose job responsibilities require use of the eligibility information will have access to children's eligibility information:
(Insert Name of the Program)

- Specify by name(s) or title(s): _____

- Use children's free and reduced-price eligibility information for the following specific purpose(s):
(Describe): _____

- Inform all persons that have access to children's free and reduced-price meal eligibility information that the information is confidential, that children's eligibility information must only be used for purposes specified above, and the penalties for unauthorized disclosures.

- Protect the confidentiality of children's free and reduced-price meal or free milk eligibility information as follows:

- Specifically describe how the information will be protected from unauthorized uses and further disclosures.

Description of Procedures to Transfer Meal Eligibility Information (May be completed by either the LEA or receiving agency)

Describe the procedures for transferring students' meal-eligibility information from the LEA to the requesting agency/program so as to limit the number of individuals who have access to the information.

(Describe): _____

IV. EFFECTIVE DATES

This agreement shall be effective from _____ to _____.

V. PENALTIES

Any person who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by federal law (§9[b][6][C] of the NSLA; 42 USC 1758[b][6][C]) or a regulation, any information about a child's eligibility for free or reduced-price meals or free milk shall be fined not more than \$1,000 or imprisonment of not more than one year or both.

VI. SIGNATURES

The parties acknowledge that children's free or reduced-price meal and free milk eligibility information may be used the specific purposes stated; that unauthorized use of free or reduced-price meal and free milk information or further disclosure to other persons or programs is prohibited and a violation of federal law which may result in civil and criminal penalties.

Requesting Agency/Program Administrator

Printed Name: _____

Title: _____ Phone: _____

Signature: _____

Date: _____

LEA Administrator

Printed Name: _____

Title: _____ Phone: _____

Signature: _____

Date: _____

NOTE: Any attachments will become part of this agreement.

VERIFICATION RESPONSE WORKSHEET

*This form **MUST** be used and kept on file if selecting an alternate sample size for verification. Approval of the alternate sample size is granted by the State agency if all required conditions are met.*

School Food Authority (SFA): _____ County/District Code: _____

For all SFAs except Oklahoma City Public Schools and Tulsa Public Schools:

1. Current School Year: _____
2. Number of applications on file as of October 1: _____

1. Previous School Year: _____
2. Number of applications selected for verification in previous school year: _____
3. Number of responses from verification in the previous school year: _____
4. $\frac{\text{Number of applications from verification in the previous year (\#2 answer)}}{\text{Required response rate}} \times .80 =$ _____

If Item 3 is equal to or exceeds the product in Item 4, the SFA may use any verification method in the current school year.

VERIFICATION RESPONSE WORKSHEET

LARGE SFAs

Large SFAs are those that have 20,000 or more free or reduced applications on file as of October 1

This form MUST be used and kept on file if selecting an alternate sample size for verification. Approval of the alternate sample size is granted by the State agency if all required conditions are met.

1. Current School Year: _____
2. Number of applications on file as of October 1: _____

This number should be the same as the sum of Items 4.2, 4.3, and 5 under Column B of the Summary Verification Report

1. Previous School Year: _____
2. Number of applications selected for verification: _____
3. Number of households (applications) that did not respond: _____

$$4. \quad \frac{\text{Number 3}}{\text{Number 2}} = \frac{\text{Number 3}}{\text{Number 2}} = \text{Nonresponse rate from the previous school year}$$

5. Second Preceding School Year: _____

6. Number of applications selected for verification: _____

7. Number of households (applications) that did not respond: _____

$$8. \quad \frac{\text{Number 7}}{\text{Number 6}} = \frac{\text{Number 7}}{\text{Number 6}} = \text{Nonresponse rate from the second preceding school year}$$

$$9. \quad \frac{\text{2nd preceding year nonresponse rate}}{\text{2nd preceding year nonresponse rate}} \times .10 = \text{Percentage of improvement needed}$$

$$10. \quad \frac{\text{2nd preceding year nonresponse rate (Number 8 answer)}}{\text{Previous year nonresponse rate (Number 4 answer)}} = \text{(+/-) Nonresponse rate improvement}$$

If Number 10 is greater than Number 9, then the SFA may use the alternate sample size.

CONFIRMATION REVIEW OF BENEFITS NOTIFICATION AND ADVERSE ACTION

Children's Names: _____

School: _____ Date: _____

Dear _____ :

We have completed a confirmation review of your children's eligibility. This review brought to our attention that an error was made in the children's initial determination of benefits. Starting _____
your children's eligibility for meal benefits will be: (10 calendar days from the date sent)

☐ Changed from free to reduced-price. The reduced-price charge is _____ cents for lunch and _____ cents for breakfast.

☐ Stopped for the following reason(s): _____

Starting immediately, your children's eligibility for meal benefits will be:

☐ Changed from reduced-price to free. Your children will receive meals at no cost.

If you are not eligible for benefits now but have a decrease in household income, become unemployed, or have an increase in the size of your household, you may fill out a form at that time to reapply for benefits.

If you do not agree with the decision, you may discuss it with _____ .
(Verifying Official)

You also have the right to a fair hearing. If you request a hearing by _____ ,
(Date)

your children will continue to receive _____ until the decision
(Free or Reduced-Price Meals)

of the hearing official is made. You may request a fair hearing by calling or writing the following official:

Name: _____

Address: _____

Toll-Free/Collect/Local Telephone Number: _____
(Circle One)

Sincerely,

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1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

fax: (833) 256-1665 or (202) 690-7442; or **email:** program.intake@usda.gov

This institution is an equal opportunity provider

NOTIFICATION OF SELECTION FOR VERIFICATION OF ELIGIBILITY WE MUST CHECK YOUR APPLICATION

You must send the information we need, or contact **(Name)** by **(Date)**, or your child(ren) will stop getting free or reduced-price meals.

School: _____ Date: _____

Dear _____:

We are checking your Free and Reduced-Price School Meals Application. Federal rules require that we do this to make sure only eligible children get free or reduced-price meals. You must send us information to prove that **(Name[s] of Child[ren]) is/are** eligible.

If possible, send copies, not original papers. If you do send originals, they will be sent back to you only if you ask.

1. IF YOU WERE RECEIVING BENEFITS FROM **(SNAP)**, **(TANF)**, OR **(FDPIR)** WHEN YOU APPLIED FOR FREE OR REDUCED-PRICE MEALS, OR AT ANY TIME SINCE THEN, SEND US A COPY OF ONE OF THESE:

- **(SNAP)**, **(TANF)**, or **(FDPIR)** Certification of Notice that shows dates of certification.
- Letter from **(SNAP)**, **(TANF)**, or **(FDPIR)** office that shows dates of certification.
- Do not send your EBT card.

2. IF YOU GET THIS LETTER FOR A HOMELESS, MIGRANT, RUNAWAY, OR HEAD START CHILD, PLEASE CONTACT **(School, Homeless Liaison; Runaway, Migrant, or Head Start Coordinator)** _____ FOR HELP.

3. IF THE CHILD IS A FOSTER CHILD: Provide written documentation that verifies the child is the legal responsibility of the agency or court, or provide the name and contact information for a person at the agency or court who can verify that the child is a foster child.

4. IF NO ONE IN YOUR HOUSEHOLD RECEIVES **(SNAP)**, **(TANF)**, OR **(FDPIR)** BENEFITS: Send this page along with papers that show the amount of money your household gets from each source of income. The papers you send must show the **NAME** of the person who received the income, the **DATE** it was received, **HOW MUCH** was received, and **HOW OFTEN** it was received. **Send information to: (Address)**

Acceptable papers include:

JOBS: Paycheck stub or pay envelope that shows the amount and how often pay is received; letter from employer stating gross wages and how often you are paid; or, if you work for yourself, business or farming papers such as ledger or tax books.

SOCIAL SECURITY, PENSIONS, or RETIREMENT: Social Security retirement benefit letter, statement of benefits received, or pension award notice.

UNEMPLOYMENT, DISABILITY, or WORKER'S COMP: Notice of eligibility from state employment security office, check stub, or letter from the Worker's Compensation office.

WELFARE PAYMENTS: Benefit letter from the **(TANF)** office.

CHILD SUPPORT or ALIMONY: Court decree, agreement, or copies of checks received.

OTHER INCOME (SUCH AS RENTAL INCOME): Information that shows the amount of income received, how often it is received, and the date received.

NO INCOME: A brief note explaining how you provide food, clothing, and housing for your household and when you expect an income.

MILITARY HOUSING PRIVATIZATION INITIATIVE: Letter or rental contract showing that your housing is part of the Military Privatized Housing Initiative.

TIME FRAME OF ACCEPTABLE INCOME DOCUMENTATION: Please submit proof of one month's income; you could use the month prior to application, the month you applied, or any month after that.

If you have questions or need help, please call **(Name)** at **(Telephone Number)**. The call is free. **(Toll Free or Reverse Charge Explanation)** You may also e-mail us at **(E-Mail Address)**.

Sincerely,

(Signature)

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email: program.intake@usda.gov

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DIRECT CERTIFICATION/VERIFICATION FORM

LETTER TO THE SNAP, TANF, FOSTER, OR FDPIR OFFICE FROM THE SCHOOL FOOD AUTHORITY

Date: _____

Dear _____ :

The regulations for the ***Supplemental Nutritional Assistance Program (SNAP)***, ***Temporary Assistance to Needy Families (TANF)***, and ***Food Distribution Program on Indian Reservations (FDPIR)*** permit SNAP, TANF, Foster, and FDPIR offices to release eligibility information to administrators of the National School Lunch and School Breakfast Programs to ensure that only eligible children receive free meal benefits.

The receipt of SNAP, TANF, Foster, and/or FDPIR automatically qualifies children for free school meals. Enclosed is a listing of approved free meal applicants who have been selected for verification and who have indicated that the child for whom application was made now receives SNAP, TANF, Foster, and/or FDPIR benefits. On the enclosed listing, please indicate if these household members are currently participating in the SNAP, TANF, Foster, and/or FDPIR program(s). This information will be used only to confirm the approved applicant's eligibility for free meal benefits.

The information used for direct verification must be the ***most recent information available*** that is defined as data that is no older than 180 days prior to the date of the free and reduced-price application. To be consistent with policy established for ***regular*** verification, direct verification efforts may use information from any point in time between the month prior to application and the time the LEA conducts direct verification.

Your prompt return of the listing will be appreciated. A self-addressed return envelope is also enclosed for your convenience. If you have any questions or need additional information, please contact:

_____ at telephone number _____

Printed Name

Signature _____

Date

Address _____

Telephone Number _____

Name of District Requesting This Information: _____

Enclosures

To ensure better accuracy, consider e-mailing the front page of the Application for Free and Reduced-Price Meals as well as this form.

DIRECT CERTIFICATION/VERIFICATION FORM — SNAP, TANF, FDPIR, FOSTER, OR OTHER SOURCE CATEGORICAL ELIGIBILITY PROGRAM RECIPIENTS

[illegible]

SIGNATURE OF SNAP, TANF, FDPIR, FOSTER, OR OTHER SOURCE
CATEGORICAL ELIGIBLE PROGRAMS OFFICIAL

TELEPHONE NUMBER

ADDRESS

DATE _____

VERIFICATION RESULTS/ADVERSE ACTION WE HAVE CHECKED YOUR APPLICATION

School: _____

Date: _____

Dear: _____

We checked the information you sent us to prove that **(Name[s] of Child[ren])** is/are eligible for free or reduced-price meals and have decided that:

- ☐ Your child(ren)'s eligibility has not changed.
- ☐ Starting **(Date)**, your child(ren)'s eligibility for meals will be changed **from reduced-price to free** because your income is within the free meal-eligibility limits. Your child(ren) will receive meals at no cost.
- ☐ Starting **(Date)**, your child(ren)'s eligibility for meals will be changed **from free to reduced-price** because your income is over the limit. Reduced-price meals cost **(\$)** for lunch and **(\$)** for breakfast.
- ☐ Starting **(Date)**, **your child(ren) is/are no longer eligible** for free or reduced-price meals for the following reason(s):
 - ___ Records show that no one in your household received **(SNAP)**, **(TANF)**, or **(FDPIR)** benefits.
 - ___ Records show that the child(ren) is/are not homeless, runaway, migrant, or Head Start.
 - ___ Your income is over the limit for free or reduced-price meals.
 - ___ You did not provide: _____
 - ___ You did not respond to our request.

Meals cost **(\$)** for lunch and **(\$)** for breakfast. If your household income goes down or your household size goes up, you may apply again. If you were previously denied benefits because no one in the household received **(SNAP)**, **(TANF)**, or **(FDPIR)** benefits, you may reapply based on income eligibility. If you did not provide proof of current eligibility, you will be asked to do so if you reapply.

If you disagree with this decision, you may discuss it with **(Name)** at **(Phone)**. You also have the right to a fair hearing. If you request a hearing by **(Date)**, your child(ren) will continue to receive free or reduced-price meals until the decision of the hearing official is made. You may request a hearing by calling or writing to: **(Name)**, **(Address)**, **(Phone Number)**, or **(E-Mail)**.

Sincerely,

(Signature)

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English.

Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax: (833) 256-1665 or (202) 690-7442; or
email: program.intake@usda.gov

This institution is an equal opportunity provider.

EXAMPLE OF VERIFICATION SUMMARY REPORT

SECTION 1	Total Schools, Residential Child Care Institutions (RCCIs) and Enrolled Students	**All SFAs must report Section 1**		A. Number of Schools OR Institutions	B. Number of Students																						
		1-1: Total Schools (<i>Do not include RCCIs</i>):		12	5,135																						
		1-2: Total RCCIs (<i>Do not include schools counted in 1-1</i>):		0																							
		1-2a: RCCIs with day students (<i>Report ONLY day students in 1-2a</i>):																									
		1-2b: RCCIs with NO day students:																									
SECTION 2	SFAs With Schools Operating Alternate Provisions	**ONLY SFAs with alternative provisions must report Section 2**		A. Number of Schools AND Institutions	B. Number of Students																						
		2-1: Operating Provision 2/3 in a BASE year for NSLP and SBP:		0	0																						
		2-2: Operating Provision 2/3 in a NON BASE year for NSLP and SBP:		0	0																						
		2-2a: Provision 2/3 students reported as FREE in a NON BASE year:			0																						
		2-2b: Provision 2/3 students reported as REDUCED PRICE in a NON BASE year:			0																						
		2-3: Operating the Community Eligibility Option:		1	255																						
		2-4: Operating other alternatives for NSLP and SPB:		0	0																						
		2-5: Operating an alternative provision(s) for only SPB or only NSLP:		0	0																						
SECTION 3	Students Approved as FREE or REDUCED Eligible NOT subject to Verification	3-1: ☒ **ALL SFAs must report section 3 or check box 3-1 if applicable** Check the box only if all schools and/or RCCIs in the SFA were not required to perform direct certification with SNAP (i.e. NON BASE year Provision 2/3 for all schools)			B. Number of FREE or REDUCED Students																						
		3-2: Students directly certified through Supplemental Nutrition Assistance Program (SNAP): <i>Do not include students certified with SNAP through the letter method.</i>			0																						
		3-3: Students directly certified through Other Programs: <i>Include those directly certified through Temporary Assistance for Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), or Medicaid (if applicable, those documented as homeless, migrant, runaway, foster, Head Start, or non-applicant but approved by local officials. DO NOT include SNAP students already reported in 3-2.</i> <i>Do not include students certified with SNAP through the letter method.</i> <table border="1"> <thead> <tr> <th>Program</th> <th>Students</th> </tr> </thead> <tbody> <tr> <td>TANF</td> <td>3</td> </tr> <tr> <td>FDPIR</td> <td></td> </tr> <tr> <td>Medicaid Free</td> <td>64</td> </tr> <tr> <td>Medicaid Reduced</td> <td>34</td> </tr> <tr> <td>Homeless</td> <td></td> </tr> <tr> <td>Migrant</td> <td></td> </tr> <tr> <td>Runaway</td> <td></td> </tr> <tr> <td>Foster</td> <td></td> </tr> <tr> <td>Head Start</td> <td></td> </tr> <tr> <td>Non-Applicant</td> <td></td> </tr> </tbody> </table>			Program	Students	TANF	3	FDPIR		Medicaid Free	64	Medicaid Reduced	34	Homeless		Migrant		Runaway		Foster		Head Start		Non-Applicant		101 (See table to the left for a breakdown by program)
		Program	Students																								
		TANF	3																								
FDPIR																											
Medicaid Free	64																										
Medicaid Reduced	34																										
Homeless																											
Migrant																											
Runaway																											
Foster																											
Head Start																											
Non-Applicant																											
3-4: Students certified categorically FREE eligible through SNAP letter method: <i>Include student certified for free meals through the family providing a letter from the SNAP agency.</i>			0																								

SECTION 4	Students approved as FREE or REDUCED PRICE eligible through a household application	**All SFA/RCCIs collecting applications must report Section 4**		A. Number of Applications	B. Number of Students
		4-1: Approved as categorically FREE Eligible: Based on those providing documentation (e.g. a case number for SNAP, TANF, FDPIR on an application)		0	0
		4-2: Approved as FREE eligible: Based on household size and income information		0	0
		4-3: Approved as REDUCED PRICE eligible: Based on household size and income information		0	0

T-1: Total FREE Eligible Students Reported:		T-2: Total REDUCED PRICE Eligible Students Reported:	0

SECTION 5	5-1: X **All SFA/RCCIs must report Section 5 or check box 5-1 if applicable** Check the box if ALL Schools and/or RCCIs are exempt from verification (see instructions for list of exemptions). If 5-1 is checked, no further reporting in Section 5 is required.								
	5-2: Was Verification performed and completed? ☐ Yes, completed by November 15 ☐ Yes, completed after November 15 ☐ No, Verification was NOT performed or the process was not completed.			5-3: Type of Verification Used: 1. ☐ Standard (Lesser of 3% or 3,000 error-prone) 2. ☐ Alternate One (Lesser of 3% or 3,000 selected randomly) 3. ☐ Alternate Two (Lesser of 1% or 1,000 error-prone applications PLUS lesser of one-half percent or 500 applications with SNAP/TANF/FDPIR case numbers)					
	If 1 or 3 is checked in 5-3, report 5-4 If 2 is checked in 5-3, enter "N/A" in 5-4		5-4: Total ERROR PRONE applications: Report all applications as of October 1st considered error prone		0	5-5: Number of applications selected for Verification sample: 0			
	5-6: X ** ALL SFAs must report 5-7 or check box 5-6 if applicable* Check the box if direct verification was not conducted in the SFA (i.e. not one of the schools and/or RCCIs in the SFA performed direct verification) If 5-6 is checked, skip 5-7.				A. Number of Applications	A. Number of Applications			
	Report if FREE and/or REDUCED PRICE eligibility is confirmed through direct verification with SNAP, TANF, FDPIR, or MEDICAID as of November 15th			5-7 Confirmed through direct verification:		0			
	5-8: Results of Verification by Original Benefit Type For each original benefit type (A, B, & C), report the number of applications and students as of November 15th for each result category (1, 2, 3, & 4). Do NOT include students and applications already reported in 5-7A or 5-7B.								
	A. FREE - Categorically Eligible Certified as FREE based on SNAP/TANF/FDPIR documentation (e.g. case number) on application			B. FREE - Income Certified as FREE based on income/household size application			A. REDUCED PRICE - Income Certified as REDUCED PRICE based on income/household size application		
	Result Category	a. Applications	b. Students	Result Category	a. Applications	b. Students	Result Category	a. Applications	b. Students
	1. Responded, NO CHANGE	0	0	1. Responded, NO CHANGE	0	0	1. Responded, NO CHANGE	0	0
	2. Responded, Changed to REDUCED	0	0	2. Responded, Changed to REDUCED	0	0	2. Responded, Changed to REDUCED	0	0
3. Responded, Changed to PAID	0	0	3. Responded, Changed to PAID	0	0	3. Responded, Changed to PAID	0	0	
4. NOT Responded, Changed to PAID	0	0	4. NOT Responded, Changed to PAID	0	0	4. NOT Responded, Changed to PAID	0	0	
VC-1: Total questionable applications verified for cause (Enter N/A if not applicable): Report the number of applications as of November 15th verified for cause in addition to the verification requirements.							N/A		

Additional Instructions for Verification Summary Report

For additional guidance on verification requirements and procedures, refer to the Eligibility Manual (http://www.fns.usda.gov/cnd/guidance/EliMan.pdf). Enter the State agency name, SFA name, SFA ID, SFA city, SFA zip code for each SFA with schools and/or RCCIs operating the NSLP and/or SBP. Select if the SFA overall is a public or a private/nonprofit entity, and enter the school year for which the report is completed. Include schools and/or RCCIs and the enrolled students only once if operating both NSLP and SBP.	
Section 1	All SFAs with schools or RCCIs operating the NSLP and/or SBP must complete this section regardless if all schools are exempt from verification. Report schools or institutions operating the NSLP and/or SBP and students with access to the NSLP and/or SBP as of October 31st. 1-1A & B: TOTAL number of schools (not including RCCIs) operating the NSLP and/or SBP and the TOTAL number of enrolled students with access to the NSLP and/or SBP as of October 31st. 1-2A & B: TOTAL number of RCCIs operating the NSLP and/or SBP and the TOTAL number of enrolled students with access to the NSLP and/or SBP in RCCIs. 1-2aA & 1-2aB: Of the RCCIs reported in 1-2A, enter the number of RCCIs with DAY students and ONLY the DAY students with access to the NSLP and/or SBP in RCCIs (day students are those students NOT institutionalized and eligibility is determined individually by application or direct certification as applicable). 1-2bA & 1-2bB: Of the RCCIs reported in 1-2A, enter the number of RCCIs with NO day students and the TOTAL number of institutionalized students. Note: The sum of the students reported in 1-2aB and 1-2bB will NOT equal the total in 1-2B.
Section 2	All SFAs with some or all schools and/or RCCIs operating under an alternative provision must complete this section. For RCCIs operating an alternate provision, include both day and residential students. Report students with access to the NSLP and/or SBP as of October 31st. 2-1 through 2-4 should be reported only if the school operates alternate provisions for BOTH programs, resulting in no collection of applications for the school. Schools operating Provision 2/3 for only one program and collecting household applications for the other program should report applicable provision data in 2-5. 2-1A & B: BASE year is when certification procedures are conducted. 2-2A & B: NONBASE year is when NO certification procedures are conducted. 2-2aB & 2-2bB: Multiply the most recent base year FREE percentage by the enrollment reported in 2-2B to determine 2-2aB. Multiply the base year REDUCED-PRICE percentage by the enrollment reported in 2-2B to determine 2-2bB. 2-3A & B: Number of schools operating the Community Eligibility Option and the number of enrolled students in the schools with access to the NSLP and/or SBP. 2-4A & B: Other alternatives include Provision 1 and universal meal service through census data or socioeconomic surveys. 2-5A & B: Enter the number of schools and/or RCCIs and students enrolled operating an alternate provision for ONLY SBP or ONLY NSLP. Include schools/RCCIs operating in both a base year and nonbase year.
Section 3	All SFAs must complete this section. If all schools and/or RCCIs in the SFA were not required to perform Direct Certification with SNAP, then check Box 3-1. Check the box only if the entire district is CEP and/or Provision 2 or 3 in a NONBASE year. All schools in the SFA and/or RCCIs were not required to perform direct certification with SNAP, TANF, or Medicaid. Direct certification is the process by which the student is certified eligible based on documentation received directly from the applicable program (e.g. SNAP, TANF, or Medicaid agency). This process eliminates the need for the household to submit an application. Report students approved FREE eligible as of the last operating day in October 3-2B: Include students directly certified with SNAP. If a student is directly certified with SNAP as well as with another program (e.g., TANF/eligible homeless), include the student in THIS SNAP count (3-2B). Also include in this count any student in the SFA deemed eligible based on extended categorical eligibility via an eligible student in the primary household who has been directly certified with SNAP. DO NOT include SNAP letter method certifications in this SNAP count; report these in 3-4B below. (SNAP letter method certifications are when the family submits a letter from the SNAP agency to document receipt of SNAP benefits. This is no longer considered to be Direct Certification.) 3-3B: Include students directly certified through programs other than SNAP. Include students in the SFA deemed eligible due to extended categorical eligibility via an eligible student in the primary household directly certified with TANF, FDPIR, Medicaid, Homeless, Migrant, and Runaway. DO NOT include SNAP students already reported in 3-2 or to be reported in 3-4 as certified categorically through SNAP letter method. 3-4B: Include ONLY students certified as categorically FREE eligible based on a letter submitted by family from the SNAP agency. Include students in the SFA deemed eligible due to extended categorical eligibility via an eligible student in the primary household certified as FREE categorically eligible with the letter method with SNAP.
Section 4	All SFAs and/or RCCIs collecting individual household applications must report this section, including schools and/or RCCIs in a Provision 2/3 base year. Report number of applications (A) approved as of October 1. Report number of students (B) as of October 31st. 4-1A & B: Number of applications approved FREE eligible based on documentation submitted on an application (i.e., case number for SNAP, TANF, or FDPIR on an application) on file as of October 1 and the number of students as of the last operating day in October approved FREE eligible based on documentation submitted on an application (i.e., case number for SNAP, TANF, or FDPIR on an application). Include students in the SFA deemed eligible due to extended categorical eligibility via an eligible student in the primary household categorically FREE eligible with SNAP, TANF, or FDPIR. 4-2A & B: Number of applications approved FREE eligible based on income information submitted by the household on file as of October 1 and the number of students as of the last operating day in October approved FREE eligible based on income information submitted by the household. 4-3A & B: Number of applications approved REDUCED-PRICE eligible based on income information submitted by the household on file as of October 1 and the number of students as of the last operating day in October approved REDUCED-PRICE eligible based on income information submitted by the household.

T-1: Enter the total number of students reported as FREE eligible. (3-2B) + (3-3B) + (3-4B) + (4-1B) + (4-2B) + (2-2aB, if applicable)

T-2: Enter the total number of students reported as REDUCED-PRICE eligible: (4-3B) + (2-2bB, if applicable)

Section 5

If **ALL** schools and/or RCCIs in the SFA are exempt from verification activities, check Box 5-1 and no further reporting is required in Section 5. Verification activities are **NOT** required for:

- Schools/RCCIs in which **ALL** children have been certified under direct certification procedures, including children **DOCUMENTED** as eligible foster, migrant, runaway, or homeless children.
- RCCIs which do not have day students.
- Schools electing the Community Eligibility Option.
- Schools/RCCIs in which FNS has approved universal meal service through census data or using socioeconomic surveys; e.g., special cash assistance claims based on economic statistics regarding per capita income (Puerto Rico and the Virgin Islands).
- Schools participating only in the Special Milk Program.
- Schools in which all children are served with no separate charge for food service and no special cash assistance is claimed (i.e., nonpricing programs claiming only the paid rate of reimbursement).
- All schools are Provision 2/3 schools in a nonbase year.
- Schools which do not have any free or reduced-price eligible students.
- Other FNS-determined exemptions on a case-by-case basis.

Select one box in (5-2 and 5-3):

5-2: Indicate whether verification was performed and completed by the deadline of November 15. If verification was completed after the deadline, report the remainder of Section 5 was applicable.

5-3: If verification was completed, check the type of verification process used to comply with the requirements of 7 CFR 245.6a. Please note the qualification requirements in 7 CFR 245.6a(d) must be met to use the two alternate sample sizes.

• **Standard:** Verify 3% or 3,000 of approved applications, whichever is less, selected from error-prone applications on file as of Oct. 1. If there are not enough error-prone applications, LEAs must select at random additional applications to complete sample size.

• **Alternate one:** Verify 3% or 3,000, whichever is less, of all randomly selected approved applications on file as of Oct. 1.

• **Alternate two:** Verify the lesser of 1% or 1,000 approved applications as of Oct. 1 selected from error-prone applications **PLUS** the lesser of one-half of 1% or 500 applications approved as of Oct. 1 that provided a case number in lieu of income.

5-4: Error-prone applications are household applications approved as of Oct. 1 indicating monthly income within \$100 of the monthly limit or annual income within \$1,200 of the annual limit of the applicable income-eligibility guidelines.

5-5: Enter the total number of applications initially selected for the verification process as indicated in 5-3.

5-6: Check if direct verification was not conducted in the SFA (not one school in the SFA conducted direct verification). Direct verification is using records from public agencies to verify income and/or Program participation.

5-7A & B: Only report applications and students if FREE and/or REDUCED-PRICE eligibility is confirmed through direct verification.

5-8: For the purposes of this report, verification is complete:

- For households whose eligibility does not change as of the date of the confirmation of eligibility by a reviewing official.
- For households which do not appeal a change in eligibility as of the first operating day following the last date for filing an appeal in response to a notice of change of eligibility.
- For households which appeal a change in eligibility as of the first operating day following a decision by the hearing official.

Responded: The household provided sufficient documentation. This includes verbal or written notification that the household declines benefits.

NOT Responded: The household did not provide sufficient documentation or the household did not provide a response.

A1, B1, and C1: Number of applications with no change and the number of students on these applications.

A2 and B2: Number of applications changed to REDUCED-PRICE based on sufficient documentation provided by the household and the number of students on the applications.

C2: Number of applications changed to FREE based on sufficient documentation provided by the household and the number of students on the applications.

A3, B3, and C3: Number of applications for which the eligibility was changed to PAID based on sufficient documentation by the household and the number of students on the applications.

A4, B4, and C4: Number of applications for which the eligibility was changed to PAID because documentation necessary to complete the verification process was NOT provided and the number of students on the applications.

The number of applications reported in 5-8 should include both the results of verification from verification process and the results from any applications verified for cause reported in VC-1.

VC-1: If applicable in at least one school and/or RCCI, report all applications verified for cause outside of the verification process (7 CFR 245.6a) as of November 15. Applications verified for cause are NOT considered part of the required sample size. Include the results of verification for cause by original benefit type in the appropriate category in 5-8.



USDA MEMOS AND RESOURCES FOR ELIGIBILITY SECTION

Applications and Verification forms in a Foreign Language	http://www.fns.usda.gov/school-meals/translated-applications
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Duration of Income Eligibility Determinations: Guidance and Q&As	SP-01-2015
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Procurement Section

Notes

PROCUREMENT PROCEDURES AND PRACTICES

- A. **The primary purpose of procurement is to assure that open and free competition exists to the maximum extent possible.** The procurement procedures practiced by a school food authority (SFA) must not restrict or eliminate competition. For example, descriptions of goods, equipment, or services to be procured should not contain features that unduly restrict competition. *A person (contractor or vendor) who develops or drafts specifications, requirements, statements of work, Invitations for Bid (IFB), Requests for Proposal (RFP), contract terms and conditions, or other documents for use by a grantee or sub grantee conducting procurement under the United States Department of Agriculture (USDA) entitlement programs shall be excluded from competing for such procurements.* (Reference 2 CFR 200.318[a]) Competition helps assure that goods, equipment, and services will be obtained at the lowest possible cost. All procurements must be obtained through competition. The actual type of procurement method used is of secondary importance. Of primary importance is that open and free competition exists when purchases are made. Each SFA must have protest procedures in place to handle any protest a district may receive concerning its procurement practices. **The contract must be awarded to the lowest-priced, responsible, and responsive bidder.**
- B. **ALL Goods and Services purchased with Child Nutrition Funds MUST be USED by Child Nutrition or the price must be pro-rated based on Child Nutrition use**
- C. **Competition.** All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards. Some of the situations considered to be restrictive of competition include, but are not limited to:
- Placing unreasonable requirements on firms in order for them to qualify to do business.
 - Requiring unnecessary experience and excessive bonding.
 - Noncompetitive pricing practices between firms or between affiliated companies.
 - Noncompetitive awards to consultants that are on retainer contracts.
 - Organizational conflicts of interest.
 - Specifications will be sent to each vendor.
 - Any arbitrary action in the procurement process.
- D. SFAs will use their own procurement procedures which reflect applicable state and local laws and regulations, provided that the procurements conform to applicable federal law and the standards.
- E. **Forecasting** describes how you determine the amount of each food item is needed; **sourcing** describes matching the products you want to possible suppliers

ALLOWABLE PROCUREMENT PRACTICES

- A. Obtaining publicly available information such as:
- Product brochures, product specification handouts, etc.
 - Information obtained from the Internet.
 - Information/recommendations obtained from other food service personnel.
 - Information obtained by visiting food service operations, industry and professional trade shows.
 - Trade journal information.

- B. Obtaining information from manufacturers and distributors, including:
 - 1. Recommendations of one product versus another product.
 - 2. Features that make one product different from another.
 - 3. The price for the product.
 - 4. The price for specific features.
 - 5. The model number, make, and manufacturer of products that may be acceptable.
 - 6. Specification sheets and product information handouts.

UNALLOWABLE PROCUREMENT PRACTICES

- A. ***Purchasing items with Child Nutrition Funds that were not procured per USDA Procurement Standards.***
- B. For cost plus fee contracts, SFAs are prohibited from using nonprofit school food service account funds to pay any amount above net allowable costs, computed by deducting certain rebates, discounts, and other credits.
- C. For cost plus fee contracts, contractors are required to identify appropriate information to permit SFAs to identify allowable and unallowable costs and the amount of all such discounts, rebates, and credits on invoices and bills presented for payments.
- D. **Purchases made for individuals through the Child Nutrition Program (CNP) account are not allowable.** If an SFA makes this a practice, the tax-exempt status of that SFA could be placed in jeopardy. In addition, food cannot be purchased for individuals through a vendor, even if the individual is paying the appropriate sales tax and the full price for the item. This would be receiving a favor from the vendor and would violate the code of conduct established by the SFA
- E. Sites may not enter into a sales agency agreement with a food vendor. **The vendor may not bring the food product into the site and make direct sales to the final consumer (students, teachers, etc.). SFAs must purchase the food items from the vendor and may then resell to students, etc.**

PROCUREMENT DOCUMENTATION AND PROCUREMENT REVIEWS

- A. **Procurement Documentation to be maintained.** SFAs will maintain records sufficient to detail the significant history of a procurement. These records will include, but are not necessarily limited to, the following:
 - 1. Rationale for the method of procurement.
 - 2. Selection of contract type - fixed price, cost plus fee or cost reimbursable.
 - 3. Copies of advertisements for formal bids and requests for proposals.
 - 4. Copy of procurement instruments, including instructions to offerers, specifications, and any addenda.
 - 5. Dated list of potential contractors/vendors who were sent specifications, who was sent a contract, or who picked up RFPs/IFBs.
 - 6. Documentation of telephone quotations and copies of written quotations received from vendors.

7. Bids/proposals submitted by vendors/contractors with date indicated when price quotes were received or time-stamped bid envelope. Bid/quotation/proposal evaluation sheets, including documentation whenever the lowest bid or quotation price is not accepted.
8. Copies of bid/proposal award letters and letters to unsuccessful offerers, if applicable.
9. Copies of contracts.
10. Documentation of insurance, if required by bid/proposal.
11. Copies of bid and/or performance bonds, if required by bid/proposal.
12. Signed and dated invoices.

Note: SFAs must make available any specifications used on proposed procurements to ensure that the item and/or service specified is the one being proposed for purchase.

B. **Procurement Reviews** are conducted using **PRIOR** year documentation. However, FSMC documents will be from **CURRENT & PRIOR** year.

1. Access by the SFA, the State agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
2. All schools will be reviewed on procurement every 5 years.
3. The majority of districts will be reviewed the same year as the district's Administrative Review.
4. These reviews are a desk review.

5 **Procurement reviews are conducted by DWG CPA, Inc.**

- Consulting. Questions regarding the procurement review can be sent to dwgcpa@dwgcpa.com.
- *If the district has questions regarding the procurement process, contact Kendra Merveldt at 405-521-3327 or Kendra.Merveldt@sde.ok.gov.*

6. **Procurement Review Documentation:**

- District's Procurement Plan.
- Chart of Procedures.
- Protest Procedures.
- Buy American Information.
- Code of Conduct.
- Bid Documentation including product specifications and solicitation information.
- Contracts – RFP/IFB.
- Invoices/Receipts.
- FSMC Documents including invoices, contract, and renewal information, if applicable.
- Revenue & Expenditure from Prior Year and current year if using a FSMC.
- USDA Procurement Tool

PROCUREMENT STANDARDS (Reference 2 CFR §200.318)

- (a) Documented procurement procedures. The recipient or subrecipient must maintain and use documented procedures for procurement transactions under a Federal award or subaward, including for acquisition of property or services. These documented procurement procedures must be consistent with State, local, and tribal laws and regulations and the standards identified in §§ 200.317 through 200.327.
- (b) Oversight of contractors. Recipients and subrecipients must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. See also § 200.501(h).
- (c) Conflicts of interest.
 - (1) The recipient or subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. An employee, officer, agent, and board member of the recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. However, the recipient or subrecipient may set standards for situations where the financial interest is not substantial or a gift is an unsolicited item of nominal value. The recipient's or subrecipient's standards of conduct must also provide for disciplinary actions to be applied for violations by its employees, officers, agents, or board members.
 - (2) If the recipient or subrecipient has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian Tribe, the recipient or subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest mean that because of relationships with a parent company, affiliate, or subsidiary organization, the recipient or subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.
 - (d) Avoidance of unnecessary or duplicative items. The recipient's or subrecipient's procedures must avoid the acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis should be made between leasing and purchasing property or equipment to determine the most economical approach.
- (e) Procurement arrangements using strategic sourcing. When appropriate for the procurement or use of common or shared goods and services, recipients and subrecipients are encouraged to enter into State and local intergovernmental agreements or inter-entity agreements for procurement transactions. These or similar procurement arrangements using strategic sourcing may foster greater economy and efficiency. Documented procurement actions of this type (using strategic sourcing, shared services, and other similar procurement arrangements) will meet the competition requirements of this part.
- (f) Use of excess and surplus Federal property. The recipient or subrecipient is encouraged to use excess and surplus Federal property instead of purchasing new equipment and property when it is feasible and reduces project costs.

- (g) Use of value engineering clauses. When practical, the recipient or subrecipient is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering means analyzing each contract item or task to ensure its essential function is provided at the overall lowest cost.
- (h) Responsible contractors. The recipient or subrecipient must award contracts only to responsible contractors that possess the ability to perform successfully under the terms and conditions of a proposed contract. The recipient or subrecipient must consider contractor integrity, public policy compliance, proper classification of employees (see the Fair Labor Standards Act, 29 U.S.C. 201, chapter 8), past performance record, and financial and technical resources when conducting a procurement transaction. See also § 200.214.
- (i) Procurement records. The recipient or subrecipient must maintain records sufficient to detail the history of each procurement transaction. These records must include the rationale for the procurement method, contract type selection, contractor selection or rejection, and the basis for the contract price.
- (j) Time-and-materials type contracts.
 - (1) The recipient or subrecipient may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a recipient or subrecipient is the sum of:
 - (i) The actual cost of materials; and
 - (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.
 - (2) Because this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the recipient or subrecipient awarding such a contract must assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
- (k) Settlement of contractual and administrative issues. The recipient or subrecipient is responsible for the settlement of all contractual and administrative issues arising out of its procurement transactions. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the recipient or subrecipient of any contractual responsibilities under its contracts. The Federal agency will not substitute its judgment for that of the recipient or subrecipient unless the matter is primarily a Federal concern. The recipient or subrecipient must report violations of law to the Federal, State, or local authority with proper jurisdiction.
- (l) Examples of labor and employment practices.
 - (1) The procurement standards in this subpart do not prohibit recipients or subrecipients from:
 - (i) Using Project Labor Agreements (PLAs) or similar forms of pre-hire collective bargaining agreements;
 - (ii) Requiring construction contractors to use hiring preferences or goals for people residing in high-poverty areas, disadvantaged communities as defined by the Justice40 Initiative (see OMB Memorandum M-21-28), or high-unemployment census tracts within a region no smaller than the county where a federally funded construction project is located. The hiring

- preferences or goals should be consistent with the policies and procedures of the recipient or subrecipient, and must not prohibit interstate hiring;
- (iii) Requiring a contractor to use hiring preferences or goals for individuals with barriers to employment (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(24))), including women and people from under-served communities as defined by Executive Order 14091;
 - (iv) Using agreements intended to ensure uninterrupted delivery of services; using agreements intended to ensure community benefits; or
 - (v) Offering employees of a predecessor contractor rights of first refusal under a new contract.
- (2) Recipients and subrecipients may use the practices listed in paragraph (1) if consistent with the U.S. Constitution, applicable Federal statutes and regulations, the objectives and purposes of the applicable Federal financial assistance program, and other requirements of this part.

CODE OF CONDUCT

The local SFA must maintain a written code or standard of conduct that governs the performance of its officers, employees, or agents who are engaged in the award and administration of contracts supported by program funds. An example of a procurement plan that includes the required principles for the Code of Conduct begins on **page P-51**.

The following conduct will be expected of all persons who are engaged in the awarding and administration of contracts supported by the School Food and Nutrition Program Funds. These written standards of conduct include:

- A. No employee, officer, or agent of the (*SFA*) shall participate in the selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.
- B. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - 1. The employee, officer, or agent
 - 2. Any member of the immediate family
 - 3. His or her partner.
 - 4. An organization which employs or is about to employ one of the above
 - 5. A less-than-arm's-length transaction—this is one party's ability to control or influence the other party to the transaction. A less-than-arm's length transaction occurs:
 - When a transaction is conducted between related parties, meaning that the integrity of the transaction could be compromised.
 - When one party to the transaction is able to control or influence the actions of the other party.

Examples could include:

 - Hiring the CEO's brother as a janitor
 - Purchasing goods or services from a business owned by an officer, employee, or relative of the institution/sponsor's entity
 - Agreement for computer maintenance between a business and person(s) who are related to the institution/sponsor's employees or board members
- B. The (*SFA*) employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

- C. The purchase of any food or service from a contractor for individual use is prohibited.
- D. No item, food, or beverage purchased with nonprofit school food service funds will be removed from the school premises by school personnel.
- E. Penalties for violation of the standards of code of conduct of the (*SFA*) School Child Nutrition Program (CNP) should be:
 - 1. Reprimand by Board of Education
 - 2. Dismissal by Board of Education
 - 3. Any legal action necessary

PROTEST PROCEDURES

SFAs will have protest procedures (refer to **page P-62**) to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to the awarding agency. A protester must exhaust all administrative remedies with the SFA before pursuing a protest with a federal agency. Reviews of protests by the federal agency will be limited to:

- 1. Violations of federal law or regulations and the standard of 2 CFR 200.318(c)(1) (violations of state or local law will be under the jurisdiction of state or local authorities).
AND
- 2. Violations of the SFA's protest procedures for failure to review a complaint or protest. Protests received by the federal agency other than those specified above will be referred to the SFA

MINORITY FIRMS, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS

The SFA will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include:

- Placing qualified small, minority, and women's business enterprises on solicitation lists.
- Assuring that small, minority, and women's business enterprises are solicited whenever they are potential sources.
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises
- Establishing delivery schedules where the requirement permits, which encourage participation by small, minority, and women's business enterprises.
- Using the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency of the Department of Commerce.
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

BUY AMERICAN PROVISION

Buy American requires schools to purchase ninety percent (90%) of domestic agricultural commodities and food products annually. Schools participating in the federal school meal programs are required to purchase domestic commodities and products for school meals to the maximum extent practicable. A domestic commodity or product refers to an agricultural commodity produced in the US and a food product processed in the US that is substantially (at least 51 percent) made using agricultural commodities produced in the US. This definition of domestic product serves both the needs of schools and American agriculture. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are considered domestic products as these products are from the territories of the U.S. (Reference Memos SP-38-2017 and SP 23-2024)

- A. **Implementing the Buy American provision.** Any entity purchasing food or food products on behalf of the SFA **MUST** follow the same Buy American provisions and exceptions that an SFA is required to follow, must comply with the Buy American provision. All agricultural commodity or food product purchases made from the nonprofit school food service account are subject to the Buy American provision, subject to the limited exceptions implementation of this provision should be done by including **Buy American in documented procurement procedures such as the procurement plan, all procurement solicitations, and contracts including in bid specifications; and contract monitoring. Documentation is required from vendor(s) to ensure products purchased are American-grown or nondomestic unless listed on the Buy American Exemption list (USDA FAR list).**
- B. **Limited exceptions to the Buy American provision.** USDA allows for two exceptions to the Buy American provision. This allows for some foods purchased to not meeting the *domestic* standard as described (i.e., nondomestic) These exceptions, as determined by the SFA, are:
- The product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality and are placed on the domestically nonavailable FAR 25.104 list or known as the **Buy American Exemption list.**
 - OR**
 - Competitive bids reveal the costs of a U.S. product is significantly higher than the nondomestic product
1. **Cost.** If competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product, the SFA must, keep the **Buy American Justification form** as documentation justifying the exception. The justification form can be found on **page P-89.**
2. If a product is listed on the Federal Acquisitions Regulations Nonavailable articles list found at 48 CFR 25.104 or on the **OSDE Buy American Exemption**, these food items can be served but are required to be listed in the Buy American tracker. *A Buy American Justification form is not required to be maintained for food items on the exemption list.* The food items on these list are not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality. The current food items on the Buy American Exemption /the domestically nonavailable FAR 25.104 include:
- Bamboo shoots
 - Bananas
 - Beef, corned, canned
 - Beef extract
 - Brazil nuts, unroasted
 - Capers
 - Cashew nuts

- Chestnuts.
- Cocoa beans: Coconut and coconut meat, unsweetened, in shredded, desiccated, or similarly prepared form
- Grapefruit sections, canned
- Olive oil
- Olives (green), pitted or unpitted, or stuffed, in bulk
- Oranges, mandarin, canned
- Pineapple, canned
- Spices and herbs, in bulk
- Sugars, raw
- Tapioca flour and cassava
- Tea in bulk
- Thyme oil
- Vanilla beans
- Water chestnut.
- Yeast, active dry and instant active dry

C. ***How Buy American requirements apply to fish and fish products.*** Farmed fish must be harvested within the United States or any territory or possession of the United States, Wild caught fish must be harvested within the Exclusive Economic Zone which is no more than 200 nautical miles from the baseline of the territorial sea, adjacent to the 12 nautical mile territorial sea. It includes waters around the continental U.S., Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, and other territories or possessions where the U.S. exercises sovereignty, or by a United States flagged vessel.

D. FNS has defined a percentage of ***up to 10% of nondomestic foods that may be purchased annually.*** Before utilizing an exception, alternatives to purchasing nondomestic food products should be considered. For example, SFAs should ask:

- Are there other domestic sources for this product?
- Is there a domestic product that could be easily substituted if the nondomestic product is less expensive (e.g., substitute domestic pears for nondomestic apples)?
- Am I soliciting bids for this product at the best time of year? If I contracted earlier or later in the season, would prices and/or availability change?

E. ***USDA Buy American Tracker.*** The USDA tracker is required to be maintained annually to ensure only 10% of the items purchased are nondomestic. The ten percent is based on total annual cost of commercialized food. Each district is required to maintain the ***USDA Buy American Tracker*** to ensure compliance. For districts using a FSMC, the FSMC is required to keep this information. The amount listed in the Exemption Summary tab will match the Total Food Cost for each month that is listed in Section 6 of the Attachment M. ***The USDA Buy American Tracker can be found in Other Documents under the Interactive forms section. (Memo SP 23-2024a)***

Note: The USDA Buy American tracker is only for food purchased by the district from vendors. It does not include USDA Foods or Department of Defense (DoD).

F. ***The Buy American provision supports local and small business.*** Using food products from local sources supports local farmers and provides healthy choices for children in the school meal programs while supporting the local economy. Requiring compliance with the Buy American provision also supports SFAs working with local or small, minority, and women-owned businesses as required by federal regulations (see 2 CFR 200.321). FNS encourages purchasing food products from local and regional sources when expanding farm to school efforts.

GEOGRAPHIC PREFERENCE - BUYING LOCAL

CNP operators must use full and open competition in alignment with Federal Procurement Regulations at 2 CFR 200.319 when purchasing goods, including local foods, for Program meals and snacks. USDA encourage schools to purchase unprocessed, locally grown, and locally raised agricultural products to the maximum extent practicable and appropriate. The provision applies to all child nutrition programs as well as to purchases made for these programs by State agencies and USDA DoD Fresh. The final rule clarified the implementation of the geographic preference option for CNP operator be applied to “unprocessed locally grown or locally raised agricultural products,” and is defined in such a way as to allow for some minimal processing, food handling, and preservation techniques. District's are allowed to apply a geographic preference by using local (e.g., “locally grown”, “locally raised”, or “locally caught”) as a specification for local unprocessed agricultural products purchased for program meals, snacks, and milk. SFAs can require that an unprocessed agricultural product be locally grown, raised, or caught to meet the solicitation requirements and remove products or bids that do not meet this standard from consideration. Districts may continue to apply a geographic preference through additional points or credit during evaluation for local unprocessed agricultural products. To differentiate between the concept of a geographic preference option and the two strategies that may be used to implement it. Under the expanded geographic preference option, SFAs may choose to:

- Use local as a specification (i.e., the written description of a product or service that a vendor must meet to be considered responsive to a solicitation) for local unprocessed agricultural products. CNP operators may target local foods through technical requirements sometimes associated with locally grown, raised, or caught foods, when using the small purchase and formal procurement methods if they do not overly restrict competition. For example, CNP operators may require as part of their solicitation that products are delivered within a certain number of hours of harvest or certified organic, or that certain other services are offered, such as producer profiles or farm visits.;

Example: Oklahoma grown beef, Watermelon within 100 miles from the district, etc.

- Use a defined scoring advantage for local unprocessed agricultural products. CNP operators must define the amount of preference or credit awarded to unprocessed agricultural products;

OR a mixture of both options.

The updated regulations for the geographic preference option are found in 7 CFR §210.21(g) (1) and USDA Policy Memo SP 22-2024 and SP 11-25.)

Micropurchasing is the most common method of procurement when purchasing local. If the amount spent is more than \$10,000 per transaction. Small purchase or formal procurement must be used.

CONTRACT PROVISIONS—2 CFR §200 APPENDIX II

- (a.) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

- (b.) All contracts in excess of \$10,000 must address **termination for cause** and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- (c.) **Equal Employment Opportunity.** Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
- (d.) **Davis-Bacon Act**, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the **Copeland “Anti-Kickback” Act** (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- (e.) **Contract Work Hours and Safety Standards Act** (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- (f.) **Rights to Inventions Made Under a Contract or Agreement.** If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

- (g.) **Clean Air Act** (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- (h.) **Debarment and Suspension** (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- An SFA is prohibited from contracting with an individual or company that has been debarred or suspended in accordance with 2 CFR §180, as adopted and modified by USDA regulations at 2 CFR §417. This prohibition does not extend to contracts in existence at the time of the debarment or suspension or to most contracts under \$25,000. Rather, it applies to new contracts and extensions or renewals of existing contracts of \$25,000 or more and to contracts for audit services, regardless of amount.
 - To ensure that an SFA does not enter into a contract with a debarred or suspended company or individual, each SFA must obtain satisfaction that a Vendor or FSMC is neither excluded nor disqualified before doing business with the FSMC. The uniform federal suspension/debarment certification has been abolished, and the collection of paper certifications is no longer mandatory. New rules provide greater flexibility in meeting requirements. An SFA may meet the requirements by either of the two methods listed below:
 1. Checking the Excluded Parties List System. This is available on the Internet at **<https://www.SAM.gov>**
 2. Collecting a certification that the vendor or FSMC is neither excluded nor disqualified. Since a federal certification form is no longer available, an SFA may use the State agency prototype on **page P-94-95**.
- (i.) **Byrd Anti-Lobbying Amendment** (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- Lobbying certification must be obtained for procurement contracts of more than \$100,000. Any vendor whose contract award is for more than \$100,000 must complete a Certification Regarding Lobbying form located on **page P-91**. The SFA must keep this signed certification statement on file with a copy of the vendor’s contract.
 - Any SFA or its vendors who participate in lobbying activities must complete a Disclosure of Lobbying Activities form on **page P-92-93**. SFAs must submit this completed form to the State agency. A vendor would submit its completed form to the SFA.
- (j.) See § 200.323 **Procurement of recovered materials**

- (k.) See § 200.216 *Prohibition on certain telecommunications and video surveillance equipment or services.*
- (l.) See § 200.322 *Domestic preferences for procurements*
- (m.) **Buy American Provision** requires schools to purchase ninety percent (90%) of domestic agricultural commodities and food products annually. Schools participating in the federal school meal programs are required to purchase domestic commodities and products for school meals to the maximum extent practicable. Domestic commodity or product means an agricultural commodity that is produced in the US and a food product that is processed in the US substantially (at least 51 percent) using agricultural commodities that are produced in the US. This definition of domestic product serves both the needs of schools and American agriculture. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are considered domestic products as these products are from the territories of the U.S. (Reference 7 CFR 220.16(d), SP-38-2017, and SP 23-2024) **Vendor must supply documentation to ensure food purchased is purchased in Oklahoma.**
- (n.) **Oklahoma Non-Kickback Affidavit** under Oklahoma statute 62 O.S. §310.9 requires a signed and notarized nonkickback affidavit on every purchase order of \$25,000 or more. The affidavit is to be signed by the person or persons authorized to accept payment on behalf of the architect, contractor, engineer, or supplier. The undersigned (architect, contractor, supplier or engineer), of lawful age, being first duly sworn, on oath says that this contract is true and correct. Affiant further states that the (work, services or materials) will be (completed or supplied) in accordance with the plans, specifications, orders or requests furnished the affiant. Affiant further states that (s)he has made no payment directly or indirectly to any elected official, officer or employee of the State of Oklahoma, any county or local subdivision of the state, of money or any other thing of value to obtain or procure the contract or purchase order.

Located on **page P-88** is a sample Nonkickback Affidavit Form that should be used for purchases. Please note that Oklahoma statute 62 O.S. §310.9 requires a signed and notarized nonkickback affidavit on every purchase order of \$25,000 or more. The affidavit is to be signed by the person or persons authorized to accept payment on behalf of the architect, contractor, engineer, or supplier.

BEVERAGES AND SNACK AGREEMENTS

- A. Several questions have been raised regarding exclusive beverage and snack contracts. The following is a summary of existing regulatory requirements as they pertain to these contracts.
 - 1. In some cases, the exclusive contracts do not involve nonprofit school food service account (SFSA) funds, in which case there are no federal FNS procurement issues involved. However, if any nonprofit school food service products are purchased via the exclusive contract, then all federal procurement requirements must be met. If small purchase procedures are used for a procurement of \$250,000 or less, price or rate quotations must be obtained from an adequate number of qualified sources
 - 2. Additionally, if nonprofit school food service products are included in the contract, any rebates, commissions, scholarship fund contributions, or any other payments back to the SFA or SFA-related organizations must be reimbursed to the nonprofit SFSA on a prorated basis.
 - 3. Finally, since contracts can be multi-year, it should be noted that there is no federal prohibition on multi-year contracts other than for FSMCs. It is suggested school procurement officials consider the impact of multi-year contracts, as opposed to one-year contracts on beverages and

snacks. Long-term contracts would appear to be more appropriate for nonperishable products and services such as warehousing and equipment rental.

4. Public Law 108-265, Section 102, requires a school participating in the NSLP shall not directly or indirectly restrict the sale or marketing of fluid milk products by the school (or by a person approved by the school) at any time or any place on the school premises or at any school-sponsored event.
5. Schools participating in the NSLP must check all beverage contracts for language that may limit the sale of milk on school grounds. The sale of milk cannot be limited at any time during the school day or at any place on the school premises. Look for the term ***Exclusive Pouring Rights***. Make any amendments if necessary. This provision is to prevent contract limitations on the sale of fluid milk in competition with other beverages.

ESCALATION/DE-ESCALATION CLAUSE

- A. SFAs need to contemplate not only the need for including an economic price adjustment clause (an escalator/de-escalator clause) in their contracts, but also to carefully enforce the terms of the clause and demand price reductions when appropriate.
- B. A contract with an economic price adjustment is appropriate when:
 1. Contract performance will or may cover an extended period of time.
 2. There is serious doubt concerning the stability of market conditions during the period of the contract.
 3. Adjustment standards or indices agreed to are based on contingencies outside the contractor's control.
 4. Contingencies, such as increases in labor costs, that would otherwise be included in the contract price can be identified and covered separately in the contract.
- C. The economic price adjustments, which allow an SFA to adjust costs in the contract, must be tied to an appropriate standard or cost index. Relating the price adjustments in a contract to an index allows the SFA to ensure that increases under the contract are not without basis. For example, if fuel prices are increasing drastically, then an appropriate index—such as the Consumer Price Index (CPI)—will reflect this change.
- D. It is recommended that the escalation/de-escalation clause be tied to the *Consumer Price Index, Southwest Region* and be stated as such in the RFP/Contract. SFAs may then check the Web site at **<http://www.bls.gov/regions/southwest/cpi-summary>** to ensure prices are adjusted accordingly.
- E. As always, the terms of the economic price adjustment, including the appropriate standards or indices to which it will be tied, must be expressly identified in the original solicitation and contract documents. Additionally, as under any circumstances, the contract must be awarded to the lowest-priced, responsible, and responsive bidder.
- F. However, it is important to note that the SFA needs to decide whether it would like to include these in its contract; it is not the vendor's decision. Along the same lines, it is important to recognize that the SFA should be advised by the contractor when costs go up, but they will not necessarily notify the SFA when costs go down. Keep in mind that the economic price adjustment clause is intended not only to give vendors an option to increase their price for the SFA, ***but also*** for the SFA to demand

price reductions when appropriate. (Reference USDA Memo Code 2009-SP-10)

G. If the fixed cost (market price) fluctuates, every 30 days the fixed cost will increase or decrease by the same amount. This must be stated in the SFA's RFP/Contract

H. Rebates/Manufacturer Discount

1. If 25 percent of the products purchased are the vendor's brand, the SFA will receive a 1 percent rebate on the 25 percent of purchased products.
2. If the vendor receives an up-front manufacturer discount, the discount is automatically applied to the product before the product is priced for purchase. The invoice to the SFA is going to reflect the discount. The SFA may not be aware of the discounted price.

BONDING REQUIREMENTS

- A. *A performance bond on the part of the contractor for 100 percent of the contract price.* A *performance bond* is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- B. *A payment bond on the part of the contractor for 100 percent of the contract price.* A *payment bond* is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

METHODS OF PROCUREMENT AND SOLICITATION PROCESS

Informal Methods:

- A. **Micropurchasing**—The purchase of products and services (similar or dissimilar purchased once as a single, collective unit) whose *aggregate costs do not exceed \$10,000*.
1. Price comparisons are not required for micropurchases as long as the SFA considers the price to be reasonable. SFAs must maintain documentation of the reason they chose a particular vendor.
 2. Program operators *may not always purchase from only one source*; rather, purchases must regularly be made using available qualified sources to the extent practicable.
 3. If the aggregate cost of these items (that is, the total bill) does not exceed the micropurchase threshold, this transaction qualifies as a micropurchase under 2 CFR Part 200.320(a).
 4. The district can raise their micropurchasing threshold from \$10,000 up to \$50,000. However, in order to do so, program operators are responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and document procurement procedures. To increase the threshold: (Memo SP 02-2022 (Corrected))
 - (1) Program operators must self-certify.
 - (2) SFAs choosing to self-certify must prepare and include a justification for the choice. The self-certification must include a justification, clear indication of the threshold, and supporting documentation of any of the following:
 - (a) A qualification as a low-risk auditee, in accordance with the criteria in 2 CFR 200.520;
 - (b) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or

(c) For public institutions, a higher threshold consistent with State law.

- (3) ***The higher threshold must be approved by the State Agency and self-certified on an annually.***

Note: This can be used in times of supply chain issues. The district does not have to "spread the wealth," but consider the price to be reasonable based on research, experience, purchase history, or other information and documents it files accordingly. (2 CFR 200.320(a)(1)(ii))

B. Small Purchase Procedures—Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, goods, or equipment that do not cost more than the simplified acquisition ***threshold of \$250,000.*** (2 CFR 200.320[b])

1. When small purchase procedures are used, the following stipulations and terms must be considered:
 - a. The SFA can set a lower threshold than \$250,000. ***NOTE: If the SFA has a lower threshold, it must follow that amount.***
 - b. Price quotes shall be obtained from an adequate number of qualified sources. USDA defines an adequate number as two.
 - c. The goods, equipment, or services to be purchased must be adequately and consistently described for each prospective supplier so that each one can provide price quotes on the same merchandise or service. These specifications must be either verbal or written. Both must be documented.
 - (1) Send solicitation document and specifications by fax, e-mail, telephone, or deliver in person to at least two vendors.
 - (2) Responses from vendors can be either written or verbal form. Verbal quotes must be documented.
 - d. **Small purchase conditions and clauses.** The following list includes requirements, not exclusive, to be addressed in the solicitation document.
 - SFA is responsible for all contracts awarded (statement).
 - Date, time, and location of bid opening.
 - How vendor is to be informed of bid acceptance or rejection.
 - Delivery schedule.
 - Set forth requirements (terms and conditions) which bidder must fulfill in order for bid to be evaluated.
 - Contract Provisions per 2 CFR 200 Appendix II: ***See Page P-12 for the full statements.***
 - (a) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as may be appropriate (contracts more than the \$10,000 threshold).
 - (b) ***USDA Equal Opportunity*** information (contracts \$10,000 or more)
 - (c) Requiring ***Buy American*** as outlined in 7 CFR Part 210.21(d); specific instructions for prior approval of all of nondomestic product(s) (all contracts)
 - (d) ***Termination for Cause*** information (contracts \$10,000 or more)
 - (e) Statement assuring positive efforts will be made to involve small, minority, and women-owned businesses (all contracts)
 - (d) ***Beverage Agreement*** not allowing exclusive pouring rights
 - (f) ***Clean Water Act*** provision (contracts \$150,000 or more)
 - (g) ***Rights to Inventions Made Under a Contract or Agreement***, if applicable

- (h) **Contract Work Hours and Safety Standards Act** (contracts \$100,000 or more)
- (i) **Davis-Bacon and Copeland Nonkickback** Information (Construction contracts \$2,000 or more)
- (j) **Minority firms, women's business enterprises, and labor surplus area firms** statement

- **Forms required to be sent back with the bid from the vendor**

- Signed **Byrd Anti-Lobbying form** for contracts over \$100,000
- Signed **Oklahoma NonKickback Affidavit** for purchases orders over \$25,000

3. Awarding the Contract for Small Purchase

The district does not have to award the contract to the lowest bidder as long as they can justify why they are using the vendor selected.

- 4. Price quotation records must be retained three years plus the current year or until audit findings are resolved.

Formal Methods:

- C. **Formal procurement method** is required if the contract of bid is over \$250,000. There are two types of formal methods—a **sealed bid** or an **Invitation for Bid (IFB)** or a **Competitive Proposal** in the form of a **Request for Proposal (RFP)**. **Formal contracts are allowed to have up to four renewals if it is specified in the original contract.**

1. Difference in IFB and RFP

- a. **Invitation for Bid (IFB) or Sealed bid** is awarded solely on price and not other factors. Bids are solicited publicly and are typically fixed-price contracts.
- b. **Request for Proposal (RFP)** is awarded by considering other factors other than price. The most bid that is scored the highest with price being the main consideration wins the bid. Bids can be fixed-priced, cost reimbursable, or cost plus fee.

- (1) **Analysis of price**—The contract documents should clearly indicate factors to be considered in determining the price.

- **Transparency:** The contract documents must be clear about how the price will be established.
- **Price Reasonableness:** Contracting officers are required to establish price reasonableness.
- **Competition:** Adequate price competition is the normal way to establish price reasonableness.
- **Price Analysis:** The USDA may use price analysis techniques to assess a proposed price without evaluating the separate cost elements.
- **Cost Analysis:** They may also use cost analysis techniques, including verifying cost data and evaluating cost elements, to ensure a fair price.
- **Market Conditions and Factors:** The contracting officer should be aware of market prices for comparable goods and services and other relevant factors that affect price, such as speed of delivery, warranty, quantities ordered, etc.
- **Primary Evaluation Factor:** Cost is a primary factor in evaluating and scoring bids or proposals.

2. Bid Process for Invitation for Bid and Request for Proposals

a. **Advertising/Solicitation for IFB/RFP** (Reference 2 CFR 200.230(b))

1. **Invitation for Bid (IFB) or Sealed bids** must be publicly advertised such as in press releases, social media, or general information disseminated through various channels like a school website. Publishing in a newspaper is a best practice.
2. **Request for Proposal (RFP)** requires a public notice. A public notice must be published by a third party, such as a newspaper. It is permissible to also advertise on social media or the school website. *(a public notice must be archivable in different locations and formats, accessible to everyone, and verifiable, so the public knows they were not altered following publication)*
3. **Solicitations/Newspaper advertisements for IFB and RFP are to be announced for a minimum of two weeks and should contain:**
 - * General description.
 - * Deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed.
 - * Date of prebid meeting, if provided, and if attendance is a requirement for bid award.
 - * Deadline for submission of sealed bids or proposals.
 - * Address of location where complete specifications and bid forms may be obtained.
 - * Each vendor will be given an opportunity to bid on the same specifications.

Advertisement Example:

REQUEST FOR PROPOSALS: FOOD VENDOR
Request for Proposal for a cost-reimbursable contract for providing food and food-related items to the ABC School District. The RFP can be picked up at 123 Education Lane, Smarttown, OK 12345 or emailed any time between 8:00 am and 3:00 pm. Proposals are subject to all the conditions and specifications stated in the Request for Proposal and will be received at the address above and shall be marked on the envelope "Cafeteria Food Vendor, #100" Proposals will be received until March 15, 20XX for supplying ABC School Food Authority with food service management services during the 20XX-20XX school year. For more information, contact Ms. Smart at Smart@ABCschools.com.

- b. The IFB or RFP will clearly define the **purchase conditions and clauses**. The following list includes requirements, not exclusive, to be addressed in the procurement document.
- Contract period including renewals, if indicated in the original contract. *(The contract is a one year contract with up to four renewals).*
 - Type of Contract: **Fixed-priced, Cost Reimbursable, or Cost plus Fee**. See **page P-25-27**.
 - SFA is responsible for all contracts awarded (statement).
 - Date, time, and location of bid opening.
 - How vendor is to be informed of bid acceptance or rejection.
 - Delivery schedule.
 - State (terms and conditions) which bidder must fulfill in order for bid to be evaluated.
 - Benefits to which the SFA will be entitled if the contractor cannot or will not perform as required.
 - Statement regarding the return of purchase incentives, discounts, rebates, and credits to the

SFA's nonprofit Child Nutrition (CN) account.

- Contract provisions as required in 7 CFR Part 210.16(a)(f) for all cost reimbursement contracts.
- Contract provisions as required in Appendix II for 2 CFR Part 200. *See page 12 Item d* for the required provisions including the full statement.
- Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding.
- Price adjustment clause (escalation/de-escalation) based on appropriate standard or cost index (Consumer Price Index [CPI] or other as stated in terms and conditions for pricing and price adjustments).
- Method of evaluation and type of contract to be awarded (include points for RFP contracts)
- Method of award announcement and effective date (if intent to award is required by state or local procurement requirements).
- Specific bid protest procedures, including contact information of person and address and the date by which a written protest must be received.
- Provision requiring access by duly authorized representatives of the SFA, the State Department of Education (the *State Agency*), United States Department of Agriculture (USDA), or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts.
- Method of shipment or delivery upon contract award.
- Description of process for enabling vendors to receive or pick up orders upon contract award.
- **Contract Provisions per 2 CFR 200 Appendix II: See Page P-12 for the full statements.**
 - (a) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as may be appropriate (contracts more than the \$10,000 threshold).
 - (b) **USDA Equal Opportunity** information (contracts \$10,000 or more).
 - (c) Requiring **Buy American** as outlined in 7 CFR Part 210.21(d); specific instructions for prior approval of all of nondomestic product(s) (all contracts).
 - (d) **Termination for Cause** information (contracts \$10,000 or more).
 - (e) Statement assuring positive efforts will be made to involve small, minority, and women-owned businesses (all contracts).
 - (d) **Beverage Agreement** not allowing exclusive pouring rights.
 - (f) **Clean Water Act** provision (contracts \$150,000 or more).
 - (g) **Rights to Inventions Made Under a Contract or Agreement**, if applicable.
 - (h) **Contract Work Hours and Safety Standards Act** (contracts \$100,000 or more).
 - (i) **Davis-Bacon and Copeland Nonkickback** Information (Construction contracts \$2,000 or more).
 - (j) **Minority firms, women's business enterprises, and labor surplus area firms** statement.
- **Forms required to be sent back with the bid from the vendor**
 - * Signed statement of noncollusion (all contracts using the formal method).
 - * Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS) for all contracts using the formal method.
 - * Signed Byrd Anti-Lobbying form for contracts over \$100,000.
 - * Signed Oklahoma NonKickback Affidavit for purchases orders over \$25,000.

- c. Specifications and estimated quantities of products and services prepared by SFA and provided to potential contractors desiring to submit bids/proposals for the products or services requested. Example of Specifications is located on **page P-30-31**.

- (1) A developer or vendor writing specifications or descriptions for procurements will be **PROHIBITED** from submitting bids or proposals for such products or services.
- (2) If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by the district by the date specified.

e. **Formal Contract Renewals** —The contract between the SFA and the vendor using formal procurement shall be of a duration no longer than one year, and options for the yearly renewal of a contract may not exceed four additional one-year extensions. In order to renew the contract, it must state it in the original contract.

- If the changes made to the original contract will be over \$150,000, this would result in a material change amount. If the district thinks it will go over \$150,000, the contract would need to be rebid.

f. The district will be responsible for securing all bids or proposals.

g. The district will be responsible to ensure all SFA procurements are conducted in compliance with applicable federal, state, and local procurement regulations.

5. Awarding the Bid for Invitation for Bid (IFB) and Request for Proposal (RFP)

a. **Bid Openings —Invitation for Bid (IFB) or Sealed Bids**

On the date established for opening the bid, the person responsible for receiving the proposals must safeguard them in order to prevent unauthorized disclosures. The proposal opening requires a sign-in sheet to document the persons present at the opening. All bids will be opened on the date and time indicated on the IFB. **The bid with the lowest price automatically wins the bid.**

- All procurement documentation is to maintain all required records for **THREE** years after final payment and current year records.

b. **Contract Clauses, Provisions, and Forms to be Included in Formal Solicitation** (2 CFR 200 Appendix II) These provisions are to be in solicitations of a certain amount. Each clause has a dollar amount tied to it. If you will be spending this amount or more for with the vendor selected, the provision is required to be in the solicitation.

c. **Bid Openings and Evaluations—Request for Proposal (RFP)**

On the date established for opening the proposals, each member of the evaluation team should score each proposal independently. If the RFP allows alternative proposals, care must be taken to ensure the offerer's alternatives address the basic guidelines established in the RFP.

It is imperative that proposal openings and evaluations be conducted fairly. Inconsistent actions by the individuals responsible for this component of procurement can result in proposal protests or legal action. In awarding a competitive negotiation (RFP), a set of

award criterion in the form of a weighted evaluation sheet will be provided to each bidder in the original RFP. Price alone is not the sole basis for award, but remains the primary consideration when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.

- (1) **Proposal opening and evaluation**—The person responsible for receiving the proposals must safeguard them in order to prevent unauthorized disclosures. The proposal opening requires a sign-in sheet to document the persons present at the opening.

On the date established for opening the proposals, each member of the evaluation team should score each proposal independently. If the RFP allows alternative proposals, care must be taken to ensure the offerer’s alternatives address the basic guidelines established in the RFP. ***The opening date and evaluating date do not have to be on the same day.***

- (a) Proposals should not be compared to one another.
- (b) Proposals that fail to address all requirements are unresponsive and cannot receive further consideration.
- (c) The team members should be instructed to use a pass-or-fail basis for eliminating unresponsive proposals and then use the preestablished scoring system for evaluating the responsive proposals.
- (d) It is required to sign the bid tabulation of the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.

- (2) **Evaluating RFP Proposals**—Proposals should be thoroughly reviewed and subjected to an impartial evaluation. An evaluation plan should be prepared prior to the receipt of any proposals. ***(The district can create their own evaluation form, use the electronic one in Other Documents, or use the form found on page P-86-87)***

- (a) **Information on evaluation team**—A committee of 3-5 people will evaluate all Request for Proposals. The committee members should be determined prior to the date the proposals are due.
- (b) **Evaluating the Proposals**—An RFP is awarded by the using a rubric. The district will create criteria or can use criteria created by OSDE as shown below. The weighted amount the district will use to score must be submitted in the original RFP. This way the vendors bidding on the contract will know what is important to the district. ***Price is the primary factor and MUST have the most points awarded.***

NOTE: The SFA may delete or add criteria to the list on the following page.

Evaluation Sample: an electronic evaluation form can be found in Other Documents under the Procurement section. ***The district weight must be worth 100 total points.*** ***(The district does not have to award points for all areas listed. This can be used as a guide or example)***

Weight	Criteria
(____) points	Price (*Note: most points must be awarded to price)
(____) points	A Variety of Food Items that Meet CNP Requirements
(____) points	Quality
(____) points	Products with a CN Label or a Product Formulation Statement
(____) points	Ordering System
(____) points	Customer Service
(____) points	_____
(____) points	_____
(____) points	_____

100 Total Points

- (c) **Scoring the Proposals—Proposals will be evaluated individually by the selected committee** against the criteria the district has determined with assigned weights. All individual scores will be added together to make the group score. Awards will be made to the responsible firm whose proposal is the most advantageous to the program. Reference 2 CFR 200.320[d][4].). An example of evaluation scoring can be found in Other Documents in the Procurement section or on **page P-84-87**. An interactive version is located in Other Documents under the Procurement section.

The individuals in the committee that will be evaluating the proposals should have sufficient knowledge of the goals of the SFA, experience in school food service or congregate feeding, financial management experience (of food service, if possible), and experience in evaluating proposals. It is recommended that the SFA invite the State agency to attend the evaluation of the proposals.

- Someone at the district is responsible for reviewing the procurement system to ensure compliance with applicable laws.
- Someone at the district is responsible for documenting the actual products specified in the RFP has been received.
- Anytime an item is not available, the district will select an acceptable alternate. The contractor must inform the responsible person at the district by the time and date specified when a product is not available. In the event a nondomestic agricultural product is to be provided to the SFA, the contractor must obtain, in advance, the written approval of the product.
- Full documentation as to the reason an accepted item was unavailable, and to the procedure used in determining acceptable alternates.
- One or a group of individuals at the district are responsible for maintaining all procurement documentation.

- (d) **Selecting the Winner of the Bid** —The contract will be awarded to the responsible bidder/proposer whose **proposal that received the highest score per the group win the bid**. Any and all bids or proposals may be rejected in accordance with the law.

- (e) All procurement documentation is required to maintain. Current year records and previous **THREE** years records are to be maintained after final payment and all other pending matters (audits) are closed for all negotiated contracts

- d. **Formal Contract Renewals for IFB and RFP** —Any approved contracts (except those for food service management companies [FSMCs] and state contracts) may be renewed year after year if the language in the RFP addresses renewals. The contract between the SFA and the vendor using formal procurement shall be of a duration no longer than one year, and options for the yearly renewal of a contract may not exceed four additional one-year extensions.

1. The renewal contract should be in writing each year. It should including price/fee increase or decrease provisions, if any, and must be stated in the contract and the RFP as appropriate. Any other changes to the contract should be included in the renewal agreement and signed by both parties. If the changes made to the contract that is over \$150,000, this would be considered a material change amount. This would require the district to rebid should be in writing each year. It should including price/fee increase or decrease provisions, if any, and

must be stated in the contract and the RFP as appropriate. Any other changes to the contract should be included in the renewal agreement and signed by both parties. If the changes made to the contract are over \$150,000 would result in going over the material change amount. This would require the district to rebid.

- D. **Material/Substantive changes of \$150,000 or more to the original contract** will require rebidding the contract. First, changes that must be initiated as a result of new services being desired by the SFA that are beyond the scope of the original contract. Second includes those changes, though within the scope of the contract, that substantially change the value, terms, or conditions of the existing contract.

When an SFA identifies a new service to be acquired that is beyond the scope or original intent of the contract, a separate solicitation that allows for full and open competition from all qualified bidders would be needed for the new service desired.

Examples: Adding a new services or increasing a bid include catering items, à la carte sales, vended meals, convenience stores, vending machines, concessions, the SFSP, and the ASSP. If any of these new services are to operate in a facility participating in the NSLP, SBP, or SMP, then the entire contract for school food service would need to be rebid. Exceptions to the process of conducting a formal competitive procurement are allowable if the original RFP requested, and the contract provided for, the priced option(s) to implement the added service(s).

- E. **Noncompetitive Proposals**— Noncompetitive proposals may be utilized in emergency situations when time does not permit conducting a formal competitive procurement and the current contractor has all the capabilities necessary to perform the new service. Procurement by **noncompetitive proposals** is procurement if: solicitation of a proposal from only one source; or after a solicitation of a number of sources, competition is determined inadequate.

1. Noncompetitive proposals may be used when (2 CFR 200.320[r]):

- a. Award of the contract is not feasible under small purchase procedures, sealed bids, or competitive proposals **and at least one of the following circumstances apply:**
 - (1) The item is available only from a single source.
 - (2) Emergency circumstances will not permit a delay resulting in competitive solicitation.
 - (3) Competition is determined to be inadequate after solicitation of a number of sources.
 - (4) Awarding agency authorizes noncompetitive proposals.

b. The SFA must get State agency approval for all noncompetitive proposals.

TYPES OF CONTRACTS

(See the following page for more information on contract awards)

A. Fixed Priced or Fixed Fee

- B. **Cost Reimbursable** is when the buyer covers all costs incurred by the seller, including labor, materials, and overhead.

- **Rebates and Discounts:** all cost reimbursable contracts (including contracts with cost reimbursable provisions) require provisions which limit the use of the nonprofit school food service account to pay only for allowable costs – those costs net of all discounts, rebates and other applicable credits; (Reference 7 CFR 210.21(f), 215.14a(d), and 220.16(e))

C. **Cost Plus Fixed Fee** is the buyer pays the seller's costs, plus a fixed fee or a fee based on a percentage of those costs, to cover the seller's profit and overhead.

D. **Cost plus a percentage of cost and percentage of cost methods of contracting is *PROHIBITED*.**

E. Contract Cost and Price (2 CFR §200.324)—Applies to formal methods

1. The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.
2. The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
3. Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.
4. The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.
5. The SFA must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Type of Contracts—Advantages and Disadvantages Summary	
Type of Contract	Advantages and Disadvantages
Fixed Price and Fixed Fee Price	Protects against escalating costs
	Provides a stated price
	No upward or downward adjustment for the duration of the contract, including all renewal periods
	Firm prices and do not change
	Price will generally be higher
	Provides maximum incentives for vendor efficiency
	Least administrative burden on the contracting parties
	Competitive sealed solicitations (i.e., IFB) must result in a fixed price contract
	May contain an economic price adjustment tied to an appropriate index
Cost Reimbursable	Reimburses the vendor for costs under the contract
	Does not provide for any other payment
	Allowable costs will be paid from the nonprofit school nutrition account to the vendor net of all discounts, rebates, and other applicable credits accruing to or received by the vendor
	Requires vendors to provide sufficient information to permit the SFA to identify allowable and unallowable costs and the amount of all such discounts, rebates, and credits on invoices and bills presented for payment to the SFA; vendor required to identify those costs
	Use when uncertainties involved in a contract's performance will not allow costs to be estimated with enough accuracy to use fixed contract pricing
	Frequently occur in the SNP as cost plus fixed fee contracts
	Must require the return of rebates, discounts, and other applicable credits
	Must include provisions
	SFA can only pay allowable costs
	Documentation of these costs and discounts, rebates, and other applicable credits will be required to be available for review by the SFA, State agency, or Food and Nutrition Service (FNS)
	Failure to comply with program regulations could require a district to utilize General Funds to cover some or all of the costs of the contract
Cost PlusFixed Fee	Provides for the reimbursement of allowable costs plus the payment of a fixed fee to the vendor
	Use when market conditions are such vendors are unwilling to commit to a fixed price for an extended period
	Provides for upward and downward revision of the stated contract price upon the occurrence of specified occurrence of specified contingencies (i.e., cost indexes of labor or material)
	Must be specifically identified
	Fees are clearly defined in the contract and incidentals, such as promotion allowances, cash discounts, label allowances, rebates, applicable credits, and freight rates
	Fees discussed and agreed upon before signing the contract
	Clearly state that price adjustments should reflect both increases and decreases (e.g., fuel prices drastically increase price goes up and when fuel prices decrease price goes down)
	RFPs can result in either a fixed price or cost reimbursable contract
	Vendor provides supporting documentation for auditing purposes upon request from the SFA staff
	Cost must be adequately documented for the vendor to receive reimbursement
	Includes fees that are fixed, documented, and cannot fluctuate based on volume
	Fixed fee component of the cost plus fixed fee contract does not represent the costs associated with the item and/or service being purchased. The fixed fee component of the cost plus fixed fee represents the vendor's related costs (i.e., storage and distribution, delivery of the products, and the vendor's profit for performing the services).
	Provisions for changes to the fixed fee component must be identified in both the solicitation and the contract
	Provides the vendor with only minimum incentives to control costs
	Work required presents too great a risk to vendor

SOLICITATION TYPES AND AWARDING THE BID

- A..Awarding by line item—Bid is awarded by each product separately to the lowest bidder.
- B. Awarding by bottom line—Bidder with lowest price receives award based on ***TOTAL*** price when all items are combined.
- C. Awarding prime vendor—When 80 percent or more of food is purchased from one source.
(*This is the most common method in small districts*)

Solicitation Types and Advantages and Disadvantages

Type of Solicitation	Advantages	Disadvantages
Line Item Bid	• Best price for an individual item	• Many suppliers • Need to remember what products are purchased from each supplier • Vendor may only be awarded one item • May not be able to meet distributor minimums for deliveries • May limit the number of responding vendors • May actually cost you more in the long run
Market Basket/ Product Groupings Solicitation	• Allows more vendors • Volumes for the entire lot tend to be large so pricing is strong • Limits the total number of suppliers to a manageable level • Provides opportunity to purchase specialty items	• Some suppliers may not be able to supply all the items in a lot • Some lots may not be a large enough volume to warrant sufficient competition
Prime Vendor (All or Nothing)	• District only deals with one supplier • Orders are placed, delivered, and invoiced with one supplier	• Some items may cost more since they are mixed together with the calculations for all products • May limit the number of responding vendors • May limit the availability of specific brands

STRATEGIES IN DEVELOPMENT OF SPECIFICATIONS

- A. Writing specifications may be the most challenging and important step in the purchasing process. The primary objective of good specification writing is to assure the acquisition of what you want and need. A ***planned menu*** is the starting point in which to make decisions regarding what to purchase. ***Do not accept price printouts from the vendor (these are NOT specifications).***
- C. Specifications are sent with the district's solicitation. The items listed are the exact items the district wants to purchase. This ensures each vendor is bidding on the exact same item to give you accurate pricing.
- B. Consider the following questions when developing specifications:
1. Is the item readily available?
 2. Is the price affordable?
 3. Has acceptability been determined?
 4. What type of product will meet the need?
- C. Specifications should be:
1. Simple, but precise.
 2. Identified with terms used in the marketplace; i.e., size, count, diameter, grade (quality), pack.
 3. Capable of being met by several bidders.
 4. Clear and understandable.
 5. Include the item descriptions, product specification, pack size, bid unit, estimated quantity, unit price, and CN label.
It is ***UNALLOWABLE*** to specifying only a ***brand name*** product instead of allowing ***an equal*** product to be offered.
 6. Use local as a specification (i.e., the written description of a product or service that a vendor must meet to be considered responsive to a solicitation) for local unprocessed agricultural products. CNP operators may target local foods through technical requirements sometimes associated with locally grown, raised, or caught foods, when using the small purchase and formal procurement methods if they do not overly restrict competition. For example, CNP operators may require as part of their solicitation that products are delivered within a certain number of hours of harvest or certified organic, or that certain other services are offered, such as producer profiles or farm visits.;
Example: Oklahoma grown beef, Watermelon within 100 miles from the district, etc.

See the following pages for examples of specifications.

SPECIFICATION EXAMPLES Page 1 of 2						
Item Description	Product Specification	Pack Size	Bid Unit	Est Quantity	Unit Price	Comments
Apples, fresh	125-138 Count	40 pound	Box			
Applesauce, canned	Smooth	6/10	Case			
Peaches, canned	Halves in Natural Juices	6/10	Case			
Pears, canned	Diced in Light Syrup	6/10	Case			
Pineapple, canned	Chunks in Natural Juices	6/10	Case			
Pineapple, canned	Slices packed in Natural Juices	6/10	Case			
Beans, green canned	Cut in low sodium	6/10	Case			
Peas, black-eyed, dry, canned	Cooked with seasoning, brand like Allen's, low sodium	6/10	Case			
Beans, Pinto, dry	Private label	10 Pound	Bag			
Carrots, canned	Sliced in low sodium	6/10	Case			
Corn, canned	Cream Style	6/10	Case			
Potatoes, French-fries, frozen	Oven-ready, crinkle-cut, approved brands equivalent to: ABC Foods A-103, DEF Foods X502, Pots R29	6/10	Case			
Potatoes, dehydrated	Granules, low moisture	10 Pound Box	Case			
Tomatoes, canned	Peeled, diced, low sodium	6/10	Case			
Muffins, banana nut	Whole grain-rich. 2oz minimum. 4oz maximum	Individually wrapped	Case			
Waffle, frozen	Waffle, frozen, plain, round, whole grain-rich. Poly pouch packed	144 count	Case			
Pasta: egg noodles	Whole grain-rich, flat ribbon shape, medium width.	10-lb box	Pound			

EXAMPLE ONLY

SPECIFICATION EXAMPLES Page 2 of 2						
Item Description	Product Specification	Pack Size	Bid Unit	Est Quantity	Unit Price	Comments
Pasta: spaghetti	Made from whole grain-rich semolina and durum wheat flour, 10 lb only	10-lb box	Pound			
Ground Beef, frozen	80/20	10-lb roll	Case			
Bologna, turkey	Sliced - each slice to weigh 1 oz; no binders, extenders, fillers; CN label required,	12-lb bulk	Pound			
Cheese, mozzarella,	Shredded, part-skim milk, lower sodium	6/5 lb	Case			
Chicken nuggets, breaded, frozen	Boneless chicken breast patty nugget, whole grain-rich bread-ing. Maximum 6 nuggets, minimum 5 nuggets, fully cooked. CN label required	Please specify portions	Case			
Ham, water added	Fully cooked, boneless, smoked and cured. ham and water product, maximum 35%.	8/10 lb packages	2/Case			
Hot dogs, frozen	Frankfurters, frozen, no binders, extenders, or fillers; CN label required OR all beef	8 franks per pound	80 per Case			

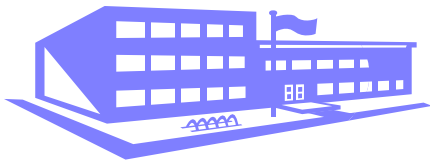
EXAMPLE ONLY

SPECIFICATIONS

Item Description	Product Specification	Pack Size	Bid Unit	Estimated Quantity	Unit Price	Comments

SOLICITATION DOCUMENT

- A. Solicitation Document is cover letter (solicitation announcement) that should always be included when soliciting to vendors. This ensures the district meets USDA regulations by including the required provisions. Solicitation documentation is to be sent out to those utilizing small purchase and formal purchase procedures. The solicitation document should include:
1. Institution letterhead
 2. Date of letter
 3. Copy of specifications
 4. A method of response
 5. The method of evaluation
 6. The method of acceptance of successful responses
 7. Deadline for bid
 8. Bid/price quote contract period
 9. Delivery times and places
 10. HACCP compliance requirement
 11. Ordering procedures
 12. Substitutions and shortages
 13. Special conditions (i.e., Nutrition Facts labels)
 - 14 . Termination for cause
 15. Buy American Provision
 16. Minority Firms, Women's Business Enterprises, and Labor Surplus Area Firms statement
 - 17 . Geographic preference, if applicable



MODINE PUBLIC SCHOOLS
1234 MODINE AVENUE
MODINE, OKLAHOMA 00000

EXAMPLE OF A SOLICITATION ANNOUNCEMENT

February 13, 20XX

Modine Public Schools announces the opportunity for responsible bidders from the food industry to respond to the attached food specifications valid for the period of **July 1, 20XX**, to **May 30, 20XX**. All bidders wishing to respond to this bid period must do so by **2 p.m., April 15, 20XX**, at the Education Service Center at the above address or emailed to Cafeteria.Manager@modine.org.

No other format for the bid response other than the attached specification forms will be accepted. Responses will be evaluated based on the following criteria:

- Best price
- Meeting food descriptions
- Quantity availability
- Past history, if applicable
- Quality of food
- Meeting delivery requirements

Vendors will be expected to ensure that deliveries to Modine Public Schools will be dropped at 1234 Modine Avenue on Mondays and Thursdays between the hours of 1 to 3 p.m. Delivery trucks and product drops must be HACCP-compliant. Sales staff will provide on-site, phone, or e-mail/online ordering methods with e-mail/online confirmation of orders. Any vendors making substitutions of product must contact the district for approval before a substitution can be made.

Nutrition Facts information or Nutrition Facts labels must be provided on all products along with any applicable child nutrition labels or product formulation statements. **If substitutions are necessary, the vendor must contact the district for approval before the delivery is made.**

If food vendor does not meet quality standards, delivering unapproved substitutions, or violating terms. Modine will reach out to the vendor to rectify any inconsistencies. If the issues are not resolved after seven times, Modine may terminate the agreement for cause.

BUY AMERICAN PROVISION

Section 104(d) amended Section 12(n) of the National School Lunch Act (NSLA) (42 U.S.C. 1760) requires SFAs participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) **to purchase 90% of food items grown and processed in the United States.** The term domestic food commodity or product means agricultural USA Foods produced in the United States **SUBSTANTIALLY** using agricultural USDA that are produced and processed in the USA. **Each food item must be 51% of the American grown and processed. Documentation is required to ensure products purchased are grown in the United States.**

Modine Public Schools reserves the right to accept or reject any part, or all, of the bid you submit. If all criteria contained within this document are met, successful bidders will be considered. **Modine PS will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.**

Bids will be evaluated on a *per Market Basket* and will awarded on May 5, 20XX. All bidders will be notified in writing. Modine Public Schools reserves the right to terminate a vendor who is awarded business but does not follow through with the above requirements.

This institution is an equal opportunity provider.

SELECTING THE BID WINNER

Full and open competition is achieved when potential bidders/offers receive all information necessary to respond properly to a solicitation; and responses are accurately evaluated for contract award. Contracts must be awarded to the responsive and responsible bidder/offers whose bid/proposal is lowest or most advantageous to the program with price and other factors considered of which cost/price must be primary.

Bids cannot be opened until the date stated in the solicitation by the district. Formal procurement methods require a time when the bids will be opened.

Vendors submitting a bid solicited as small purchase or sealed bids are stating they are responsive and responsible.

Responsiveness: The bidder must adhere to all the terms and conditions in the solicitation or contract.

Responsibility: The bidder must demonstrate the ability to perform all aspects of the contract,

Small Purchase:

Contracts must be awarded to the responsive and responsible bidder/offers whose bid/proposal is lowest or most advantageous to the program with price and other factors considered of which cost/price must be primary.

The vendor selected does not have to be the one with the lowest price. However, it has to be justified why the vendor was selected over the one with the lowest price.

Invitation for Bid (IFB or Sealed Bid): Bids are solicited publicly and are typically fixed-price contracts.

- The primary consideration is cost, and the expectation is to receive competitive bids.
- The contract is awarded to the lowest responsive and responsible bidder.
- Bids are publicly opened and read.
- The agency reviews the low bid to ensure it is responsive and that the bidder is responsible.
- A contract award is then made in writing.

Request for Proposal (RFP):

The award is the bidder offering the most advantageous proposal, which is the bidder with the highest group evaluation score.

Evaluation of Proposals: A committee evaluates proposals based on the criteria outlined in the RFP, ensuring they meet the minimum requirements.

Scorecard and Shortlisting Proposals are scored using a matrix, and the best-suited responses are shortlisted.

Negotiations (an option if it is notated in the RFP): The issuing organization may conduct negotiations with the top-rated bidders to refine details and secure the best possible terms.

Final Selection and Award: The winning bidder is selected, and the contract is awarded, often in the form of a written acceptance of the bid.

Notification: The selected vendor is to be notified, and unsuccessful bidders are informed of the decision

Rejection of Bids: Any or all bids can be rejected if there is a sound, documented reason. Bids that are received **AFTER** the date and time indicated in the solicitation and advertisement are not considered responsive and are to be thrown out.

Unallowable Procurement Practices

- Allowing a potential contractor to write the bid or proposal terms, product specifications, procurement procedures, or contract terms.
- Placing unreasonable requirements on firms.

- Allowing a potential contractor to evaluate bids or proposals submitted by competitors.
- Delegating bid/proposal acceptance or recommendation for acceptance to a potential contractor competing on the procurement.
- Allowing a potential contractor access to sealed bid information before the bids are publicly opened.
- Disclosing the content of proposal offers submitted by others to a potential supplier prior to the supplier submitting an offer.
- Negotiating under the formal advertising method (sealed bid) of procurement.
- Accepting non-responsive bids or offers.

Solicitation Documentation to be maintained:

- Document the entire procurement process information.
- Keep on record all occasions you reached out or contacted vendors.
- Keep all quotes or rates received.
- Notate the dates bids were received.
- Ensure the documentation indicates quantity of goods or frequency of services.

USDA FOODS

1. Coordination Between the SFA and DHS

The SFA must coordinate with the DHS to ensure that processors providing food products to its commercial distributor have a state processing or participation agreement with the DHS. Multistate processors must also have a National Processing Agreement with the Food and Nutrition Service (FNS). The SFA may only order USDA Foods for delivery to processors that have such agreements in place. The SFA must also verify with DHS the types of approved end products, the quantity of end products that it is eligible to receive, and the value of USDA Foods contained in the end products. DHS must ensure that the SFA is aware of any restrictions in the state processing or participation agreement relating to approved end products or methods of end product sales, or other provisions. Such restrictions must be included in the SFA's solicitation for the services of a commercial distributor.

2. Coordination Between the Distributor and Processor

The distributor and processor should collaborate closely to ensure that processed end products are provided only to SFAs eligible to receive them. In many cases, end products will be identical to commercial products; i.e., the commercial products meet substitution requirements in 7 CFR §250.30(f) and grading requirements in 7 CFR §250.30(g) for the processing of USDA Foods. In such cases, the distributor may commingle commercial food products and end products at its facility and sell such commingled food products to any of its customers. Sales of such food products to the SFA must ensure provision of credit for the value of USDA Foods for the quantity of end products that the SFA is eligible to receive. However, for end products produced from non-substitutable USDA Foods (i.e., beef and pork), the distributor must ensure that only the SFA receives such end products.

The distributor must notify the processor of its sales of end products to the SFA in a timely manner so that the processor may report such sales and reductions of donated food inventories to DHS in its monthly performance reports. Such notification may be provided by electronic means; e.g., through sales velocity reports or other automated sales reports.

3. ***Soliciting Bids From Commercial Distributors for End Products/Commodity Processing/Diverted Commodities (Reference USDA Policy Memo FD-119-2012)***

In most cases, SFAs solicit bids for procurement of commercial food products from commercial distributors and, in a separate solicitation, solicit bids for procurement of end products from processors, even when identical food products are sold commercially through distributors.

In instances where the services of a processor have already been procured by a commercial distributor in accordance with federal procurement requirements, the SFA may solicit bids from that commercial distributor to procure both commercial food products and end products as long as the solicitation and resulting contract clearly address the specific requirements relating to end products. In the solicitation, the SFA must provide for the following:

- a. End products must be obtained from a processor that has a state processing agreement (or state participation agreement, as appropriate) with the state distributing agency (Department of Human Services—DHS).
- b. Only end products with approved end product data schedules, and that meet substitution and grading requirements in 7 CFR §250.30, may be provided.

- c. The SFA must receive credit for the value of the USDA Foods contained in the end products, either through a discount from the gross case price or a refund or rebate after the sale of the end product.
- d. The distributor must collaborate with the processor to ensure that the SFA is an eligible recipient of end products and to ascertain the quantity of end products, or the value of donated food, for which the SFA is eligible.
- e. The distributor must provide notification to the processor of end product sales so that the appropriate inventory draw-down may occur.

DoD Purchases (Department of Defense Purchases)

USDA has clarified how SFAs may use funds provided under Sections 4 and 11 or 19 of the National School Lunch Act (NSLA), 42 U.S.C. 1751, to purchase fresh fruits and vegetables from DoD Fresh Fruit and Vegetable Program (DoD Fresh) vendors.

SFAs may not contract with individual vendors non-competitively to purchase products using Sections 4 and 11 or FFVP funds, even if the same vendors already provide the SFA with product through DoD Fresh using Section 6 funds. Rather, SFAs must meet the competition requirements in 2 CFR 200.319(a). These regulations require SFAs to conduct either an informal or formal procurement, depending on whether the estimated value of the purchase is above or below the most restrictive applicable small purchase threshold (federal, state, or local). In conducting the procurement, it is permissible for SFAs to include vendors who provide services through DoD Fresh when soliciting bids. After evaluating all bids, if the SFA determines that the DoD Fresh vendor's bid is the winning submission, the SFA must directly contract with the vendor as it would any other commercial procurement. It is not permissible for SFAs to place orders through DoD's FFAVORS system for any purchases, either formally or informally, to be paid with Sections 4 and 11 or FFVP funds. SFAs that are currently using FFAVORS for purchases paid for with Sections 4 and 11 or FFVP funds will no longer be able to do so. (Reference USDA Memo SP-25-2014)

- * Section 4 funds are the SFA's reimbursements for the paid meals and Section 11 funds are the SFA's reimbursements for the free and reduced-price meals.

FARM-TO-SCHOOL

SFAs may purchase food from local farmers or farmer's markets. Farm-to-School ***encourage institutions participating in the NSLP and SBP to purchase locally produced foods to the maximum extent practicable.*** USDA allows geographic preference when procuring unprocessed locally grown or locally raised agricultural products. Geographic preference may be applied to unprocessed agricultural products which are locally grown and locally raised and that have not been cooked, seasoned, frozen, canned, or combined with any other products. If an SFA is interested in Farm to School, contact **Alex Cox** with the Oklahoma Department of Agriculture, Food, & Forestry at **alex.cox@ag.ok.gov** or **405-522-6768**. (Reference USDA Policy Memo SP-30-2008, SP-06-2015, and SP-07-2016)

A. Inspections and Licensing

1. Donated: Produce From an Individual Farmer

The Oklahoma State Department of Health does **NOT** require any type of inspection or licensing as long as the food items are purchased or donated directly from ***an individual farmer*** and are whole and intact (not processed). If purchased, federal procurement procedures must be followed. In addition, the food item purchased or donated must not be considered a ***potentially hazardous food*** as defined by Oklahoma State Department of Health Food Service Establishment Regulations, Chapter 257. ***Potentially hazardous food*** means a food that is natural or synthetic and requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms, the growth and toxic production of ***Clostridium botulinum***, or, in raw shell eggs, the growth of ***Salmonella enteritidis***. Potentially hazardous foods include, but are not limited to, animal foods (a food of animal origin) that is raw or heat-treated, a food of plant origin that is heat-treated or consists of raw seed sprouts, cut melons, and garlic and oil mixtures that are not modified in a way that results in mixtures that do not support growth. Potentially hazardous food does not include air-cooled hard-boiled eggs with the shell intact; a food with a water activity of 0.85 or less; a food with a pH level of 4.6 or below when measured at 75°F; a food in an unopened, hermetically sealed container; a food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or the growth of ***S. enteritidis*** or ***C. botulinum*** cannot occur; or a food that may contain infectious or toxigenic microorganisms or chemical or physical contaminants at a level sufficient to cause illness, but that does not support the rapid and progressive growth of infectious or toxigenic microorganisms.

2. Donated Meat: From an Individual Farmer

If a meat/poultry product is donated by a local farmer or purchased from a local farmer, the school must make sure the product was inspected either at a state or federal plant. If purchased, federal procurement procedures must be followed.

3. Purchasing Food From a Farmer's Market

According to the Oklahoma State Department of Health, ***farmer's market*** means a designated area in which farmers, growers, or producers from a defined region gather on a regularly scheduled basis to sell at retail non potentially hazardous farm food products and whole shell eggs to the public. A portion of the raw food ingredients used by the individual vendor to produce a product must have been grown or raised by the vendor. The individual vendors wishing to process food as defined by Chapter 260 of the regulations must obtain a state food processor's license. Farmer's markets must be registered with the Oklahoma Department of Agriculture Food and Forestry and comply with the ***Food Service Establishment Regulations***, Chapter 257, and/or ***Good Manufacturing Practice***, Chapter 260. This definition does not include individual farmers who grow and sell unprocessed fruit and/or vegetables from the farm, roadside, or truck. ***Any vendors who prepare or sell any potentially hazardous foods at the farmer's markets must abide by all applicable sections of Chapter 257 of the regulations, including acquiring a license from the department.***

4. Herbicides and Pesticides

The Oklahoma State Department of Health recommends that SFAs obtain a guarantee from farmers that the crops/food items purchased from the local farmer were grown with herbicides and pesticides free of any carcinogens. This is not a regulatory requirement.

B. Farm-to-School Procurement Steps

1. Contact a few farmers within the area to inquire about the availability of specific product items for use in your CNP or go the Oklahoma Department of Agriculture, Food, and Forestry website to see the current Farm to School Producer partners.
2. Request from each farmer a list of produce grown, showing typical periods of availability during the school year. Many crops normally harvested in the spring and summer months can also be grown in Oklahoma for harvest in the fall and early winter. Just ask the farmers to indicate which produce could be available during the periods August—December, December—March, March—May, and also May—August if you have summer feeding programs.
3. Upon reviewing the lists of available produce, estimate the approximate volumes used weekly for each item in which you are interested.
4. Arrange appointments to meet with farmers to gather information about possible quantities available, grading, packaging, delivery, pricing, and payment. If the SFAs anticipated annual purchase of a particular product will be less than the applicable small purchase threshold, the SFA can use these simplified procedures and contact a number of local farmers.

Note: Micropurchasing is the recommended Procurement method for Farm-to-School. Small purchase would be required if spending more than \$10,000 per transaction.

To facilitate purchase of locally grown produce, SFAs can: identify and encourage local farmers to submit price quotes; look into alternative pack sizes and distribution methods that reflect product availability, using pricing structures such as fixed delivery charges with product prices that respond to the current market value; and explore new and different products that are available through local farms.

SFAs also need to develop specifications that reflect the characteristics of the products they seek. For example, local farmers grow a specific lettuce variety that students prefer but that the SFA cannot get through its broker or distributor. The SFA can write its specification requiring this lettuce variety. However, just writing the specification alone will not be adequate to ensure local farm participation. The SFA must have ***laid the groundwork***; i.e., identifying and encouraging local farm participation for the procurement to be successful.

Use this information to help create appropriate product specifications. ***Quality Foods for Quality Meals*** from USDA's Fruits and Vegetables Galore provides product sheets for fruits and vegetables that may be used to develop specifications. To ensure the freshest product possible, consider using a statement such as ***days from harvest*** in your product specifications.

5. Obtain and document price quotes for produce items as you specify in order to get the freshest product at the best price.
6. Forward Contract:

A forward contract is generally understood to involve a contract between two parties to buy or sell products at a specified time in the future at a price agreed upon today. Entering into a forward contract with local producers in advance of the season may pose risk as farmers may experience crop loss due to outside elements such as weather or infestation. An SFA/institution/sponsor is the steward of the nonprofit school food service account and must ensure that all costs are reasonable, necessary, and allocable. Thus, careful consideration must be given to such contracts

and the potential risk weighed against the benefit. Additionally, the entity needs to ensure that the farmer is capable of providing substitutions that are meaningful in the event of crop failure and to incorporate language into the contract affording meaningful substitutions or a return on the original financial investment. (Reference USDA Memo SP-03-2013)

PURCHASING AGREEMENTS

Purchasing agreements are classified into three groups:

- Child Nutrition Program (CNP) Program operator-only and/or CNP State agency cooperatives,
- Agents, and
- Third-Party entities (e.g., state-run cooperative agreements, inter-agency agreements, non-Program operators such as public, private, and non-profit entities, group purchasing organizations, group buying organizations, third-party vendors).

1. ***CNP Program operator-only and/or CNP State agency cooperative agreement.*** This is an agreement formed solely between CNP Program operators and may include CNP State agency cooperatives formed to increase purchasing power. This agreement is not a method of procurement, rather an agreement to competitively procure goods and services. Such agreements may include a fixed fee to cover overhead or administrative costs as specified in the cooperative agreement.
2. ***Agent.*** An agent is a person or business authorized to act on a client's behalf. An agency may be necessary for procuring goods or services when/if the client does not have the necessary technical understanding of the equipment, service, food or other food service supplies to be purchased; or lacks time or expertise to conduct a proper procurement. A procurement agent represents a special fiduciary relationship of trust between itself and its client. In other words, the agent must be contractually required to conduct all competitive procurement methods with its client's interests solely in mind. An agent's services in excess of the micro-purchase threshold currently set at \$50,000 must be competitively procured in accordance with Federal procurement methods outlined in 2 CFR 200.320.
3. ***Third-Party entities.*** Third-Party entities include State procurement agency agreements, inter-agency agreements, group purchasing organizations, group buying organizations, and third-party vendors.
 - (a) ***State procurement agency agreements:*** This is an inter-governmental agreement with the State which may include public, private, and non-profit entities. This procurement service is not part of the CNP State agency as the services are conducted for State facility needs using State procurement standards and the State allows local educational agencies (LEAs), school food authorities (SFAs), and other CNP operators to purchase from the State's contracted sources. When competitive procurement methods are conducted by the Program operator, this agreement may be one source of prices when using small purchase procedures, sealed bids or competitive proposals, as applicable.
 - (b) ***Inter-agency agreements:*** This is an agreement which may include public, private, and non-profit entities formed to procure goods and services together. An example is an educational hub whose purpose is to purchase goods and services for LEAs. When competitive procurement methods are conducted by the Program operator, this agreement may be one source of prices when using small purchase procedures, sealed bids or competitive proposals, as applicable.

- (c) **Group Purchasing Organizations, Buying Organizations, and Third-Party Vendors.** Collectively referred to here as GPOs, these often include CNP and non-Program operators such as public and private schools, hospitals, universities, law enforcement, public works, etc. who join a third-party company or service provider. GPOs could be private for-profit or nonprofit entities. A GPO is typically structured in a way that may include a membership fee paid by member users, who are then granted access to the GPO price list of products and services. When competitive procurement methods are conducted by the Program operator, GPO price lists may be one source of prices when using small purchase procedures, sealed bids or competitive proposals, as applicable.

A. PURCHASING THROUGH STATE CONTRACT

1. The contract between the vendor and the state of Oklahoma is for one year, with an option to renew every year for four additional years. Because the contract is with the state of Oklahoma (Office of Central Purchasing), no specifications by the SFA are required to be sent to Central Purchasing.
 - (a) The contract is a fixed-cost (vendor cost) plus a fixed fee.
 - (b) The vendor prefers SFAs to begin at the start of the school year or at midyear.
 - (c) If an SFA is on the state contract and finds an item from another vendor that has a lower price, it may be purchased outside the state contract with written documentation.
 - (d) If an SFA is interested in state contracting, contact **Asha Parks** with Central Purchasing at 405-521-2289 or Asha.Parks@omes.ok.gov. **Reference solicitation SW0156**

Note : If a district wants to use state contract, the LEA must still use proper procurement procedures. The district may use Central Purchasing as one source of prices by using small purchase procedures, sealed bids or competitive proposals, if applicable. The district must still contact an additional source for pricing. (Memo SP-05-2017)

B. GROUP PURCHASING ORGANIZATION (GPO): FOOD BUYING GROUP/ COOPERATIVE PURCHASING

A group purchasing organization is a commonly used term to refer to an organization that buys in larger quantities on behalf of other entities. A GPO may call itself many different names and may be referred to as a purchasing cooperative, purchasing consortium, group-buying/purchasing organization, etc. A GPO can be for-profit or not-for-profit. It is vital that all procurement transactions be conducted in a manner providing free and open competition. This principle fully applies to purchases made through any GPO.

1. Districts belonging to a cooperative purchasing group generally realize:
 - a. A reduction in a district's administration time in procuring products.
 - b. A higher quality of products to be purchased.
 - c. The opportunity for a wider range of products.

2. Advantages of cooperative purchasing groups:
 - a. Increased purchasing power
 - b. New menu items
 - c. Labor reduction
 - d. Direct to manufacturer purchasing
 - e. Increased volume and volume discounts
 - f. Networking opportunities
 - g. Procurement decisions by governing board and advisory group
 - h. Increase in expertise and resources
3. Disadvantages of cooperative purchasing group:
 - a. Consensus among members
 - b. Deliveries
 - c. Minimum cases
 - d. Storage
 - e. Administrative fee/membership fee
4. Forming a cooperative purchasing group:
 - a. Conduct a member-user survey
 - b. Analyze the financial needs of the group
 - c. Conduct a meeting with potential members
 - d. Develop business plan
 - c. Develop acceptable contractual agreements
 - d. Prepare solicitation according to federal procurement regulations

Note : If a district wants to use a food buying group, the LEA must still use proper procurement procedures. The district may use the food buying group as one source of prices by using small purchase procedures, sealed bids or competitive proposals, if applicable. The district must still contact an additional source for pricing. (Memo SP-05-2017)

C. CONTRACTING MEALS WITH ANOTHER DISTRICT

1. The district supplying meals will sign a contract with each SFA, Day Care, and/or Head Start Program. The contract required to be used is the *Agreement to Furnish Food* located in Other Documents under the Procurement section. This agreement specifies the SFA is providing the meals served the required meal patterns. The contract establishes a daily time frame in which each contracting entity reports to the preparing SFA the number of meals to be ordered each day. Each contracting entity will be invoiced on a monthly basis for the total number of meals ordered during the invoice period. The contracting entity is responsible for paying for the number of meals **ORDERED**, regardless of whether the meal was served.
2. The preparing SFA is responsible for reporting to each contracting entity the number of meals prepared. Each contracting entity would then claim the number of meals **SERVED** on its own monthly claim. The preparing site would report the meals as contract meals on its claim.
3. The charge established for these contract meals must **be the rate listed in Schedule B for contract meals**. When the food is delivered or picked up by the district, **a Contract Meal Delivery Receipt (CMDR) form must be attached indicating the exact food items delivered and the quantity**. This form is located in the Procurement section in Other Documents.

- 4.. If an SFA is contracting with a district that is allocated USDA Foods, the SFA should **NOT** include the commodity allocation rate in the formula when figuring the minimum amount to charge for the contract lunch.
5. A district contracting with another district **MUST** give their allocated USDA Foods to the SFA preparing the meals.
6. The preparing SFA is responsible to meet all NSLP and/or CACFP meal pattern requirements. Each of these requirements are stated in the *Agreement to Furnish Food* document. The signed agreement assures each contracting entity the meals received to meet requirements and therefore can be claimed for reimbursement. The *Agreement to Furnish Food* is located in Other Documents under the Procurement section.
7. If a district contracts meals with an institution or another school, it is required for the preparing district to mark how many meals were prepared in the site's Production Records, and to send a completed copy of the CMRD form for each meal type every day contract meals are delivered. The CMDR can be found on the following page.

D. CONTRACTING MEALS WITH A DAY CARE OR HEAD START PROGRAM

1. The district supplying meals will sign a contract a Day Care, and/or Head Start Program. The contract required to be used is the *Agreement to Furnish Food* is located in Other Documents under the Procurement section. This agreement specifies the SFA is providing the meals served the required meal patterns. The contract establishes a daily time frame in which each contracting entity reports to the preparing SFA the number of meals to be ordered each day. Each contracting entity will be invoiced on a monthly basis for the total number of meals ordered during the invoice period. The contracting entity is responsible for paying for the number of meals **ORDERED**, regardless of whether the meal was served.
2. The preparing SFA is responsible for reporting to each contracting entity the number of meals prepared. Each contracting entity would then claim the number of meals **SERVED** on its own monthly claim. The preparing site would report the meals as contract meals on its claim.
3. The charge established for these contract meals must **be the rate listed in Schedule B for contract meals**. When the food is delivered or picked up by the district, **a Contract Meal Delivery Receipt (CMDR) form must be attached indicating the exact food items delivered and the quantity**. This form is located in the Procurement section in Other Documents.
4. The preparing SFA is responsible to meet all CACFP meal pattern requirements. Each of these requirements are stated in the *Agreement to Furnish Food* document. The signed agreement assures each contracting entity the meals received to meet requirements and therefore can be claimed for reimbursement. The *Agreement to Furnish Food* is located in Other Documents under the Procurement section.
5. If a district contracts meals with an institution, it is required for the preparing district to mark how many meals were prepared in the site's Production Records, and to send a completed copy of the CMRD form for each meal type every day contract meals are delivered. The CMDR can be found on the following page.

CONTRACT MEAL SERVICE DELIVERY RECEIPT

(Keep in your monthly folder. *USE ONE RECEIPT PER MEAL SERVICE.*)

DATE: _____

MEAL TYPE: Breakfast ☐ Lunch ☐ After-School Snack ☐

SITE PREPARING MEAL: _____

SCHOOL/INSTITUTION RECEIVING MEAL: _____

DELIVERY TIME: _____ NUMBER OF MEALS ORDERED/DELIVERED: _____

FOOD ITEMS PREPARED AND QUANTITIES DELIVERED

Menu	Quantity Delivered _____ Number of Participants _____ Number of Adults _____ Bulk Delivery _____ Preportioned _____	*Crediting/ Portioning Information
Milk	Milk provided by: SITE VENDOR (Circle One) Record Quantity: _____ Temperature: _____	
Vegetable/Juice	Temperature: _____	
Fruit/Juice	Temperature: _____	
Whole-Grain Bread/ Bread Alternate		
Meat/Meat Alternate	Temperature: _____	
Extras OR Additional Sides	Temperature: _____	

* Crediting/portioning information for menu planning: i.e., 1 cup spaghetti sauce = 2 ounces meat/meat alternate, 6 chicken nuggets = 2 ounces meat/meat alternate and 1 ounce bread/bread alternate serving, 2 cheese sticks = 1 ounce meat/meat alternate

I acknowledge that the above items and quantities were delivered to this contract site and that all above items were at the proper temperature upon arrival. I did complete the necessary portioning/crediting information. Child Nutrition (CN) labels, product formulation statements, and/or recipes are available for all combination food items or other applicable components.

Signature of Preparer

Signature of Recipient

INSPECTION DELIVERY: Was the food delivered in a safe/sanitary method? Yes or No
Was the food temperatures proper? Yes or No

DEVELOPING A PROCUREMENT PLAN

Each SFA shall have on file a written procurement plan approved by the local school board. The procurement plan identifies the SFA's purchasing periods for the goods, equipment, and services related to the CNP. In addition, the plan documents the various methods of procurement procedures being practiced. The USDA provisions and information required to be used for the procurement method(s) use the district uses.

The procurement plan provides justification for using a certain procurement method to obtain an item. The scope of the plan is determined by the organization of the SFA. If procurement is decentralized, the plan may apply to all sites responsible for purchasing or each school may be permitted to develop its own plan. A new procurement plan does not need to be developed every year. However, an annual review of the approved plan is suggested to assure its relevance to current procedures. An example of a procurement plan is on **pages P-50-59**. Also, an example of a formal procurement checklist can be found on **pages P-47-48**.

REQUIRED PROCUREMENT PLAN PROVISIONS

- A. Small Purchase Provisions per 2 CFR 200 Appendix II: *See **Page P-12** for the full statements*
- (a) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as may be appropriate (contracts more than the \$10,000 threshold).
 - (b) **USDA Equal Opportunity** information (contracts \$10,000 or more)
 - (c) Requiring **Buy American** as outlined in 7 CFR Part 210.21(d); specific instructions for prior approval of all of nondomestic product(s) (all contracts)
 - (d) **Termination for Cause** information (contracts \$10,000 or more)
 - (e) Statement assuring positive efforts will be made to involve small, minority, and women-owned businesses (all contracts)
 - (d) **Beverage Agreement** not allowing exclusive pouring rights
 - (f) **Clean Water Act** provision (contracts \$150,000 or more)
 - (g) **Rights to Inventions Made Under a Contract or Agreement**, if applicable
 - (h) **Contract Work Hours and Safety Standards Act** (contracts \$100,000 or more)
 - (i) **Davis-Bacon and Copeland Nonkickback** Information (Construction contracts \$2,000 or more)
 - (j) **Minority firms, women's business enterprises, and labor surplus area firms** statement
 - (k) **Code of Conduct**
 - **Forms required to be sent back with the bid from the vendor**
 - Signed **Byrd Anti-Lobbying form** for contracts over \$100,000
 - Signed **Oklahoma NonKickback Affidavit** for purchases orders over \$25,000

- A. Formal Procurement Provisions per 2 CFR 200 Appendix II: *See **Page P-12** for the full statements*

Formal Procurement requires the same provisions as small purchase in addition to:

- **Forms required to be sent back with the bid from the vendor**
 - Signed statement of noncollusion (all contracts using the formal method)
 - Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS) for all contracts using the formal method

SFA FORMAL PROCUREMENT PLAN CHECKLIST

Use this checklist when preparing solicitation documents, conducting informal and formal procurements, evaluating bids and proposals and executing contracts that involve the use of School Nutrition Funds. (This checklist may or may not be applicable to all purchasing processes.)

Procurement Plan	☐ Written procurement plan ☐ Authorized purchaser(s) specified ☐ Detailed procurement methods to be used (quotes, IFB, RFP, micropurchasing, noncompetitive negotiation), including detailed procedures for each purchasing method ☐ Award method clearly described (i.e., line item, bottom line) ☐ Advertisement procedures ☐ Vendor notification notified of award/nonaward of contract ☐ Code of ethics/conflict of interest policy ☐ Other state/local requirements
Procurement Procedures	☐ Letter of invitation ☐ Intent of procurement activity ☐ Contract time period ☐ Bid/proposal/quote submission procedures (i.e., sealed bid, written specifications) ☐ Prebid/proposal meeting date/time/location (if applicable) ☐ Bid opening date/time/location; proposal opening procedures ☐ Contact information ☐ Civil Rights statement ☐ Other state/local requirements
Terms and Conditions	☐ Certification regarding disclosure of lobbying (\$100,000+) ☐ Debarment/suspension certification form (\$25,000+) ☐ Noncollusion statement ☐ Assurance of ethical practices ☐ Escalation/de-escalation clause ☐ Price determination statement (fixed-priced, fixed with firm price for delivery, etc.) ☐ Contract extension or <i>roll-over</i> clause if warranted ☐ <i>Buy American</i> statement and instructions ☐ Bid/proposal protest procedures ☐ Remedy for nonperformance/termination of contract ☐ HUB statement to involve minority business where possible ☐ <i>Equal Employment Opportunity</i> compliance statement ☐ Energy Policy and Conservation Act statement ☐ Clean Air/Water Act statement ☐ Civil Rights Act statement ☐ Return of discounts, credits, and rebates to SFA statement ☐ Record retention and record access requirements (records maintained for three years from final payment of contract and/or renewal; all base solicitations must be maintained for three years after the final payment on the contract)

Terms and Conditions continued	_____ Method of shipment/delivery requirements _____ Method of payment invoices, statements, etc. _____ Purchase instrument to be used and how vendor will receive purchase orders _____ Bid certification form _____ Specifications that are sufficiently detailed to get what is needed but not so specific as to restrict competition _____ Product specifications (approved brand and/or equivalent) _____ Quantity _____ Quality _____ Packaging _____ Pricing (unit and extended) _____ Procedures for documenting/preapproving any substitutions and/or deviations _____ Other state/local requirements
Documentation and Records	_____ All IFBs/RFPs/RFQs with appropriate documentation and signatures of authorized purchasers maintained on the original solicitations _____ Comparison charts to document procurement decisions and contract awards _____ Record of public bid openings and/or proposal openings if proposals will be publicly opened _____ Copies of contract award/nonaward letters _____ Copies of advertisements for solicitation of goods/services _____ Determination/document action of correct procurement method used _____ Evaluation of escalation/de-escalation clause _____ Evaluation of contract extension/amendment (roll-over clause) _____ Evaluation/documentation of contract renegotiations/changes to original contract at the timelines and under the same conditions specified in the original solicitation document _____ Evaluation of return of discounts, credits, and rebates (as applicable), and detailed procedure indicating how/when the discounts, rebates, and credits would be assigned to the SFA by the contractor _____ Evaluation of whether procurement methods/activities are consistent with the SFA's approved written procurement plan where/how all documents pertaining to the solicitation and contract/contract amendments will be maintained _____ Noncompetitive purchases (sole source, emergency, etc.) are approximately documented and have received approval from state agency or governing board prior to award, including purchases through means of <i>piggybacking</i> onto another SFA's solicitation document _____ Invoices/payments for items purchased with school nutrition funds _____ Documentation of any contractor performance or breach of contract from vendors _____ Other state/local requirements

Oklahoma's Equipment Approval List for Purchases

Per 2 CFR §200, State agencies are required to grant prior approval for any piece of equipment purchased over **\$10,000**. USDA Memo SP-39-2016 allows state agencies to grant blanket approval for items commonly used in kitchens. The items listed below, in any form, costing \$10,000 or more and used for the sole purpose of CNP, have blanket approval from the State agency, proper procurement must be followed.

State Pre-Approved Equipment List:	
Food Preparation • Mixer • Slicer • Work/Prep Tables • Commercial Griddles • Proofer	Refrigeration/Freezer Systems • Reach in Cooler/Freezer • Pass through Refrigerator • Milk Cooler • Walk in Cooler/Freezer • Blast Chiller • Display Cases • Ice Machine
Serving Equipment • Salad Bar • Hot Food Bar • Serving Line • Transport Cart • Food Kiosk or cart • Hot Holding Cabinet	Cleaning Equipment • Commercial Dish Machine • Booster Heater • Commercial Sink • Hot Water Tank (CNP use only) • Commercial Disposal
Cooking Equipment • Commercial Cook Tops and Ranges • Commercial Ovens (Combo, Convection, or Conventional) • Tilting Skillet/Braising Pan • Steamer • Grease-less (Air) Fryer • Griddle	Technology (for CNP Use Only) • Computer Hardware • Computer Software (Benefit Issuance, Nutrient Analysis) • Point of Service (POS) - scanners, keypads, etc. • Cash Registers

If CNP is planning to purchase any item not on the approved list, the purchase will require approval from the Child Nutrition Program Director. E-mail your request along with the bulleted items listed below and include documentation indicating the price quotes to Jennifer.Weber@sde.ok.gov. If the item to be purchased is not fully dedicated to Child Nutrition, the district's Indirect Cost provided by OCAS, must be used to determine the amount of CN funds that can be used for the purchase, or a methodology to prorate the cost between Child Nutrition and other programs that will use the equipment.

Address each item below when requesting to purchase equipment over **\$10,000** with CN funds and is not on the State pre-approved equipment list:

- Provide at least two quotes for the equipment
- A description of the equipment
- Cost of equipment
- How does this piece of equipment support/improve food service
- Disposal plan of the old equipment being replaced (if applicable)
- Acknowledgment that the purchase and use of this equipment is solely for Child Nutrition Programs and no other programs within in the SFA.

Child Nutrition Procurement Plan

This document is a sample and is not intended to be all inclusive. CN Programs are ultimately responsible to ensure that the plan complies with all Federal Regulations, State Procurement Code and Regulations and local procurement policies.

Name of SFA/Sponsor

**PROCUREMENT PLAN
CHILD NUTRITION PROGRAMS**

This procurement plan will be implemented on _____ from that date forward until amended. All procurements must adhere to free and open competition. Source documentation must be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

Chairman, Board of Education

Date

Superintendent of Schools

Date

District Name: _____

SECTION I - PROCUREMENT PLAN GENERAL REQUIREMENTS

The plan for procuring items for use in the Child Nutrition Program is as follows:

1. The procurement plan provides for free and open competition, transparency in transactions, comparability, and documentation of all procurement activities.
2. The following **Code of Conduct** will be expected of all persons who are engaged in the awarding and administration of contracts supported by Child Nutrition reimbursement funds. These written standards of conduct include:
 - a. No employee, officer, or agent shall purchase or establish a contract if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - i. The employee, officer, or agent;
 - ii. Any member of the immediate family;
 - iii. His or her partner;
 - iv. An organization which employs or is about to employ one of the above.
 - b. Employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.
 - c. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
 - d. No item, food, or beverage purchased with nonprofit school food service funds will be removed from the school premises by school personnel.
 - e. Penalties for violation of the standards of code of conduct of the (SFA) School Child Nutrition Program (CNP) should be:
 - i. Reprimand by Board of Education
 - ii. Dismissal by Board of Education
 - iii. Any legal action necessary
3. Regardless of procurement method, the following factors will be determined regarding the allowable costs:
 - a. Be necessary and reasonable for proper and efficient administration of the program(s)
 - b. Be allocable to federal awards applicable to the administration of the programs(s)
 - c. Be authorized and not prohibited under state and local laws
4. Purchasing will be conducted at the most restrictive procurement threshold:

	Federal Procurement Thresholds	SFA/Sponsor Procurement Thresholds (enter)
Micro-purchasing	Less than \$10,000	
Equipment	Over \$10,000	
Small/Informal	Less than \$250,000	
Formal	Greater than \$250,000; or any Food Service Management Contract	

5. All staff conducting purchasing for Child Nutrition must be trained on USDA procurement procedures.
6. All purchasing records will be maintained no less than the current year plus 3 additional years.

7. **Buy American Provision**

Buy American requires schools to purchase ninety percent (90%) of domestic agricultural commodities and food products annually. Schools participating in the federal school meal programs are required to purchase domestic commodities and products for school meals to the maximum extent practicable. A domestic commodity or product refers to an agricultural commodity produced in the US and a food product processed in the US that is substantially (at least 51 percent) made using agricultural commodities produced in the US.. This definition of domestic product serves both the needs of schools and American agriculture. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are considered domestic products as these products are from the territories of the U.S. (Reference SP-38-2017 and SP 23-2024)

Documentation is required from vendor(s) to ensure products purchased are American-grown or nondomestic unless listed on the Buy American Exemption list (USDA FAR list). The USDA Buy American Tracker is required to be maintained by the district.

8. **Geographical Preference**

The use of statutorily or administratively imposed in-state or local geographic preferences for procurements under USDA entitlement programs is prohibited, except for unprocessed locally grown or locally raised agricultural products. The Food, Conservation, and Energy Act of 2008 (Public Law 110-246, Section 4302), allows institutions receiving funds through CNP to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products. Geographical preference can be done using Micropurchasing when procuring unprocessed locally grown or locally raised agricultural products. An SFA must use small purchase or formal procedures if spending over \$10,000 per transaction.(SP 22-2024)

9. **Protest procedures** are required. SFAs must have protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to the awarding agency. A protester must exhaust all administrative remedies with the SFA before pursuing a protest with a federal agency. Reviews of protests by the federal agency will be limited to: (Reference USDA Policy Memo2006-SNP-06)

- a. Violations of federal law or regulations and the standard of 2 CFR §200 (violations of state or local law will be under the jurisdiction of state or local authorities).

AND

- b. Violations of the SFA's protest procedures for failure to review a complaint or protest. Protests received by the federal agency other than those specified above will be referred to the SFA.

10. The district will maintain a **CHART OF PROCEDURES** indicating how all items are procured, and how often they are procured.

11. **Beverage and Snack Agreements**

If any nonprofit school food service products are purchased via the exclusive contract, then all federal procurement requirements must be met. If small purchase procedures are used for a procurement of \$250,000 or less, price or rate quotations must be obtained from an adequate number of qualified sources. Additionally, if nonprofit school food service products are included in the contract, any rebates, commissions, scholarship fund contributions, or any other payments back to the SFA or SFA-related organizations must be reimbursed to the nonprofit SFA on a prorated basis.

- a. No federal prohibition on multi-year contracts other than for FSMCs. It is suggested school procurement officials consider the impact of multi-year contracts, as opposed to one-year contracts, on beverages and snacks. Long-term contracts would appear to be more appropriate for nonperishable products and services such as warehousing and equipment rental. There is no federal prohibition on these longer-term contracts.
- b. Public Law 108-265, Section 102, requires a school participating in the NSLP shall not directly or indirectly restrict the sale or marketing of fluid milk products by the school (or by a person approved by the school) at any time or any place on the school premises or at any school-sponsored event.

- c. Schools participating in the NSLP must check all beverage contracts for language that may limit the sale of milk on school grounds. The sale of milk cannot be limited at any time during the school day or at any place on the school premises. Contracts may have language that is hard to understand. Look for the term **Exclusive Pouring Rights**. Every school district must have amended their beverage contracts that limit the sale of milk should such language exist. The primary effect of this provision is to prevent contract limitations on the sale of fluid milk in competition with other beverages.
12. The SFA will take all necessary affirmative steps to assure that **minority firms, women's business enterprises, and labor surplus area firms** are used when possible. Affirmative steps shall include:
 - a. Placing qualified small, minority, and women's business enterprises on solicitation lists
 - b. Assuring that small, minority, and women's business enterprises are solicited whenever they are potential sources.
 - c. Dividing total requirements when economically feasible, into smaller tasks or quantities to permit maximum participation by small, minority, and women's business enterprises.
 - d. Establishing delivery schedules where the requirement permits, which encourage participation by small, minority, and women's business enterprises.
 - e. Using the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency of the Department of Commerce.
 - f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.
 13. **Oklahoma Non-Kickback Affidavit** under Oklahoma statute 62 O.S. §310.9 requires a signed and notarized nonkickback affidavit on every purchase order of \$25,000 or more. The affidavit is to be signed by the person or persons authorized to accept payment on behalf of the architect, contractor, engineer, or supplier. The undersigned (architect, contractor, supplier or engineer), of lawful age, being first duly sworn, on oath says that this contract is true and correct. Affiant further states that the (work, services or materials) will be (completed or supplied) in accordance with the plans, specifications, orders or requests furnished the affiant. Affiant further states that (s)he has made no payment directly or indirectly to any elected official, officer or employee of the State of Oklahoma, any county or local subdivision of the state, of money or any other thing of value to obtain or procure the contract or purchase order.

CONTRACT PROVISIONS AND FORMS (2 CFR 200 Appendix II)

1. **Nonkickback Affidavit** - Please note that Oklahoma statute 62 O.S. §310.9 requires a signed and notarized nonkickback affidavit on every purchase order of \$25,000 or more. The affidavit is to be signed by the person or persons authorized to accept payment on behalf of the architect, contractor, engineer, or supplier.
2. Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, **must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.**
3. All contracts in excess of \$10,000 must address **termination for cause** and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
4. **Equal Employment Opportunity.** Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

5. **Davis-Bacon Act**, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the **Copeland “Anti-Kickback” Act** (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
6. **Contract Work Hours and Safety Standards Act** (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
7. **Rights to Inventions Made Under a Contract or Agreement**. If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
8. **Clean Air Act** (42 U.S.C. 7401-7671q.) and the **Federal Water Pollution Control Act** (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
9. **Debarment and Suspension** (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

10. **Byrd Anti-Lobbying Amendment** (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
11. See § 200.323 **Procurement of recovered materials**
<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.323>
12. See § 200.216 **Prohibition on certain telecommunications and video surveillance equipment or services.**
<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-C/section-200.216>
13. See § 200.322 **Domestic preferences for procurements**
<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.322>

SECTION II – PURCHASING EQUIPMENT

**Name(s) and Title(s) of those responsible for Purchasing Equipment:* _____

If the amount of purchases for equipment is greater than \$10,000, the following procedure will be used.

1. Written specifications will be prepared by the district and provided to vendors.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. ***A minimum of two vendors or stores shall be contacted.***
3. The price quotes will receive appropriate confidentiality before award.
4. If using USDA funding for the purchase, the SFA/Sponsor will seek prior approval from Oklahoma Child Nutrition Programs unless the equipment is placed on the Equipment Pre-Approval list located in the Child Nutrition Manual.
5. Quotes will be awarded by the person(s) listed in Section III. Quotes awarded will be to the lowest and best quote based upon quality, service availability, price, and/or _____.
6. The person(s) listed in Section III will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and ***written specifications.***
7. The person(s) listed in Section III will be responsible for documentation that the actual product specified is received.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. See also §200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.

SECTION III – MICRO PURCHASING

If the amount of purchases for items is \$10,000 *or less than the districts micropurchasing threshold*, the following procedure will be used.

Select one:

- ☐ Purchases below \$10,000
- ☐ Purchases below \$_____ (If District threshold is below \$10,000, must use most restrictive; if it is higher, the district must have State Agency approval)

1. Purchases will not be separated into 2 or more purchases to meet or be below the \$10,000 threshold.
2. The price quotes will not be required. Competition is not required.
 - a. The district considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly (2 CFR 200.320a)(1)(ii)).
3. When practicable, micro-purchases will be distributed equitably among qualified suppliers.
4. _____ (Name and/or Title) is responsible for documentation of purchase.

SECTION IV – SMALL PURCHASE PROCEDURES

**Name(s) and Title(s) of those responsible for Small Purchase Procedures:* _____

If the amount of purchases for items less than \$250,000 *or the SFA/Sponsor's small purchase threshold*, Small Purchase Procedures must be followed. Quotes documented from an adequate number of qualified sources will be required.

Select one:

- ☐ Purchases below \$250,000
- ☐ Purchases below \$_____ (If district threshold is below \$250,000, must use most restrictive)

Small Purchase procedures will be applied on ***the basis of:***

- _____ District-wide
- _____ Each Individual Site
- _____ Food-Buying Group/Co-op (specify): _____
- _____ Combination of above (specify): _____

1. Written specifications will be prepared by the district and given to a minimum of two vendors.
2. The person(s) stated in Section IV will be responsible for contacting potential vendors when price quotes are needed.
3. Quotes will be awarded by person(s) stated in Section IV. Quotes awarded will be to the lowest and best quote based upon quality, service availability, price, etc.
4. The person(s) stated in Section IV will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and ***written specifications***.
5. The person(s) stated in Section IV will be responsible for documentation that the actual product specified is received.

6. Any time an accepted item is not available, the person stated in Section IV will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item. Substituted items will not be made at the vendor's discretion.

SECTION V – FORMAL PROCUREMENT PROCEDURES

**Name(s) and Title(s) of those responsible for Formal Procurement Procedures:* _____

Select one or more as applicable:

- ☐ Purchases over \$250,000
- ☐ Purchases over \$_____ (If district threshold is below \$250,000, must use most restrictive)
- ☐ Food Service Management Contracts at any total cost (does not include vended meal agreements)
- ☐ N/A, no purchases over \$250,000 or will never use a Food Service Management Contracts

Formal bid procedures will be applied on *the basis of*:

- _____ District-wide
- _____ Each Individual Site
- _____ State Contract
- _____ Food-Buying Group/Co-op (specify): _____
- _____ Combination of above (specify): _____

Invitation for Bid (IFB)/Sealed Bid

In awarding a competitive negotiation (IFB) the bid will automatically go to the lowest bidder. **Price** is the only factor that is used to determine a sealed bid.

Request for Proposals (RFP)

In awarding a competitive negotiation (RFP) a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. **Price** alone is not the sole basis for award, but remains the **primary** consideration when awarding a contract. A committee of 3-5 individuals will each evaluate each RFP.

1. When a formal procurement method is required, the following ***COMPETITIVE SEALED BID or an Invitation for Bid (IFB) or COMPETITIVE PROPOSAL in the form of a Request for Proposal (RFP)*** procedures will apply: (USDA allows 45 days for IFB & 60 days for RFP from the time the solicitation is given to vendors until the time of bid opening. ***It should not be any less than 30 days***)
2. An announcement of an **Invitation for Bid (IFB) or a Request for Proposal (RFP)** will be placed in the _____ (Newspaper/media, IPS Website, other Internet source. ***RFP advertising is required to be in a newspaper***) to publicize the intent to purchase needed items. The advertisement for bids/proposals or legal notice will be run for a ***minimum of two weeks***.
3. An advertisement is required for all formal procurement (IFB/RFP)
 - A general description of items to be purchased.
 - The deadline for submission of questions and the date written responses will be provided including an addenda to bid specifications, terms and conditions as needed.
 - A date of prebid meeting, if applicable, and if attendance is a requirement for bid award.
 - A deadline for submission of sealed bids or proposals, and address of location where complete specifications and bid forms may be obtained.
4. The developer of written specifications or descriptions for procurements will be ***prohibited*** from submitting bids or proposals for such products or services.

5. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:
 - Contract period.
 - SFA/Sponsor is responsible for all contracts awarded (statement).
 - Date, time, and location of bid opening.
 - How a vendor will be informed of bid acceptance or rejection.
 - The terms and conditions which bidder must fulfill.
 - Statement assuring efforts will be made to involve minority and small business.
 - Statement regarding Cause for Termination.
 - Forms and statements identified in the **Formal Procurement Checklist**.
 - Statement regarding the return of purchase incentives, discounts, rebates, and credits to the non-profit Child Nutrition account, if applicable in a cost reimbursable contract.
6. Specifications and estimated quantities of products and services prepared by SFA/Sponsor and provided to potential contractors desiring to submit bids/proposals for the products or services requested.
7. If any potential vendor ask questions regarding the specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by the person(s) stated in Section V and date specified.
8. The person(s) stated in Section V will be responsible for securing all bids or proposals.
9. The person(s) stated in Section V will be responsible to ensure all SFA/Sponsor procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.
10. Evaluation Criteria listed below can use to award an RFP.
(Price must be given the highest points and award must equal 100 points. If not interested, the district can leave line of award blank.) A committee of 3-5 individuals will score all vendors using the points the district assigned. The vendor with the highest points will win the bid.

<u>Weight</u>	<u>Criteria</u>
_____ (points)	Price
_____ (points)	Variety and Availability of Food Items that Meet CNP Requirements including CN labels or Product Formulation Statement products
_____ (points)	Food Quality
_____ (points)	Ordering System
_____ (points)	Customer Service
_____ (points)	Business Practices
_____ (points)	_____
_____ (points)	_____
_____ (points)	_____
100 Total Points	

SECTION VI - NON-COMPETITIVE NEGOTIATION

**Name(s) and Title(s) of those responsible for Non-Competitive Negotiation: _____*

If items are available **only** from a single source *when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation*, **NON-COMPETITIVE NEGOTIATION** procedures will be used:

1. Written Specifications will be prepared and provided to the vendor.
2. The person(s) stated in Section VI will be responsible for the documentation of records to fully explain the decision to use the noncompetitive negotiation. The records will be available for audit and review.
3. The person(s) stated in Section VI will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive negotiation are met.
4. Non-competitive negotiations shall be used for one-time purchases of a new food item in order to determine food acceptance by students and for samples for testing purposes. A record of non-competitive negotiation purchase shall be maintained by the (SFA Official). The record of non-competitive purchases shall include, at a minimum, the following:
 - item name
 - dollar amount
 - vendor
 - reason for non-competitive procurement

SECTION VII – EMERGENCY PURCHASING

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the purchase shall be made, and a log of all such purchases shall be maintained by the district. The following emergency procedures shall be followed. All emergency procurements shall be approved by the _____ (Name and Title of person). At a minimum, the following emergency procurement procedures shall be documented:
 - Item name
 - Dollar amount
 - Vendor
 - Reason for emergency
2. If the emergency purchasing need requires a contract, all records and other documents relative to the award of the contract must be retained for three (3) years after final payment. Specifically the SFA shall maintain, at a minimum, the following documents:
 - Written rationale for award cost or price;
 - A copy of the original solicitation;
 - The bidding and negotiation history and working papers;
 - The basis for contractor selection
 - Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;
 - The terms and conditions of the contract;
 - Any changes to the contract and negotiation history;
 - Billing and payment records;
 - A history of any contractor breaches

***** Due to the rural location of the district, it is feasible the school will only receive one responsible and responsive response.***

CHART OF PROCEDURES

The _____ (*District Name*) will purchase the following products or group of products and services as per the stated purchase period using the identified procurement method. ***Price quote time frame*** period is defined as the time frame for which bids or quotes are obtained and awarded.

PRODUCT	PRICE QUOTE TIME FRAME	PROCUREMENT METHOD USED
Milk		
Bread		
Canned fruits		
Canned vegetables		
Frozen fruits		
Frozen vegetables		
Preprepared fruits and vegetables		
Fresh fruits		
Fresh vegetables		
Meats		
Paper products		
Chemicals		
Small equipment		
Large equipment		

EXAMPLE

CHART OF PROCEDURES

The **Green Public School** (*District Name*) will purchase the following products or group of products and services as per the stated purchase period using the identified procurement method. **Price quote time frame** period is defined as the time frame for which bids or quotes are obtained and awarded.

PRODUCT	PRICE QUOTE TIME FRAME	PROCUREMENT METHOD USED
Milk	<u>Annually</u>	<u>Small Purchase</u>
Bread	<u>Annually</u>	<u>Small Purchase/Micro</u>
Canned fruits	<u>Annually</u>	<u>Small Purchase</u>
Canned vegetables	<u>Annually</u>	<u>Small Purchase</u>
Frozen fruits	<u>Annually</u>	<u>Small Purchase</u>
Frozen vegetables	<u>Annually</u>	<u>Small Purchase</u>
Preprepared fruits and vegetables	<u>Annually</u>	<u>Small Purchase</u>
Fresh fruits	<u>Monthly</u>	<u>Small Purchase/Micro</u>
Fresh vegetables	<u>Monthly</u>	<u>Small Purchase/Micro</u>
Meats	<u>Annually</u>	<u>Small Purchase/Micro</u>
Paper products	<u>Twice a Year</u>	<u>Small Purchase/Micro</u>
Chemicals	<u>Annually</u>	<u>Small Purchase</u>
Small equipment	<u>As Needed</u>	<u>Small Purchase</u>
Large equipment	<u>As Needed</u>	<u>Small Purchase/Sealed Bid</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

PROTEST PROCEDURES

- A. Any actual or prospective bidder, offerer, or contractor who considers himself to have been aggrieved in connection with the solicitation, evaluation, or award of a contract by _____ (School District) may formally protest to the _____ (Responsible Person) of _____ (School District). Such protests must be made in writing and received by the _____ (Responsible Person) of _____ (School District). The protesting party must mail or deliver copies of the protest to the _____ (School District), the State agency, and other interested parties.
- B. In the event of a timely protest, the _____ (School District) shall not proceed further with the solicitation or award of the contract.
- C. A formal protest must be sworn and contain:
1. A specific identification of the statutory or regulatory provision that the protesting party alleges has been violated.
 2. A specific description of each action by _____ (School District) that the protesting party alleges to be a violation of the statutory or regulatory provision that the protesting party has identified.
 3. A precise statement of the relevant facts.
 4. A statement of any issues of law or fact that the protesting party contends must be resolved.
 5. A statement of the argument and authorities that the protesting party offers in support of the protest.
 6. A statement that copies of the protest have been mailed or delivered to the State agency and all other identifiable interested parties.
- D. The _____ (School District) may settle and resolve the dispute over the solicitation or award of a contract at any time before the matter is submitted on appeal. The _____ (School District) may solicit written responses to the protest from other interested parties.
- E. If the protest is not resolved by mutual agreement, the _____ (School District) shall issue a written determination that resolves the protest.
1. If the _____ (School District) determines that no violation of statutory or regulatory provisions has occurred, then the _____ (School District) shall inform the protesting party, the State agency, and other interested parties by letter that sets forth the reasons for the determination.
 2. If the _____ (School District) determines that a violation of any statutory or regulatory provisions has occurred in a situation in which a contract has not been awarded, then the _____ (School District) shall inform the protesting party, the State agency, and other interested parties of that determination by letter that details the reasons for the determination and the appropriate remedy.
 3. If the _____ (School District) determines that a violation of any statutory or regulatory provisions has occurred in a situation in which a contract has been awarded, then the _____ (School District) shall inform the protesting party, the State agency, and other interested parties of that determination by letter that details the reasons for the determination. This letter may include an order that declares the contract void.
- F. The _____ (School District) shall maintain all documentation on the purchasing process that is the subject of a protest or appeal in accordance with the retention schedule of _____ (School District)

MANAGING THE CONTRACT

It is required by federal regulations that the SFA manage each contract, and helps settle any disputes that may arise.

- A. **The district *MUST* ensure *ALL* contracts, and *ALL* agreements are being followed**
- B. ***Procurement Compliance:*** SFAs must adhere to federal procurement procedures when contracting including with FSMCs to ensure a competitive and transparent process.
- C. ***Contract Terms:*** Clearly define the scope of work, payment terms, and any renewal options within the contract.
- D. ***Monitoring and Communication:*** Establish regular communication channels and check-in meetings with the FSMC to discuss progress, address concerns, and ensure compliance with meal pattern requirements and other program regulations. .
Examples: Items delivered on the day agreed upon, Quality issues, Constant substitutions, Items substituted do not meet meal pattern requirements (no CN label)
- E. ***Performance Monitoring:*** Regularly monitor the vendor to ensure they are adhering the contract as written, or the FSMC's performance through various methods, such as requesting meal pattern compliance worksheets, nutrient analyses, and interim cost statements.
- F. ***Program Compliance:*** The SFA is ultimately responsible for program compliance and should ensure that any vendors and the FSMC is meeting all contractual and regulatory requirements.
- G. ***Documentation:*** Maintain thorough documentation of all aspects of the contract, including solicitations, responses, and evaluation procedures.
- H. ***Training:*** Ensure SFA staff tasked with procurement and contract management receive adequate training on relevant regulations and procedures.
- I. ***State Agency Oversight:*** State agencies play a crucial role in monitoring SFA procurement activities and ensuring compliance with federal regulations ***Best Practices:***

FOOD SERVICE MANAGEMENT COMPANY (FSMC)

It is recommended the district download and read: **Contracting with Food Service Management Companies: Guidance for School Food Authorities** before starting the FSMC process for a better understanding of what is required.

An SFA may contract with an FSMC to manage its food service operation. However, contracting with an FSMC **does not** relieve the accountability for the operation of the CNP under its administration. Under no circumstances shall the FSMC write the actual contract RFP or set up the evaluation criteria for the bid award. The SA prototype RFP must be used. **No other FSMC contract will be accepted.** Paying the FSMC from CNP funds is prohibited until the contract is approved by the State agency and signed by the SFA and FSMC representatives. (Reference USDA Regulation §210.16 and SP- 40-2016). A Fixed-Price fee is the only contract allowed

A. FSMC versus Consultant or Vendor

USDA Regulation 7 CFR §210.2 defines an **FSMC** for the NSLP as a commercial enterprise or nonprofit organization that is or may be contracted with to **MANAGE** (emphasis added) the school food service day-to-day operations. FNS states that “An individual or organization that performs specific, discreet services for an SFA that fall short of managing the program would be a consultant (or vendor).” A consultant will always perform a district function or functions for the SFA, but will not manage the day-to-day operations.

B. Request For Proposal (RFP) for Food Service Management Companies

1. An SFA desiring to contract its food service **MUST** use the State agency prototype. To obtain a copy of OSDE FSMC RFP, contact Karen Davis at the State agency at Karen.Davis@sde.ok.gov or 405-521-3327. The prototype RFP/Contract must be submitted to the State agency for approval once it is completed. It is suggested that this be done at least 60 days prior to advertising the bid so that necessary changes can be made. Once the State agency has approved the completed RFP/Contract prototype, it will be mailed back to the SFA so the bidding process may begin.
 - a. An amendments can be added to the to the RFP. The amendment must be approved by the State agency **BEFORE** it is sent out to vendors. During the solicitation process, if any food service management companies have questions and answers resulting from written offerer inquiries from a preproposal meeting, it must be approved by the State agency and then be submitted to all prospective offerers. No information regarding the RFP should be considered official or binding until it is provided in writing and has prior approval by the State agency.
 - b. A committee of 3-5 people from the district will evaluate all Request for Proposals submitted. The individuals who will be evaluating the proposals should have sufficient knowledge of the goals of the SFA, experience in school food service or congregate feeding, financial management experience (of food service, if possible), and experience in evaluating proposals. It is recommended that the SFA invite the State agency to attend the evaluation of the proposals. **The committee members should be determined prior to the date the proposals are due.**
 - c. SFAs may develop detailed specifications for each food component to be included in its RFP/Contract. Specifications shall cover items such as grade, purchase units, style, condition, weight, ingredients, formulations, and delivery time.

C. Food Service Management Company Contract

1. The SFA shall ensure that the food service operation is in conformance with its agreement under the program.
2. The SFA shall monitor the food service operation through periodic on-site visits in all schools operating the programs per, 7 CFR 210.16 (a)(3). This cannot be done by the FSMC if the FSMC is in charge of the meal-counting and -claiming system. (Reference 7 CFR §250.51(d) and FSMC for SFAs Guidance, page 15)
3. The SFA shall retain control of the quality, extent, and general nature of its food service and all prices to be charged for meals (contract prices, student prices, and adult prices for *ALL* meals).
4. The SFA shall retain signature authority on the State agency–SFA Agreement, Policy Statement for Free and Reduced-Price Meals, and claims. Approval of Applications for Free and Reduced-Price School Meals may only be delegated to an FSMC if specified in the contract. The SFA must also be responsible for the overall verification process. However, when an automated system is being used for the reviewing of Applications for Free and Reduced-Price School Meals, there is no problem with allowing the FSMC staff to input data. The FSMC staff may also update rosters for approved free and reduced-price eligible students and disseminate this information to cafeteria managers or cashiers. The FSMC staff may be involved in any of the staff work involved in follow-up contacts. Any correspondence would need to be signed by SFA staff.
5. The SFA shall ensure that all federal USDA Foods received and made available to the FSMC accrue only to the benefit of the SFA's nonprofit CNP and are fully utilized therein. All refunds from processors must be retained by the SFA. The FSMC may not subcontract for further processing of USDA Foods.
6. If an à la carte food service is operated, the FSMC agrees to offer free, reduced-price, and full-price reimbursable lunches and/or breakfasts and snacks, if applicable, to all eligible children.
7. **Analysis of price**—The contract documents should clearly indicate factors to be considered in determining the price.
 - (a) **Transparency:** The contract documents must be clear about how the price will be established.
 - (b) **Price Reasonableness:** Contracting officers are required to establish price reasonableness.
 - (c) **Competition:** Adequate price competition is the normal way to establish price reasonableness.
 - (d) **Price Analysis:** The USDA may use price analysis techniques to assess a proposed price without evaluating the separate cost elements.
 - (e) **Cost Analysis:** They may also use cost analysis techniques, including verifying cost data and evaluating cost elements, to ensure a fair price.
 - (f) **Market Conditions and Factors:** The contracting officer should be aware of market prices for comparable goods and services and other relevant factors that affect price, such as speed of delivery, warranty, quantities ordered, etc.
 - (g) **Primary Evaluation Factor:** Cost is a primary factor in evaluating and scoring bids or proposals.

8. Contract provisions

- a. Required contract provisions as required in Appendix II for 2 CFR Part 200. These provisions and clauses are in the State agency FSMC RFP prototype, **(to see the full provision statements for each of the following provisions, go to page P-12):**

- (1) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as may be appropriate
- (2) **USDA Equal Opportunity** information
- (3) Requiring **Buy American** as outlined in 7 CFR Part 210.21(d); specific instructions for prior approval of all of nondomestic product(s) (all contracts)
 - It is required the district is in compliance with **Buy American** provisions for contracts that involve the purchase of food by the FSMC. While compliance with **Buy American** provisions is an SFA responsibility, the FSMC is required to track all nondomestic food using the USDA Buy American Tracker. The SFA will use the total cost in the Attachment M in Section 6 to determine the Total Amount of Commercialized Cost in the tracker. (Reference SP-23-2024)
- (4) **Termination for Cause** information
- (5) Statement assuring positive efforts will be made to involve **small, minority, and women-owned businesses**
- (6) **Beverage Agreement** not allowing exclusive pouring rights
- (7) **Clean Water Act** provision
- (8) **Rights to Inventions Made Under a Contract or Agreement**, if applicable
- (9) **Contract Work Hours and Safety Standards Act**
- (10) **Davis-Bacon and Copeland Nonkickback Information**

b. Required Forms

- Signed statement of noncollusion (all contracts using the formal method)
- Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS) for all contracts using the formal method.
- Signed Byrd Anti-Lobbying form for contracts.
- Signed Oklahoma NonKickback Affidavit for purchases orders over \$25,000.

c. Unallowable FSMC Contract Provisions

- (1) SFAs shall prohibit all contracts that permit all income and expenses to accrue to the FSMC and cost-plus-a-percentage-of-cost and cost-plus-a-percentage-of-income contracts.
- (2) Contracts that provide for FSMC guarantees or payments of funds to the SFA General Fund are not allowed.
- (3) Contracts that provide for indemnification by the SFA of the FSMC or other persons without approval of the grantor or State agency are not allowed.
- (4) Requirements for excessive liability insurance for FSMC not approved vendors are unwarranted and restrict competition. Requirements that the insurance certification survive the termination of the contracts are beyond the scope of the agreement. These requirements could be used to limit open and free competition by serving as a barrier

to entry into the public bidding process for smaller and newly created businesses. All procurement transactions must be conducted in a manner that provides maximum open and free competition.

- (5) Acceleration clauses requiring the payment in full of expenses for amortized equipment or other costs are not allowed in that these would violate the one-year restriction on contracts. States may go beyond this requirement to further restrict cost amortization. Contracts which provide for the payment of interest by the SFA are unallowable.
 - (6) Any provisions that require the CNP account to pay the FSMC for damages for any FSMC employees hired by the district are prohibited due to restrictions on indemnification.
 - (7) FSMC contracts may not contain provisions, or allow noncontractual practices, which provide for payments that do not accrue to the nonprofit SFSA
 - (8) It is suggested that any waiver of liability by the SFA of damages by the FSMC to equipment or facilities should contain an exclusion to this waiver for any damages caused due to negligence
9. Bonding Requirements for food service management company (FSMC) contracts, construction or facility improvement contracts, or for subcontracts exceeding the \$150,000 threshold, the State agency may accept the bonding policy and requirements of the SFA provided the State agency has made a determination that the State agency's interest is adequately protected. If such a determination has not been made, the minimum requirements shall be as follows:
 - a. Each FSMC shall obtain a ***bid bond in the amount of 5 percent or up to 10 percent of the value of the contract*** as determined by the district. A copy of the bid bond shall accompany each bid. (Reference 7 CFR §225.15 [m][5])
 - b. Each FSMC exceeding the small purchase threshold in 2 CFR 200, shall obtain a ***performance bond in the amount of 10 percent or up to 25 percent of the value of the contract***. Districts shall require the FSMC to furnish a copy of the performance bond within ten days of awarding the contract. (Reference 7 CFR §225.15 [m][6])
 - c. FSMC shall obtain ***bid bonds and performance bonds only from surety companies listed in the current Department of Treasury Circular 570. No FSMC can send any alternative forms of bid or performance bonds, including but not limited to cash, certified checks, letters of credit, or escrow accounts.*** (Reference 7 CFR §225.15 [m][7])
10. The SFA shall maintain applicable health certification and assure that all state and local regulations are being met by an FSMC preparing or serving meals at an SFA facility.
11. The SFA shall establish an advisory board composed of parents, teachers, and students to assist in menu planning.
12. The FSMC shall adhere to the 21-day cycle menu that was included in the RFP for the first 21 days of meal service. Changes thereafter may be made with the approval of the SFA. (Reference 7 CFR 210.16[b])
13. The FSMC shall have state or local health certification for any facility outside the school in which it proposes to prepare meals, and the FSMC shall maintain this health certification for the duration of the contract. The FSMC must meet all applicable state and local health regulations in preparing and serving meals at the SFA facility.

14. There may be no time limitation on notification of the FSMC by the SFA of any meals that do not meet specifications, are unwholesome at the time of delivery, or do not otherwise meet the requirements of the contract. In the event of an audit or a state or federal review, overclaims may be assessed for previous claim periods in which meals do not meet requirements. A time limitation on notification would leave the SFA liable for such overclaims without recourse.
15. Specific statement of scope of service to be provided, listing the programs to be operated; e.g., NSLP, SBP, Special Milk Program (SMP), Afterschool Snack Program (ASSP), catering, vending, concession, Child and Adult Care Food Program (CACFP), Summer Food Service Program for Children (SFSP), etc.
16. Either party may cancel for cause with 60-day notification or number of days specified in the RFP.
17. The FSMC and the SFA must comply with all appropriate federal and state labor laws.
18. The FSMC shall maintain such records as the SFA will need to support its claim for reimbursement under this part and shall, at a minimum, report claim information to the SFA promptly at the end of each month. Such records shall be made available to the SFA upon request and shall be retained in accordance with federal and state regulations. Federal regulations require records to be maintained for a period of at least three years after the submission of the final claim for reimbursement for the fiscal year or longer as required to resolve audit issues. (Reference 7 CFR §210.23[c]) All negotiated contracts, except those awarded by Small Purchase Procedures, shall include a provision to the effect that the grantee, federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audits, examination excerpts, and transcriptions.
19. Procurement procedures are to be followed.
20. Duration of contract—The FSMC contract is a year to year contract with up to four renewals.

D. Recommendations When Contracting with a FSMC

1. SFAs should ensure that the FSMC's accounting system is adequate and that adequate cost data is provided.
2. It is recommended that contracts contain estimates of total costs. These estimates should be based in part on the preceding year's operations. This type of estimate is required by Federal Acquisition Regulations; and while these regulations are not legally governing for these contracts, the total cost estimate is a good business practice.
3. Revenues to the nonprofit school food service must be used solely to operate or improve the nonprofit school food service. Scholarships, or any other fund outside the nonprofit SFSA, are not necessary nor reasonable food service expenses and therefore cannot be funded from the SFA nonprofit SFSA.
4. The contract must contain a provision regarding liability for the distribution, loss of, or damage to USDA Foods caused by fault or negligence, as well as the right of the SFA to assert claims against other persons to whom USDA Foods are delivered for care, handling, or distribution.

5. Contracts, other than small purchases under \$250,000, shall contain provisions or conditions that allow for administrative, contractual, or legal remedies in instances where contracts violate or breach contract terms and provide for sanctions and penalties as may be appropriate.
6. The inclusion of a provision requiring compliance with the Civil Rights Act of 1964, as amended, is encouraged. While the responsibility for compliance with the Act is an SFA responsibility, this provision is intended to ensure that the food service operation conducted by the FSMC does not compromise SFA compliance with the Act.

E. Soliciting/Advertising the FSMC Request for Proposal:

1. **Time allowed**—Once the RFP is approved by the State agency, it is highly recommended the district allows at least 60 days from time the time proposals are solicited to the time that they are due. The minimum time allotted is 30 days.
2. **Advertising methods**—Proposals must be placed in a *newspaper for a minimum of two weeks*, solicited at least three qualified FSMCs, and be publicize in order to provide for maximum open and free competition. To accomplish this, copies of the complete RFP should be sent to three prospective offerers. A list of FSMC companies can be found on **page P-76**. Publicizing of the RFP should be done by advertising in major newspapers/trade journals that are normally used by the SFA for publicizing other procurements. The advertisement should be a minimum of two weeks. It is not necessary that the entire RFP be publicized. At a minimum, however, the advertisement should include:
 - The RFP number and date.
 - A brief description of what is being proposed for procurement.
 - Instructions for obtaining a copy of the RFP.
 - The date, time, and location the RFP is due.

Advertisement Example:

REQUEST FOR PROPOSALS: FSMC SERVICES
Request for Proposal for a Fixed-Price Contract for providing food service management services to the ABC School District can be picked up at 123 Education Lane, Smarttown, OK 12345 any time between 8:00 am and 3:00 pm. A required pre-proposal meeting will be held on Thursday, March 15, 20XX at 2:30 pm. Proposals are subject to all the conditions and specifications stated in the Request for Proposal and will be received at the address above and shall be marked on the envelope "Food Service Management Proposal, #100" Proposals will be received until April 30, 20XX for supplying ABC School Food Authority with food service management services during the 20XX-20XX school year. For more information, contact Ms. Smart at Smart@ABCschools.com.

3. **Preproposal meeting**—This is the chance for FSMC to look at the kitchen, store room, fridge space, cooking equipment, etc. This can be conducted in person or via Zoom/Facetime/Teams. The SFAs needs to conduct a preproposal meeting the first time the district goes out to bid. For rebid it is not required but it is suggested as some of the companies bidding may have already viewed the facility. ***It should be held approximately two weeks after the RFP is issued, but prior to the date proposals/offers are due.*** There are two important reasons for holding a preproposal meeting:
 - **Provide information**—To provide information concerning contract performance requirements that may be helpful in the preparation of proposals.

- **Answer questions**—To answer any questions prospective offerers may have regarding the solicitation.
- a. **Oral presentations**—An oral presentation can be required if marked in the RFP. If oral presentations are a component, great care must be taken to ensure the presentation is scored only for its content. Presentations must be ranked against measurable standards. The team members should be instructed to evaluate the substance of the presentation. Offerers must not be allowed to alter or amend their proposals through the presentation process.

F. Proposal Openings and Evaluations

On the date established for opening the proposals, each member of the evaluation team should score each proposal independently. If the RFP allows alternative proposals, care must be taken to ensure the offerer's alternatives address the basic guidelines established in the RFP.

It is imperative that proposal openings and evaluations be conducted fairly. Inconsistent actions by the individuals responsible for this component of procurement can result in proposal protests or legal action. In awarding a competitive negotiation (RFP), a set of award criterion in the form of a weighted evaluation sheet will be provided to each bidder in the original RFP. Price alone is not the sole basis for award, but remains the primary consideration when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.

1. **Proposal opening and evaluation**—The person responsible for receiving the proposals must safeguard them in order to prevent unauthorized disclosures. The proposal opening requires a sign-in sheet to document the persons present at the opening.

On the date established for opening the proposals, each member of the evaluation team should score each proposal independently. If the RFP allows alternative proposals, care must be taken to ensure the offerer's alternatives address the basic guidelines established in the RFP. ***The opening date and evaluating date do not have to be on the same day. Any bids received after the deadline are considered not responsive and cannot be considered.***

- (a) Proposals should not be compared to one another.
 - (b). Proposals that fail to address all requirements are unresponsive and cannot receive further consideration.
 - (c) The team members should be instructed to use a pass-or-fail basis for eliminating unresponsive proposals and then use the preestablished scoring system for evaluating the responsive proposals.
 - (d) It is required to sign the bid tabulation of the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
2. **Evaluating the FSMC RFP Proposals**—Proposals should be thoroughly reviewed and subjected to an impartial evaluation. An evaluation plan should be prepared prior to the receipt of any proposals. ***(The district can create their own evaluation form, use the electronic one in Other Documents, or use the form found on page P-84-87)***
 - (a) **Information on evaluation team**—A committee of 3-5 people will evaluate all Request for Proposals. The committee members should be determined prior to the date the proposals are due. Each person will score all proposals individually.
 - (b) **Evaluating/Scoring the Proposals**—An RFP is awarded by the using a rubric that is listed in the RFP. The district will create criteria or can use criteria created by OSDE as shown below. The weighted amount the district will use to score must be submitted in the

original RFP. This way the vendors bidding on the contract will know what is important to the district. ***Price is the primary factor and MUST have the most points awarded.***

NOTE: The SFA may delete or add criteria listed in the RFP.

It is required to submit individual evaluations and the group evaluations to OSDE prior to approval.

3. **Negotiations—The district can only negotiate if it is marked in the RFP.** Negotiations are conducted with offerers whose proposals receive evaluation scores that exceed a numerical value (i.e., cut-off score) established in advance by the evaluation panel. This ***cut-off*** score is determined prior to opening any of the proposals. After the evaluations have been completed and all proposals are ranked, those proposals that meet or exceed the preestablished cut-off score are forwarded to the individual or team responsible for negotiating with the offerers. As with RFP openings, the name of each offerer and the evaluation score must be recorded. Offerers not selected for further negotiation should be notified in writing.
 - Contract negotiations must be conducted in a fair and equitable manner. As with all aspects of procurement, the negotiators must be well prepared. The individuals evaluating the proposals should not be the same individuals who conduct negotiations with offerers whose proposals receive scores above the prescribed cut-off. The negotiators should inform all offerers of the terms and conditions of the negotiation, including which elements will not be negotiable and which elements can be negotiated. If at all possible, the negotiators should be experienced in school food service operations, school finance, and contract negotiations.
 - It is expected that the negotiation process will result in the selection of the successful offerer. However, if after negotiations, two or more offerers are still under consideration, the SFA must make a final selection using an unbiased method; e.g., the offerers are asked to submit a best and final price. The offerers should be informed of the situation and the method the SFA will use to select the successful offerer. The award should be made to the responsible offerer whose proposal is most advantageous to the SFA, price and other factors considered.
4. **Notification to Bid Winner—**The SFA should provide written notification to the successful offerer which clearly states that, while the offerer has been successful, the proposed contract is subject to State agency review. This notice should also inform the successful offerer that if nonsubstantive changes are needed as a result of the State agency review, an opportunity will be provided to amend the proposal.

Board Approval - If board approval of the contract is required, this requirement should also be included in the letter to the successful offerer.

Unsuccessful offerers should be notified promptly.

- G. **USDA Foods** —A provision must allow the USDA Foods distribution agency access to the contract to ensure compliance with the requirements of 7 CFR §250. The contract should include a provision that the FSMC shall maintain accurate and complete records with respect to the receipt, use or disposition, storage, and inventory of USDA Foods. Failure by the FSMC to maintain records required under the contract shall be considered prima facie evidence of improper distribution or loss of USDA Foods. **USDA Foods will remain with the SFA even if the contract is terminated.**
 1. The FSMC must credit the SFA for the value of all USDA Foods received for use in the SFA's meal service in the school year or fiscal year (including both entitlement and bonus foods). Donated Foods are considered ***RECEIVED*** when they arrive at the school kitchen, SFA, or

FSMC storage facility in either raw form or processed end products. Such requirement includes crediting for the value of USDA Foods contained in processed end products if the FSMC's contract requires it to:

- (a) Procure processed end products on behalf of the SFA.
- (b) Act as an intermediary in passing USDA Foods value in processed end products on to the SFA.

The FSMC will ensure compliance with the requirements in Subpart C of 7 CFR Part 250 and with the provisions of DHS or SFA processing agreements and will ensure crediting of the SFA for the value of USDA Foods contained in such end products at the processing agreement value.

2. The SFA may permit crediting for the value of USDA Foods through invoice reductions, refunds, discounts, or other means. However, all forms of crediting must provide clear documentation of the value received from USDA Foods; e.g., by separate line item entries on invoices
 - (a) The SFA must require crediting to be performed not less frequently than annually and must ensure that the specified method of valuation of USDA Foods permits crediting to be achieved in the required time period. The SFA must also ensure that the method, and timing, of crediting does not cause its cash resources to exceed the limits established in 7 CFR 210.9(b)(2).
3. The SFA must ensure that, in crediting it for the value of USDA Foods, the FSMC uses the USDA Foods values determined by DHS in accordance with §250.58(e)—The USDA commodity file cost as of a date specified by DHS. Negotiation of such values is not permitted. Additionally, the method of valuation must ensure that crediting may be achieved in accordance with Item b on the previous page and at the specific frequency established.
4. The FSMC must use all donated ground beef, donated ground pork, and all processed end products in the SFA's food service and must use all other USDA Foods, or commercially purchased foods of the same generic identity, of United States origin and of equal or better quality than USDA Foods in the SFA's food service (unless the contract specifically stipulates that USDA Foods, and not such commercial substitutes, be used).
5. The FSMC will not itself enter into the processing agreement with the processor required in Subpart C of 7 CFR Part 250.50.
6. The FSMC will comply with the storage and inventory requirements for USDA Foods.
7. DHS, a subdistributing agency, or the SFA, the Comptroller General, USDA, or their duly authorized representatives may perform on-site reviews of the FSMC's food service operation, including the review of records, to ensure compliance with requirements for the management and use of USDA Foods.
8. The FSMC will maintain records to document its compliance with requirements relating to USDA Foods in accordance with §250.54(b) as follows:
 - (a) The SFA must maintain the following records relating to the use of USDA Foods in its contract with the FSMC:
 - (1) USDA Foods and processed end products received and provided to the FSMC for use in the SFA's food service.

- (2) Documentation that the FSMC has credited it for the value of all USDA Foods received for use in the SFA's food service in the school or fiscal year, including, in accordance with the requirements in §250.51(a), the value of USDA Foods contained in processed end products.
 - (3) The actual USDA Foods values used in crediting.
 - (b) The FSMC must maintain the following records relating to the use of USDA Foods in its contract with the SFA:
 - (1) USDA Foods and processed end products received from, or on behalf of, the SFA for use in the SFA's food service.
 - (2) Documentation that it has credited the SFA for the value of all USDA Foods received for use in the SFA's food service in the school or fiscal year, including, in accordance with the requirements in §250.51(a), the value of USDA Foods contained in processed end products.
 - (3) Documentation of its procurement of processed end products on behalf of the SFA if applicable.
 - (c) The SFA must ensure that the FSMC is in compliance with the requirements of 7 CFR Part 250 through its monitoring of the food service operation, as required in 7 CFR Parts 210, 225, or 226, as applicable. The SFA must also conduct a reconciliation at least annually (and upon termination of the contract) to ensure that the FSMC has credited it for the value of all USDA Foods received for use in the SFA's food service in the school or fiscal year, including, in accordance with the requirements in §250.51(a), the value of USDA Foods contained in processed end products.
 - (d) USDA may conduct reviews of FSMC operations, as necessary, to ensure compliance with the requirements of 7 CFR Part 250 with respect to the use and management of USDA Foods.
9. Extensions or renewals of the contract, if applicable, are contingent upon the fulfillment of all contract provisions relating to USDA Foods.
 10. The SFA shall always retain title to all USDA Foods.

H. Billing and Payments

1. Paying the FSMC from CNP funds is prohibited until the contract is approved by the SA and signed by the SFA and FSMC representatives.
2. The **ONLY** allowable form an FSMC can use to bill the SFA is the State agency Attachment M. It is **REQUIRED** the FSMC fills out each applicable section including Section 6.
3. The meal equivalent rates for conversion of adult, à la carte, milk, and snack bar revenue is the contract meal rate listed in CARS Schedule B. It is the Free meal rate plus the incentive plus the value of USDA Foods. The meal equivalent rate is stated in the RFP. This rate will change every year in July when the new USDA rates are available.
4. The FSMC is **NEVER ALLOWED** to directly bill the SFA for any reason or service or charge a different amount than listed on the original contract or the renewal agreement.

5. FSMC contracts may not contain provisions, or allow noncontractual practices, which provide for payments that do not accrue to the nonprofit SFSA.
6. Increasing the Lunch Fixed-Priced Fee

The contract can be increased each year during the renewal. The price can increase or decrease per the March, Food Away From Home CPI. When the new CPI is released, the State agency will send out the percentage amount for the following year. ***At no other time can the FSMC change the fixed-priced fee.***

- H. FSMC Contract Renewal —The contract between the SFA and the FSMC shall be of a duration no longer than one year, and options for the yearly renewal of a contract may not exceed four additional one-year extensions.
1. The State agency shall annually review each contract, including all amendments, between any SFA and FSMC to ensure compliance with all the provisions and standards set forth in applicable regulations. **The SA renewal amendment *MUST* be used. Contact Karen Davis at the State agency at Karen.Davis@sde.ok.gov or 405-521-3327 to obtain a copy of the RFP.**
 2. The renewal contract including price/fee increase or decrease provisions, if any, must be stated in the contract and the RFP as appropriate. Price/fee increase or decrease provisions is the March *Food Away From Home* CPI. Once the March CPI is received by OSDE, the FSMC renewal form will be available.
 3. **Material Changes to the FSMC Contracts—*Material/Substantive changes of \$150,000 or more to an FSMC contract to the original contract*** will require rebidding the contract. First, there are those changes that must be initiated as a result of new services being desired by the SFA that are beyond the scope of the original contract. Second includes those changes, though within the scope of the contract, that substantially change the value, terms, or conditions of the existing contract.

Whenever an SFA identifies a new service to be acquired that is beyond the scope or original intent of the contract, a separate solicitation that allows for full and open competition from all qualified bidders would be needed for the new service desired.

Examples of new services include catering, à la carte sales, vended meals, convenience stores, vending machines, concessions, the SFSP, and the ASSP. If any of these new services are to operate in a facility participating in the NSLP, SBP, or SMP, then the entire contract for school food service would need to be rebid. This is due to the requirement that the FSMC may not contract to provide à la carte food service unless the FSMC undertakes the responsibility of managing the NSLP. If the new service will operate outside a facility participating in the NSLP, SBP, or SMP, then the new service may be bid separately. Exceptions to the process of conducting a formal competitive procurement are allowable if the original RFP requested, and the contract provided for, the priced option(s) to implement the added service(s). Also, as an alternative to sending out a separate solicitation, in limited situations noncompetitive proposals as a means of procurement may be allowable. Noncompetitive proposals may be utilized in emergency situations when time does not permit conducting a formal competitive procurement and the current contractor has all the capabilities necessary to perform the new service. When this option is feasible, after negotiating price and terms, the contract would simply be modified to reflect the new services and charges.

The contract would have to be rebid for those substantive changes within the general scope of the contract. Examples of substantive changes within the scope of the contract may include: changes to the formula for determining meal equivalency, any change in fees or basis for fee increases not reflected in the original RFP, a major shift in responsibilities for SFA/FSMC staff, a change in the menu-planning option not reflected in the original RFP, and significant changes in the basis for determining guaranteed returns.

I. Prohibited Items

1. It is not allowed for the FSMC to charge the SFA outside of the Fixed-Price Fee.
2. No firm, corporation, or individual shall blacklist or require a letter of relinquishment or publish or cause to be published or blacklisted any employee, mechanic, or laborer, discharged from or voluntarily leaving the service of such company, corporation, or individual, with intent and for the purpose of preventing such employee, mechanic, or laborer from engaging in or securing similar or other employment from any other corporation, company, or individual. (Reference State Law §40-172)
3. FSMCs may not require any additional liability coverage, regardless of dollar value, beyond that which the SFA would require under procurements not involving an FSMC. This prohibition would be effective in any situation where the SFA conducts its own procurement or where the FSMC procures products on behalf of the SFA. (Reference FNS Instruction SP-25-1998)
4. Changes in the FSMC contract that would create a material change.

- J. For SFAs wanting to contract with an outside company to operate any aspect of food service, the following pages have a list of companies that have been approved to operate in Oklahoma:

FOOD SERVICE MANAGEMENT COMPANIES LIST

Listed in alphabetical order

ARAMARK Educational Services, LLC

2400 Market Street
Philadelphia, PA 19103

Contact Person: Justin Crews, Chief Growth
Officer and Brian Achilles, Director of
Business Development

Phone: (412) 298-9779

Email: growth@aramark.com,
Crews-Justin1@aramark.com
Achilles-Brian@aramark.com

Contact Person: Rose Wooding

Phone: (281) 568-3131 or Fax: (281) 568-2323

E-mail: information@princefoodsystem.com

Selrico Services, Inc

402 Rhapsody Drive
San Antonio, Texas 78216

Contact Person: Christina Aleman

Phone: (210) 410-6580

Email: ChristinaA@selricoservices.com

A'vains LLC dba K-12 by Elior

2611 Brecca Ct
Apopka, FL 32712

Phone: (352) 630-7469

Contact Person: Jonathan Dickl, MBA, SNS,
Director of Business Development

Email: Jonathandickl@elior-na.com

Sodexo Services

5016 NW 10th
Oklahoma City, Oklahoma 73127

Contacts: Jennifer Strong

Cell Phone: (405) 301-0514

Email: Jennifer.Strong@Sodexo.com

FSMC Inquiries and RFP: educationsales.usa@
sodexo.com

Chartwells School Dining Services

Contact Person: Kellye Neal

Cell Phone: (501) 615-3660

Email: kellye.neal@compass-usa.com

Southwest Foodservice Excellence, LLC

9366 E Raintree Drive
Scottsdale, AZ 85260

Contact Person: Tiffany Bieret, Director Business
Operations; Catherine Trevino, Director of
Business Development

Phone: (480) 234-4688

Email: tiffany.bieret@sfellc.org

Email: catherine.trevino@sfefflc.org

Email: BestK12Food@sfellc.org

Genuine Foods

228 Park Avenue South , Ste 69981
New York, New York 10003

Phone: (781) 223-3174

Keystone Food Service

P. O. Box 429

Stillwater, Oklahoma 74076

Contact Person: Brett Feeback

Phone: (405) 550-2006

1st Email: info@keystonefoodservice.com

2nd Email: breannar@keystonefoodservice.com

SLA Management, Inc.

601 S Lake Destiny Rd Suite 405
Maitland, FL 32751

Contact Person: Jake Clifton, President

Phone: (407) 740-7677

Email: j.clifton@slamgmt.com

Email: partnerships@slamgmt.com

Opaa! Food Management, Inc.

16401 Swingley Ridge Road, Ste 600
Chesterfield, Missouri 63017

Contact Person: James Haley

Phone: (308) 380-7485 or Fax: (636) 812-0100

Email: Jhaley@oppaafood.com

OK-rfp@oppaafood.com

Taher, Inc

13800 Diplomat Drive
Dallas, TX 75234

Contact Person: Shauna Strub, Regional VP of
Business Development

Phone: (612) 219-6692 or Fax: (972) 395-5053

Email: s.strub@taher.com

Prince Food Systems, Inc.

11001 Wilcrest Drive, Suite 200
Houston, Texas 77099

SERVICE AND CONSULTING FIRMS LIST

Barlow Education Management Services

2801 North Lincoln

Oklahoma City, Oklahoma 73105

Contact Person: Lou Barlow

Phone: (405) 495-1911

Services: Commodity processing, menu planning, kitchen design, required CNP forms

VENDOR CONTACTS

This form is to be used for SFAs to document single vendor responses. If only one vendor responds, the school food authority (SFA) does not need to do price comparisons.

VENDOR NAME INCLUDING CONTACT INFORMATION	NAME OF CONTACT PERSON	DATE OF CONTACT	CONTACTED BY: LETTER, PHONE, IN-PERSON	RESPONSE RECEIVED

INFORMAL PROCUREMENT LOG TO BE USED FOR PURCHASES OF \$250,000 OR LESS

Check the box next to the supplier that you choose. If chosen supplier does not provide the lowest overall price, explain decision on attached sheet. Document contact with 2 or more vendors.

Item 24 to be purchased and specifications: _____

	Date & Method of Contact	Bid Price	Negotiated Price	Notes
Supplier #1:				
Supplier #2:				
Supplier #3:				

[illegible][illegible][illegible]

PROCUREMENT LOG AWARDBY LINE ITEM OR MARKET BASKET

Supplier Name:		Quantity Estimated to Be Purchased		Unit Price	Extended Price (Quantity X Unit Price)	Won Bid (✓)	Unit Price	Extended Price (Quantity X Unit Price)	Won Bid (✓)	Unit Price	Extended Price (Quantity X Unit Price)	Won Bid (✓)
Items to Be Purchased: • Listed on Product specifications • Delivery frequency: _____ • Bid will be honored for: _____ (Number of Day(s)/Week(s)/Month(s) (School will state time period)												
1. Product name & specification:												
2. Product name & specification:												
3. Product name & specification:												
4. Product name & specification:												
5. Product name & specification:												
6. Product name & specification:												
7. Product name & specification:												
8. Product name & specification:												
9. Product name & specification:												
10. Product name & specification:												
Total				\$			\$			\$		
Bidder who won the bid:												
The school can award all items to one bidder (lowest total price) or award on a line-item basis (lowest line-item price). Schools needs to tell the bidders which option it will use for awarding the purchase when it is asking for pricing. School can state that either option may be used by the school to award the purchase.												
Method of Contact: Phone, fax, e-mail, or in person												
Name of Person Providing Bid												
Date Contacted												
Additional Notes												
Signature of person completing this form:												Date:
Name of Bidder Selected for Market Basket: _____												
Bidder Selected Was Notified on: _____ (If notification was in writing, attach document to the procurement log) Method of Notification: _____ (E-mail/fax/mail/in person/phone)												

SMALL PURCHASE CHECKLIST

Terms, clauses, and information small purchase are available in the Procurement section of the manual and contract provisions.

PROCUREMENT FOR (list item(s): _____

FORMS & CLAUSES

- ___ Buy American information (*All Food & Milk contracts*)
- ___ USDA Equal Opportunity information (*contracts \$10,000 or more*)
- ___ Termination for Cause information (*contracts \$10,000 or more*)
- ___ Clean Water Act provision (*contracts \$150,000 or more*)
- ___ Contract work Hours and Safety Standards Act (*contracts \$100,000 or more*)
- ___ Oklahoma Nonkickback Affidavit (*Purchase orders over \$25,000*)
- ___ Davis-Bacon & Copeland Anti-Kickback Act (*Construction contracts \$2,000 or more*)
- ___ Debarment & Suspension form (*all contracts*)
- ___ Byrd Anti-Lobbying form (*contracts \$100,000 or more*)

___ Solicitation sent to a minimum of 2 vendors

Vendor 1: _____

Vendor 2: _____

Vendor 3: _____

___ Responses Received from:

Vendor 1: _____

Vendor 2: _____

Vendor 3: _____

What vendor was chosen and why? (keep all documentation for procurement review)

FORMAL PROCUREMENT CHECKLIST

Terms, clauses, and information regarding Formal Procurement are available in the Procurement section of the manual and Formal Procurement Clauses and Statement document.

COST PRICE ANALYSIS MUST BE PERFORMED ON EVERY PROCUREMENT TRANSACTION OVER THE SIMPLIFIED ACQUISITION THRESHOLD PER 2 CFR 200.324(a).

PROCUREMENT FOR *(list item(s))*: _____

FORMAL PROCUREMENT REQUIREMENTS

___ Newspaper Advertisement (all formal bids) newspaper advertised:

___ Solicitation sent to a minimum of 2 vendors

Vendor 1: _____

Vendor 2: _____

Vendor 3: _____

___ Evaluation criteria for RFP. An RFP is awarded based on overall scoring. The evaluation scoring should be given with the solicitation. PRICE must be given the most points. Other items scored on can be – Experience/references, Diversity in products and/or services, Quality of products, Cost & Performance Bonds, Personnel Management, Business Practices, Accounting and Reporting systems, and Service Capability plan are examples of how an RFP can be evaluated. (IFB/Sealed Bids are awarded lowest price only. No other factors can determine the award)

FORMS & CLAUSES

___ Buy American information (*All Food & Milk contracts*)

___ Must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate. (*All formal contracts*)

___ USDA Equal Opportunity information (*contracts \$10,000 or more*)

___ Termination for Cause information (*contracts \$10,000 or more*)

___ Clean Water Act provision (*contracts \$150,000 or more*)

___ Contract work Hours and Safety Standards Act (*contracts \$100,000 or more*)

___ Oklahoma Nonkickback Affidavit (*Purchase orders over \$25,000*)

___ Davis-Bacon & Copeland Anti-Kickback Act (*Construction contracts \$2,000 or more*)

___ Debarment & Suspension form (*all contracts*)

___ Byrd Anti-Lobbying form (*contracts \$100,000 or more*)

Example

RFP Individual Evaluation Form

One form per reviewer. Each reviewer scores each FSMC on their own based on the bid received.

*Evaluation Criteria and weighted points must match the points listed in the RFP

Reviewer: Jane Doe Date: 3/23/XX

Vendor A: Food for Schools, Inc. Vendor B: Okie Foods Vendor C: CNP LLC

Evaluation Criteria:	Weight Pts from RFP	Points from Reviewer:			Notes:
		Vendor A	Vendor B	Vendor C	
Price	30	10	20	30	
A Variety and Availability of Food Items that Meet CNP Requirements including CN label and Product Formulation Statement products	10	10	10	5	
Quality of Food	20	15	20	10	
Ordering System	15	10	15	10	
Customer Service	25	25	20	15	
Business Practices	0	0	0	0	
Total	100	70	85	70	

* Once completed, give form back so the group evaluation form can be completed.

*I validate the score for each vendor is true and correct. I scored each vendor on my own.

Signature of Reviewer: Jane Doe

Example

RFP Group Evaluation Form

**It must be evaluated by the committee of 3-5 people*

School District: Green Public School

Vendor A: Food for Schools, Inc. Vendor B: Okie Foods Vendor C: CNP LLC

Reviewer Name:	Total Points from Each Reviewer:			Notes:
	Vendor A	Vendor B	Vendor C	
Jane Doe	70	85	70	
Joe Superintendent	65	70	75	
Karen Director	85	85	75	
Total	220	240	220	

**The vendor with the highest points is to be awarded the contract. However, if you have marked negotiate, in your RFP, you can do so as indicated in the district's RFP. You will need to complete a new form after negotiations occur.*

Each person that scored the vendor must print and sign.

By signing this form, I validate the above information is true and correct with what I scored on the individual score sheet.

Print Name: <u>Joe Superintendent</u>	Signature: <u>Joe Superintendent</u>
Print Name: <u>Karen Director</u>	Signature: <u>Karen Director</u>
Print Name: <u>Jane Doe</u>	Signature: <u>Jane Doe</u>
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____

RFP Individual Evaluation Form

One form per reviewer. Each reviewer scores each FSMC on their own based on the bid received.

*Evaluation Criteria and weighted points must match the points listed in the RFP

Reviewer: _____ Date: _____

Vendor A: _____ Vendor B: _____ Vendor C: _____

Evaluation Criteria:	Weight Pts from RFP	Points from Reviewer:			Notes:
		Vendor A	Vendor B	Vendor C	
Price					
A Variety of Food Items that Meet CNP Requirements					
Quality					
Products with a CN label or a Product Formulation Statement					
Ordering System					
Customer Service					
Total	0	0	0	0	

** Once completed, give form back so the group evaluation form can be completed.*

***I validate the score for each vendor is true and correct. I scored each vendor on my own.**

Signature of Reviewer: _____

RFP Group Evaluation Form

**It must be evaluated by the committee of 3-5 people*

School District: _____

Vendor A: _____ Vendor B: _____ Vendor C: _____

Reviewer Name:	Total Points from Each Reviewer:			Notes:
	Vendor A	Vendor B	Vendor C	
Total	0	0	0	

**The vendor with the highest points is to be awarded the contract. However, if you have marked negotiate, in your RFP, you can do so as indicated in the district's RFP. You will need to complete a new form after negotiations occur.*

Each person that scored the vendor must print and sign.

By signing this form, I validate the above information is true and correct with what I scored on the individual score sheet.

Print Name: _____	Signature: _____
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____

NONKICKBACK AFFIDAVIT FORM

STATE OF OKLAHOMA)
)
COUNTY OF) SS

The undersigned (architect, contractor, supplier, or engineer), of lawful age, being first duly sworn, on oath says that this contract (purchase order) is true and correct. Affiant further states that the (work, services, or materials) will be (completed or supplied) in accordance with the plans, specifications, orders, or requests furnished the affiant. Affiant further states that he or she has made no payment, directly or indirectly, to any elected official, officer, or employee of the SFA or technology center SFA, of money or any other thing of value to obtain or procure the contract or purchase order.

(Contractor, Supplier, Engineer, or Architect)

Vendor/Company Name

Attested to before me this _____ day of _____,

.

Notary Public (or Clerk or Judge)

My Commission Expires: _____

CNP BUY AMERICAN JUSTIFICATION FORM

This form is required for each non-domestic food product that is being purchased and served in the school child nutrition programs. This form and any supporting documentation should be retained for three years plus the current. For products listed on the Buy American Exemption list (Non-Available Articles List), a Buy American Justification Form is not required.

Non-Domestic Agricultural Product:

Storage Area (dry, cooler, or freezer):

Country of Origin:

Estimated Annual Usage(list in purchase units):

Estimated Annual Cost(annual usage x cost per purchased unit):

Reason for the exception to the Buy American Provision(check applicable box and complete associated questions)

☐ Price of domestic item was significantly higher than non-domestic item

Cost per purchase unit for domestic product:

Cost per purchase unit for non-domestic pro product:

☐ Product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities

Was this item a substitution from the distributor?

Yes

No

If yes, was the substitution approved by the SFA prior to receiving?

Yes

No

Did the SFA consider domestic alternatives?

Yes

No

Explain why the non-domestic product was used in the place of an alternative domestic product:

Additional Notes:

School District:

County-District:

CN Director Signature: _____

Date: _____



OKLAHOMA
Education

INDEPENDENT PRICE DETERMINATION CERTIFICATE

Name of Food Service Management Company

Name of School Food Authority

A. By submission of this offer, the Offerer certifies, and in the case of a joint offer, each party thereto certifies as to his or her own organization, that in connection with this procurement:

1. The prices in this offer have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other Offerer or with any competitor.
2. Unless otherwise required by law, the prices which have been quoted in this offer have not been knowingly disclosed by the Offerer and will not knowingly be disclosed by the Offerer prior to opening in the case of an advertised procurement or prior to award in the case of a negotiated procurement, directly or indirectly to any other Offerer for the purpose of restricting competition.
3. No attempt has been made or will be made by the Offerer to induce any person or firm to submit or not to submit an offer for the purpose of restricting competition.

B. Each person signing this offer on behalf of the Offerer certifies that:

1. He or she is the person in the Offerer's organization responsible within the organization for the decision as to the prices being offered herein and has not participated, and will not participate, in any action contrary to A.1 through A.3 above; or
2. He or she is not the person in other Offerer's organization responsible within the organization for the decision as to the prices being offered herein, but that he or she has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated and will not participate in any action contrary to A.1 through A.3 above, and as their agent does hereby so certify; and he or she has not participated, and will not participate, in any action contrary to A.1 through A.3 above.

To the best of my knowledge, this Offerer, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any government agency and have not in the last three years been convicted of or found liable for any act prohibited by state or federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract.

Signature of Food Service Management Company's
Authorized Representative

Title

Date

In accepting this offer, the SFA certifies that no representative of the SFA has taken any action that may have jeopardized the independence of the offer referred to above.

Signature of School Food Authority's
Authorized Representative

Title

Date

NOTE: Accepting a bidder's/offerer's offer does not constitute award of the contract.

CERTIFICATION REGARDING LOBBYING

Applicable to Grants, Subgrants, Cooperative Agreements, and Contracts Exceeding \$100,000 in Federal Funds

Submission of this certification is a prerequisite for making or entering into this transaction and is imposed by Section 1352, Title 31, U.S. Code. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federally appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of a federal contract, the making of a federal grant, the making of a federal loan, the entering into a cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, *Disclosure Form to Report Lobbying*, in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all covered sub-awards exceeding \$100,000 in federal funds at all appropriate tiers and that all sub-recipients shall certify and disclose accordingly.

Name/Address of Organization

Name/Title of Submitting Official

Signature

Date

DISCLOSURE OF LOBBYING ACTIVITIES
APPROVED BY OMB
COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT
TO 31 U.S.C. 1352
(SEE REVERSE FOR PUBLIC DISCLOSURE)

1. Type of Federal Action: ☐ a. Contract ☐ b. Grant ☐ c. Cooperative Agreement ☐ d. Loan ☐ e. Loan Guarantee ☐ f. Loan Insurance	2. Status of Federal Action: ☐ a. Bid/Offer/Application ☐ b. Initial Award ☐ c. Postaward	3. Report Type: ☐ a. Initial Filing ☐ b. Material Change For Material Change Only: Year _____ Quarter _____ Date of Last Report _____

4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, if known Congressional District, if known: _____	5. If Reporting Entity in No. 4 Is Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____
8. Federal Action Number: <i>(if known)</i>	9. Award Amount: <i>(if known)</i> \$ _____
10. a. Name and Address of Lobbying Entity: <i>(if individual, last name, first name, MI)</i>	b. Individual Performing Services: <i>(including address if different from No. 10a) (last name, first name, MI)</i>
11. Amount of Payment: <i>(check all that apply)</i> \$ _____ ☐ Actual ☐ Planned	13. Type of Payment: <i>(check all that apply)</i> ☐ a. Retainer ☐ b. One-Time Fee ☐ c. Commission ☐ d. Contingency Fee ☐ e. Deferred ☐ f. Other: <i>(specify)</i> _____
12. Form of Payment: <i>(check all that apply)</i> a. Cash Nature _____ b. In-kind (specify) Value _____	
14. Brief Description of services performed or to be performed and date(s) of service, including officer(s), employee(s), or member(s), contracted for payment indicated in Item 11: (Attach Confirmation Sheets if necessary)	
15. Continuation Sheets Attached: ☐ Yes ☐ No	
16. Information requested through this form is authorized by Title 31 U.S.C. §1352. This disclosure of lobbying activities is a material representation of fact upon which evidence was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. §1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosures shall be subject to a civil penalty of not less than \$10,000 and not more than \$150,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone Number: _____ Date: _____

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INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether sub awardee or prime federal recipient, at the initiation or receipt of a covered federal action or a material change to a previous filing, pursuant to Title 31 U.S.C. §1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered federal action. Use a Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget (OMB) for additional information.

1. Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, state, and zip code of the reporting entity. Include Congressional district, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub-award recipient. Identify the tier of the sub-awardee; e.g., the first sub-awardee of the prime is the first tier. Sub-awards include, but are not limited to, subcontracts, subgrants, and contract awards under grants.
5. If the organization filing the report in Item 4 checks *Sub-awardee*, then enter the full name, address, city, state, and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example: Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identified in Item 1; e.g., Request for Proposal (RFP) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the federal agency. Include prefixes; e.g., *RFP-DE-90-001*.
9. For a covered federal action where there has been an award or loan commitment by the federal agency, enter the federal amount of the award/loan commitment for the prime entity identified in Item 4 or Item 5.
10.
 - a. Enter the full name, address, city, state, and zip code of the lobbying entity engaged by the reporting entity identified in Item 4 to influence the covered federal action.
 - b. Enter the full name of the individual performing services, and include full address if different from 10a. Enter last name, first name, and middle initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (Item 4) to the lobbying entity (Item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate item. Check all items that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box. Check all boxes that apply. If *Other*, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the dates of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with federal officials. Identify the federal officials or employees contacted or the officers, employees, or Members of Congress that were contacted.
15. Check whether Continuation Sheets are attached.
16. The certifying official shall sign and date the form, print his or her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

CERTIFICATION REGARDING DEBARMENT/SUSPENSION

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION—LOWER-TIER COVERED TRANSACTIONS

This certification is required by the regulations implementing Executive Order 12549 and 12689, Debarment and Suspension, Title 2 CFR, §180, as adopted and modified by USDA regulation at 2 CFR §417, Responsibilities of Participants Regarding Transactions.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON NEXT PAGE.)

1. The prospective lower-tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
2. Where the prospective lower-tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization/Vendor Name

Name(s) and Title(s) of Authorized Representative(s)

Name(s) and Title(s) of Authorized Representative(s)

Name of Institution/SFA Official

Title of Official

Signature

Date

CERTIFICATION REGARDING DEBARMENT/SUSPENSION

Instructions

1. By signing and submitting this form, the prospective lower-tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower-tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower-tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower-tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction, debarred, suspended, ineligible, lower-tier covered transaction, participant, person, primary covered transaction, principal, proposal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower-tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower-tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which the transaction originated.
6. The prospective lower-tier participant further agrees by submitting this form that it will include this clause titled *Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower-Tier Covered Transactions*, without modification, in all lower-tier covered transactions and in all solicitations for lower-tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower-tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith that certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower-tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.



USDA MEMOS AND RESOURCES FOR PROCUREMENT

Buy American Provisions	SP-38-2017 and SP-23-2024
Contract Provisions	2 CFR 200 Appendix II
FSMC Guidance Manual for SFAs	SP-40-2016
FSMC Procurement Requirements	SP-07-2009
Geographical Preference: Final Rule and Q&A	SP 22-2024
Micropurchasing Updates	SP-02-2022
Procurement Regulations	2 CFR Part 200 Subpart D
Procurement Questions & Answers	SP-08-2009 and SP-28-2009
USDA Foods and FSMC	FD-80
USDA Foods and Processing	https://www.fns.usda.gov/usda-fis/vendor
Using Cooperatives Agreements, Agents, and Third Party Services Q&A	SP-05-2017
Questions and Answers to using 2CFR 200	SP-02-2016

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Cafeteria Managers' Section

Notes

THE MANAGEMENT OF CHILD NUTRITION PROGRAMS

School nutrition professionals continue to make school meals the healthiest meals children eat in a day! Nutritious school meals are an investment in our children's futures, and we all share the common goal of helping them reach their full potential.

The Dietary Guidelines for Americans are revised every five years and are based on the latest scientific evidence related to diet and health.

MEAL PATTERNS

A. Overview

1. Final Rule: Child Nutrition Programs

Research shows that school meals are the most nutritious food source for American schoolchildren—thanks in large part to the work of school nutrition professionals, parents, school meal partners, the food industry, and U.S. Department of Agriculture (USDA) to make school meals healthier over the past decade.

USDA's Food and Nutrition Service (FNS) published the final rule titled, Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans, which is the next step in continuing the science-based improvement of school meals and other USDA child nutrition programs (CNP), as well as advancing USDA's commitment to nutrition security. The changes are based on a comprehensive review of the Dietary Guidelines for Americans, 2020-2025, robust stakeholder input on the CNP meal patterns, and lessons learned from prior rule makings. USDA took a multi-step approach in supporting schools to give kids the best chance at a healthy future.

a. Meal Patterns consistent with the Dietary Guidelines for Americans 2020-2025.

- (1) Limits **added sugar** for breakfast cereals, yogurt, and flavored milk in NSLP and SBP with an implementation date of July 1, 2025. A weekly 10% limit for added sugars in NSLP and SBP with an implementation date of July 1, 2027.
- (2) Maintains current whole grain requirements
- (3) Maintains current **sodium limit**, Sodium Target 1A. A 15% sodium reduction from the current limit for school lunch and a 10% reduction for school breakfast which schools must implement by July 1, 2027.
- (4) Allows schools to offer two grains, two meat/meat alternates, or a combination of both at breakfast.
- (5) A vegetable variety requirement for schools that choose to substitute vegetables for fruits at breakfast more than one day per school week. *See page CM-10 for more information on the vegetable variety.*
- (6) Allows school food authorities and schools that are tribally operated, operated by the Bureau of Indian (BIA) Education, and that serve primarily American Indian or Alaska Native children to serve vegetables to meet the grains requirement.
- (7) After School Snack Program (ASSP) aligns NSLP afterschool snack standards with the CACFP snack standards. There is a weekly (rather than daily) juice limit and whole grain-rich requirement to NSLP snacks.

- (8) Allows beans, peas, and lentils offered toward the meat/meat alternates meal component to also count toward the weekly vegetable subgroup requirement.
- (9) Allows nuts and seeds to credit for 100% of the meat/meat alternates component.
- (10) Changes the name of the “legumes (beans and peas)” vegetable subgroup to “beans, peas, and lentils.”

B. Menu Planning Option

1. Food-Based Menu Planning (Refer to the School Meal Requirements on **pages CM-6 and CM-7.**)
 - a. ***A single food-based menu-planning approach is required*** for school breakfast and lunch.
 - b. The benefits of using food-based menu planning include:
 - (1) Simplified management training and monitoring is expected to result in program savings.
 - (2) Serves as a teaching tool to help children choose a balanced meal.
 - (3) Ensures students have access to key food groups recommended by the Dietary Guidelines.
 - (4) Easier for schools to communicate the meal improvements to parents and the community-at-large.
 - c. ***Lunch:*** Schools must use food-based menu planning for lunch. (Refer to Lunch Meal Pattern on **page CM-6.**)
 - d. ***Breakfast:*** Schools must use food-based meal pattern breakfast requirements. (Refer to **page CM-7.**)
2. Identification of the Reimbursable Meal at the Beginning of the Food Service Line (Reference United States Department of Agriculture [USDA] Regulation §210.10[a][2] and §220.8[h] and [j])
 - a. Schools are required to have signage that identify the foods that are part of the reimbursable meal near or at the beginning of the serving line. This seeks to ensure that students understand the components of the reimbursable meal and do not make unintentional purchases of à la carte foods.
 - b. Schools have discretion as to how to identify the foods that are part of the reimbursable meal. For example, the items in a reimbursable meal might be posted in signage near the beginning of the line.
3. Three Grade Groups Are Required for Breakfast and Lunch
 - a. The requirements include ***grade group classifications***. They are more narrow to provide for the ***age-appropriate nutrition needs*** of students. The rule requires schools to ***use the same grade groups for planning both lunch and breakfast meals***.
 - b. The ***meal patterns for the K-5 and 6-8 grade groups overlap***; therefore, a single menu can be used to meet the needs of children in Grades K-8. However, the ***dietary specifications for each grade group must also be met***. This will ***require careful planning***. In other words, the meal pattern would include the food quantities that overlap in each of the groups. In addition, the maximum caloric limits cannot be exceeded for the younger students.

Lunch Meal patterns do not overlap for Grades 6-8 and 9-12. For this reason, ***one single menu with the same amounts of food will not work.*** Schools that consist of both grade/ groups must develop menus accordingly to meet needs of these two separate groups. Most usually, these will ***only include differences in serving sizes rather than different food items.***

- c. The rule does allow ***some flexibility.*** A school site that includes Grades K-8 may use the K-8 meal pattern.
- d. The meal patterns do not allow for schools with a grade configuration with one grade above or below the grade grouping to follow the predominant grade group requirements (as was previously allowable).
- e. The three grade groups are:
 - Grades K-5
 - Grades 6-8
 - Grades 9-12
 - Additional grade groups that can be used due to overlapping requirements:
 - *Breakfast:* Grades K-12
 - *Lunch:* Grades K-8

Grade Group Differences		
Grade Level: K-5 Calorie Ranges Breakfast: 350-500 Lunch: 550-650	Grade Level: 6-8 Calorie Ranges Breakfast: 400-550 Lunch: 600-700	Grade Level: 9-12 Calorie Ranges Breakfast: 450-600 Lunch: 750-850
Caloric Overlaps B: 400-500 L: 600-650		Caloric Overlaps B: 450-550 L: NO OVERLAP

LUNCH MEAL PATTERN

	Grades K-5		Grades 6-8		Grades 9-12	
Meal Pattern Requirements	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)^b	½	2 ½	½	2 ½	1	5
Vegetables (cups)^{b,c,e}	¾	3 ¾	¾	3 ¾	1	5
Dark Green ^c		½		½		½
Red/Orange ^c		¾		¾		1 ¼
Beans, Peas, Lentils ^c		½		½		½
Starchy ^c		½		½		½
Other ^{c,d}		½		½		¾
Additional Veg to Reach Total		1		1		1 ½
Grains (oz eq)^f	1	8	1	8	2	10
Meat/Meat Alternates (oz eq)	1	8	1	9	2	10
Fluid Milk (cups)^g	1	5	1	5	1	5
Min-Max Calories ^h	550-650		600-700		750-850	
Saturated Fat (% Of total calories) ^h	<10		<10		<10	
Sodium (mg) ^{h,i}	≤1110		≤1225		≤1280	

- ^a Food items included in each group and subgroup and amount equivalents. Minimum creditable serving is 1/8 cup.
- ^b 1/4 cup of dried fruit counts as 1/2 cup of fruit; 1 cup of leafy greens counts as 1/2 cup of vegetables. No more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100 percent full-strength.
- ^c Larger amounts of these vegetables may be served.
- ^d This category consists of *Other Vegetables* as defined in §210.10(c)(2)(ii)(E). For the purposes of the NSLP, the *Other Vegetables* requirement may be met with any additional amounts from the dark green, red/orange, and beans, peas, and lentils vegetable subgroups as defined in 210.10(c)(2)(ii).
- ^e Any vegetable subgroup may be offered to meet the total weekly vegetable requirement.
- ^f 80% of the all the grains offered throughout the course of the week must be whole grain-rich.
- ^g All fluid milk must be lowfat (1 percent or less, unflavored or flavored) or fat-free (unflavored or flavored) for ages 6 and older. Children 5 and under are only allowed unflavored milk, unless comingled (SP37-2017). Operators are **required** to offer unflavored fluid milk at each meal service. **Flavored milk must contain no more than 10 grams of added sugar per 8 ounces.**
- ^h Discretionary sources of calories (solid fats and added sugars) may be added to the meal pattern if within the specifications for calories, saturated fat, or sodium. Foods of minimal nutritional value (FMNV), and fluid milk with fat content greater than 1 percent are not allowed.
- ⁱ Target 1A Sodium is required per the interim specifications in 210.10(f)(3). **A 15% sodium reduction from the school lunch must implemented by July 1, 2027.**
- ^j Yogurt must contain no more than 12 grams of added sugar per 6 ounce.
- ^k By July 1, 2027, schools must meet the weekly dietary specification for added sugars. . **Discretionary sources of calories may be added to the meal pattern if within the dietary specifications.**

BREAKFAST MEAL PATTERN

	Grades K-5		Grades 6-8		Grades 9-12	
Meal Pattern Requirements	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)^b	1	5	1	5	1	5
Vegetables (cups)^{b,c}		0		0		0
Dark Green ^c		0		0		0
Red/Orange ^c		0		0		0
Beans, Peas, Lentils ^c		0		0		0
Starchy ^c		0		0		0
Other ^{c,d}		0		0		0
Additional Veg to Reach Total		0		0		0
Grains (oz eq)^{e,k,l} and/or Meat/Meat Alternates^{e,j}	1	7	1	8	1	9
Fluid Milk (cups)^f	1	5	1	5	1	5
Min-Max Calories ^g	350-500		400-550		450-600	
Saturated Fat (% Of total calories) ^h	<10		<10		<10	
Sodium (mg) ^{h,i}	≤540		≤600		≤640	

- ^a Food items included in each group and subgroup and amount equivalents. Minimum creditable serving is 1/8 cup.
- ^b 1/4 cup of dried fruit counts as 1/2 cup of fruit; 1 cup of leafy greens counts as 1/2 cup of vegetables. No more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100 percent full-strength.
- ^c Vegetables may be offered in place of fruit up to two days per week. Vegetables must be offered from at least two different vegetable subgroups if serving vegetables more than one day per week.
- ^d 80% of the all the grains offered throughout the course of the week must be whole grain-rich.
- ^e Schools may serve two grains, two meat/meat alternate, or a combination of both/ The grains served must meet the minimum daily grains requirement.
- ^f All fluid milk must be lowfat (1 percent or less, unflavored or flavored) or fat-free (unflavored or flavored) for ages 6 and older. Children 5 and under are only allowed unflavored milk, unless comingled (SP37-2017). Operators are **required** to offer unflavored fluid milk at each meal service. **Flavored milk must contain no more than 10 grams of added sugar per 8 ounces.**
- ^g The average daily calories for a 5-day school week must be within the range (at lease the minimum and no more than the maximum values).
- ^h Discretionary sources of calories may be added to the meal pattern if within the specifications for calories, saturated fat, or sodium.
- ⁱ Maintain Target 1A Sodium is required per the interim specifications in 210.10(f)(3). **A 10% reduction for school breakfast must be implemented by July 1, 2027.**
- ^j Yogurt must contain no more than 12 grams of added sugars per 6 ounces.
- ^k Breakfast cereals must contain no more than 6 grams of added sugar per dry ounce (no more than 21.2 grams sucrose and other sugars per 100 grams of dry cereal).
- ^l By July 1, 2027, schools must meet the weekly dietary specification for added sugars. Discretionary sources of calories may be added to the meal pattern if within the dietary specifications.

4. Multiple Serving lines.

Schools that choose to offer a variety of reimbursable lunches or provide multiple serving lines ***must make all required food components available to all students on every lunch line*** in at least the minimum required amounts.

Each line is required to have a separate Production Record and ensure all weekly vegetables subgroups have been met.

5. Schools receive the same per meal reimbursement whether the minimum requirements are met or exceeded. (SP 38-2019)

6. Desserts

- Schools may count ***no more than 2 oz equivalent grains-based dessert servings per week*** toward the grains requirement in the Lunch program.
- Desserts need to be whole grain-rich.
- The After School Snack Program (ASSP) does not allow grain-based desserts to be served. Grain-based desserts are indicated in red on the ASSP Grain Chart.

C. Components

1. Fruit

- a. Fruits and vegetables are two separate components.
- b. Fruits must be offered/served daily at breakfast and lunch.
 - Students must be offered 1/2 to 1 cup of fruit. The quantities depend upon the grade group.
 - At breakfast only: Vegetables may be offered in place of fruits up to two times per week. If vegetables are served twice, the vegetables offered for the week must come from two separate subgroups. Refer to Vegetable Subgroups on, **page CM-10**.
- c. May select from fresh, frozen with or without added sugar, canned in juice/light syrup, or dried fruit options
 - No more than 50% of fruit offered per meal service may be in the form of juice per week.
 - Juice must be 100 percent juice
 - 1/4 cup of dried fruit = 1/2 cup of fruit
 - Refer to Food-Buying Guide for crediting information

2. Vegetables

- a. At ***breakfast only***: Vegetables may be offered in place of fruits. Vegetables may be offered in place of fruits up to two times per week. If vegetables are served twice, the vegetables offered for the week must come from two separate subgroups. Refer to Vegetable Subgroups on, **page CM-10**.
- b. At **Lunch**, vegetables must be offered/served ***daily*** and should reflect a variety over the week. 3/4 to 1 cup of vegetable must be offered at lunch. The quantities depend upon the grade group. Weekly subgroups are required to be met in each serving line.
- c. Schools that are tribally operated, operated by the Bureau of Indian Education, and that serve primarily ***American Indian or Alaska Native children to serve vegetables to meet the grains requirement***.

d. **Weekly** requirements for Vegetable Subgroups (see **page CM-6-7 & CM-10**):

- Dark Green (e.g., broccoli, collard greens, spinach)
- Red/Orange (e.g., carrots, sweet potatoes, tomatoes)
- Beans, Peas, Lentils (e.g., kidney beans, lentils, chickpeas)
- Starchy (e.g., corn, green peas, white potatoes)
- Other (e.g., onions, green beans, cucumbers)
- Additional vegetables to meet 5 cups for 9-12 grade group and 3 $\frac{3}{4}$ cups for K-8

****Beans, peas, and lentils offered toward the meat/meat alternates meal component will also count toward the weekly vegetable subgroup requirement.***

e. Variety of preparation methods available:

- Fresh, frozen, canned
- USDA Foods offers a variety of no-salt added or lower-sodium products

f. Crediting leafy greens - One cup of raw leafy greens equals 1/2 cup of vegetable

g. Foods from the beans, peas, and lentils subgroup may be credited as a vegetable **OR** a meat alternate, but not as both in the same meal.

h. Pasta products made of 100% vegetable flour(s) may credit toward the appropriate vegetable subgroup (SP 26-2019)

i. If the school has multiple serving lines, each line is required to serve all required subgroups for the week for lunch.

Vegetable Subgroups for Child Nutrition Programs

Dark Green Vegetables	Red/Orange Vegetables	Beans, Peas, and Lentils	Starchy Vegetables	Other Vegetables
Grades K-5: 1/2 Cup/Week Grades 6-8: 1/2 Cup/Week Grades 9-12: 1/2 Cup/Week	Grades K-5: 3/4 Cup/Week Grades 6-8: 3/4 Cup/Week Grades 9-12: 1 1/4 Cups/Week	Grades K-5: 1/2 Cup/Week Grades 6-8: 1/2 Cup/Week Grades 9-12: 1/2 Cup/Week	Grades K-5: 1/2 Cup/Week Grades 6-8: 1/2 Cup/Week Grades 9-12: 1/2 Cup/Week	Grades K-5: 1/2 Cup/Week Grades 6-8: 1/2 Cup/Week Grades 9-12: 3/4 Cup/Week
Bok choy (Chinese cabbage) Broccoli Collard greens Dark green leafy lettuce Kale Musclun Mustard greens Romaine lettuce Spinach Turnip greens Watercress Beet greens Chicory Escarole endive Grape leaves Parsley Swiss chard	Acorn squash Butternut squash Carrots Cherry peppers Hubbard squash Pimientos Pumpkin Red/orange peppers Salsa Sweet potatoes Tomatoes Tomato products	Bean products Black beans Black-eyed peas (mature, dry, canned) Edamame Garbanzo beans (chickpeas) Green peas, dry Great Northern beans Kidney beans Lentils Lima beans (dry, mature) Mung beans Navy beans Pink beans Pinto beans Refried beans Small red beans Soy beans (dry, mature) Split peas White beans	Black-eyed peas (not dry, fresh, frozen) Breadfruit Cassava Corn Green bananas Green peas Jicama (yam bean) Lima beans (canned, fresh, or frozen) Mixed vegetables Parsnips Plantains Poi Piqueou peas Taro Water chestnuts White potato products Yautia (tannier)	All other fresh, frozen, and canned; cooked or raw vegetables, including: Artichokes Asparagus Avocado Bamboo shoots Bean sprouts Beets Bell or chili peppers Brussels sprouts Cabbage, green or red Cactus (napales) Cauliflower Celery Chayote Chinese snow peas Cucumbers Eggplant Green beans Green peppers Iceberg lettuce Kohlrabi Mushrooms Okra Olives Onions Parsnips Pepperoncinini Pickles Radishes Rutabagas Sauerkraut Seaweed Sugar snap peas Tomatillos Turnips Wax beans Yellow squash Zucchini

Any vegetable subgroup may be offered to meet the total weekly vegetable requirement.

Grades K-5: 3/4 cup daily and 3 3/4 cups for the week; **Grades 6-8:** 3/4 cup daily and 3 3/4 cups for the week; **Grades K-8:** 3/4 cup daily and 3 3/4 cups for the week; **Grades 9-12:** 1 cup daily and 5 cups for the week.

3. Grains

- a. There are daily minimum **and** weekly minimum quantities of grains for grade groups.
- b. 80% of the all the grains offered throughout the course of the week must be whole grain-rich.
 - All grains offered for the week are included in the eighty percent. ***There are no extra grains.***
 - The weekly whole grain-rich requirements is per meal service.

- c. Breakfast cereals may have no more than 6 grams of added sugars per dry ounce.

Breakfast Cereal Serving Size	Added Sugars Allowed
12-16 grams	0-3 grams
26-30 grams	0-6 grams
31-35 grams	0-7 grams
36-40 grams	0-8 grams
41-44 grams	0-9 grams
45-49 grams	0-10 grams
55-58 grams	0-12 grams
59-63 grams	0-13 grams
74-77 grams	0-16 grams

- d. Schools that are tribally operated, operated by the Bureau of Indian Education, and that serve ***primarily American Indian or Alaska Native children to serve vegetables to meet the grains requirement.***
- e. Schools must offer the daily and weekly minimum servings of whole grain-rich products at lunch. While maximums on Grains have been relaxed, calorie maximums remain the same. (Refer to **page CM-6-7.**)
 - ***Whole grain-rich*** food items must contain **50 to 100 percent** whole grains to be considered whole grain-rich. The other grains needs to be enriched grains.
- f. Criteria for whole grain-rich foods:
 - Meet the serving size requirements using the chart on **page CM-41-42** in the Grains Instruction
 - AND**
 - Meet at least **ONE** of the following:
 - Whole grains per serving must be ≥ 8 grams
 - Product includes Food and Drug Administration's (FDA's) whole-grain health claim statement or stamp on its packaging
 - Whole grain must be listed as the first ingredient on the product label
 - Must be the appropriate weight for the specific grade groups needed
- g. Refer to **page CM-41-42 Grains Chart (Exhibit A)** (Whole Grain-Rich Ounce Equivalency Requirements)
- h. Grain-Based Desserts
 - A maximum of 2oz equivalent of creditable grain-based desserts allowed at lunch per school week

i. Grains: Breakfast

- Offer the daily and weekly servings of grain items at breakfast
- 80% of all the grains offered throughout the course of the week at breakfast must be whole grain-rich. (*Note: All grains served are included in the 80%*)
- Schools can offer two grains, two meats/meat alternates, or a combination of both at breakfast.
- Meat/meat alternates served at breakfast do not count towards the 80% whole grain-rich rule. Only the grain products offered throughout the course of the week at breakfast are required to be 80% whole grain-rich.
- Formulated grain-fruit products cannot be used to meet grain or fruit components at breakfast
- Formulated grain-fruit products consist of grain-type products that have grain as the primary ingredient and grain-fruit-type products that have fruit as the primary ingredient. They are heavily fortified, high in solid fats and added sugars (e.g., fortified pastries).
- The term *formulated grain-fruit products* does **NOT** apply to granola bars or fortified cereals.

4. Meat/Meat Alternates

- Although there are no daily or weekly maximums for each grade group*, menu planners must not exceed the caloric limits. In addition, *using lowfat preparation methods and specifying lowfat and low-sodium commercially prepared meat/meat alternates* will be helpful in meeting the dietary specifications for fat and sodium.
- Schools can offer two grains, two meat/meat alternates, or a combination of both at breakfast.
- There is a daily 2 oz eq requirement for students in Grades 9-12 at lunch
- There is a daily 1 oz eq requirement for students in Grades K-8 at lunch
- Beans, peas, and lentils offered toward the meat/meat alternates meal component can also count toward the weekly vegetable subgroup requirement
- Yogurt may have no more than 12 grams of added sugars per 6 ounces (2 grams of added sugars per ounce).

Yogurt Serving in Ounces	Yogurt Serving in Grams	Added Sugars Allowed
2 oz.	57 grams	0-4 grams
3 oz.	85 grams	0-6 grams
4 oz.	113 grams	0-8 grams
5.3 oz.	150 grams	0-10 grams
6 oz.	170 grams	0-12 grams
8 oz.	227 grams	0-16 grams

**Uses ounces for yogurt. If ounces is not indicated, then use grams.*

- A variety of meat/meat alternate is encouraged
- Foods from the beans, peas, and lentils subgroup may be credited as a vegetable **OR** a meat alternate, but not as both in the same meal service.

- i. Tofu and soy yogurt is allowable as a meat alternate (Refer to the Food Buying Guide for item equivalency.)
- j. Nuts and seeds served can be credited for the full meats/meat alternates component.
- k. Chicken and seafood from China is **PROHIBITED** to be served.

5. Fluid Milk

- a. Schools **MUST** offer students fluid pasteurized milk in **at least two choices** from the following:
Unflavored milk must be one of the choices offered at each meal service.
 - Unflavored or flavored fat-free (skim)
 - Unflavored or flavored lowfat (1%)
 - Lactose-reduced lowfat (1%) or fat-free (skim)
 - Lactose-free lowfat (1%) or fat-free (skim)
 - Acidified milk, such as acidified kefir milk and acidified acidophilus milk (1%) or fat-free (skim)
 - Cultured milk, such as cultured buttermilk, cultured kefir milk, and cultured acidophilus milk (1%) or fat-free (skim); and
 - Ultra High Temperature (UHT) Milk (1%) or fat-free (skim)

b. Added Sugar Requirement in Flavored Milk

If flavored milk is served, it must meet the added sugar requirements.

Flavored Milk Ounces	Added Sugar
8 ounces	10 grams added sugar
10 ounces	15 grams of added sugar

- c. Smoothies that contain at least 1/4 cup (2 oz) of fluid milk per serving can count toward the milk component. If the smoothie contains less than 8 oz of fluid milk, additional fluid milk must be offered to meet the 8 oz requirement.
 - Milk used in preparation of menu items other than smoothies does not credit towards the fluid milk requirement
- d. Milk substitutions (e.g., soy beverages) (see **page CM-107**)
- e. The provision for **milk substitution beverages** for students with dietary limitations has not changed. (Refer to milk substitution form on **page CM-109**.)
- f. Milk substitution beverages can be offered to students with special dietary needs (not disabilities) in place of milk. The request must be in writing and from the parent or authorized state licensed healthcare professional. Substitutions are made on a case-by-case basis. **Milk substitution beverages are not intended for general consumption.** The milk substitutes must meet Nutrition Standards for nondairy substitutes, including nine specific nutrients (calcium, protein, vitamin A, vitamin D, magnesium, phosphorus, potassium, riboflavin, and vitamin B₁₂) (**page CM-107**).
- g. Water does not substitute for fluid milk. However, in accordance with the Healthy and Hunger-Free Kids Act of 2010, **water must be available to students during meal service. Operators may not offer water in competition with milk, as water is not considered part of the reimbursable meal. Schools who have a water fountain in the dining room area are meeting this requirement** (Reference Memo SP-41-2015)

D. Dietary Specifications—Calories, Saturated Fat, Sodium, and Added Sugar

The dietary specifications were established for each grade group and are meant to be *met, on average, over the week*.

1. Calorie Ranges

a. Minimum and maximum daily calorie (kcal) levels

Grades	Lunch	Breakfast
K-5	550-650	350-500
6-8	600-700	400-550
9-12	750-850	450-600
K-8	600-650	400-500

2. Saturated fat

a. Limit saturated fat

- Less than 10 percent of total calories (current regulatory standard)

b. There is no total fat standard

3. Sodium

a. The sodium levels in this table reflect the targets for the current school year.

Daily amount based on the average over a 5-day week				
	K-5 Grades	6-8 Grades	K-8 Grades	9-12 Grades
Breakfast	≤ 540 mg	≤ 600 mg	≤ 540 mg	≤ 640 mg
Lunch	≤ 1110 mg	≤ 1225 mg	≤ 1230 mg	≤ 1280 mg

4. Added Sugar

Beginning July 1, 2025, added sugars limits must be met for breakfast cereals, yogurt, and flavored milk served at school breakfast or lunch. In 2027-2028, USDA will limit added sugars to less than 10% of total calories across the week for both lunches and breakfasts

a. **Breakfast Cereals:** Limited to 6 grams of added sugars per dry ounce.

b. **Yogurt:** Limited to 12 grams of added sugars per 6-ounce serving (2 grams per ounce).

c. **Flavored Milk:** Limited to 10 grams of added sugars per 8-ounce serving.

- Middle and high schools can offer flavored milk with up to 15 grams of added sugars per 12-ounce serving when sold as a competitive food.

d. Sugars listed on the Nutrition Facts Label

(1) **Total sugar** includes both natural sugars that are found in fruits, vegetables, and milk, and sugar added during processing. If a grain or meat/meat alternate product has only total sugars listed, this indicates the total amount is **ADDED SUGAR**.

Reference the sugar chart on **page CM-11** to determine if this cereal meets requirements.

Breakfast cereal example:

Total Sugars 9g	→	The districts will use 9 grams to determine if this item meets the added sugar requirement

Note:In May 2020, added sugar was added to labels. If your meat/meat alternate or grain item does not have added sugar listed, contact the vendor for an updated label.

- (2) **Added sugars** are sugars added to a product during the processing. The sugar listed in the added sugar section does not contain naturally occurring sugars that are found in fruits, vegetables, or milk. The label below indicates this flavored milk has 10 grams of added sugars and 11 grams of naturally occurring sugar. Reference the sugar chart on **page CM-13** to determine if this flavored milk meets requirements.

Flavored milk example

Total Sugars 21g	→	The districts will use 10 grams to determine if this item meets the added sugar requirement
Added Sugar 10g		

- (3) **Includes added sugar** on the Nutrition Facts label clarifies that added sugars are included in the total sugars listed. This helps distinguish between naturally occurring sugars found in fruits, vegetables, or milk, and sugar that has been added during processing. The label below indicates this yogurt has 7 grams of added sugars and 8 grams of naturally occurring sugar. Reference the sugar chart on **page CM-12** to determine if this yogurt meets requirements.

Yogurt example

Total Sugars 15g	→	The districts will use 7 grams to determine if this item meets the added sugar requirement
Includes 7g Added Sugars		

MENU PLANNING

A. Preschool Meal Patterns and Menu Planning

On April 25, 2016, USDA's FNS published the final rule *Child and Adult Care Food Program: Meal Pattern Provisions Related to the Healthy, Hunger-Free Kids Act of 2010* (81 FR 24348) to update the School Meal Programs' meal pattern requirements for preschoolers under Parts 7 CFR 210.10 and 220.8. Schools serving meals to preschool students must comply with CACFP meal pattern requirements. (Reference CACFP Meal Patterns on **pages 115-117.**)

However, FNS recognizes that some schools serve meals to preschoolers and Grades K-5 students in the same service area at the same time. These co-mingled situations may create counting and claiming issues because it may be challenging to determine during a meal service if a child is in preschool or K-5, and the meal pattern requirements for preschoolers and K-5 students are slightly different. For example, children may arrive on the same bus and enter the cafeteria for breakfast together. In this situation, it may be difficult for meal service staff to determine which children are in preschool or K-5.

With these potential issues and the operational challenges, schools that serve meals to preschoolers and K-5 students in the same service area at the same time is considered co-mingling and may choose to follow the grade-appropriate meal patterns for each grade group or serve the K-5 meal pattern under 7 CFR 210.10 and 220.8 to both grade groups.

1. Consider the following factors when planning menus for Preschools when using the CACFP meal patterns. Refer to CACFP Breakfast or CACFP Lunch Meal Patterns located on page **CM-120-121** or in Other Documents under Meal Pattern Requirements section.

The following items are differences in the CACFP meal patterns and the NSLP meal patterns:

- Grain-based desserts cannot be served. These items are indicated in red on the CACFP and ASSP Grains Chart located on **page C-114-115** or in Other Documents.
- A whole grain-rich item must be served in at least one meal service a day.
- There are no calorie, sodium, or vegetable subgroup requirements for Pre-K.
- Flavored milk is not allowed to children 5 and under.
- A variety of milk is not required to be offered.
- Offer vs Serve is not allowable.

B. Head Start and Day Cares in a School Requirements

Schools serving meals to a head start program or a child care center **MUST** comply with CACFP meal pattern requirements. (Reference CACFP Meal Patterns on **pages 115-117.**)

If children in a day care or head start are served at the district, **co-mingling is NOT ALLOWED.** Co-mingling is only allowable for preschool children who are enrolled in the school district.

C. Menu Planning for the School Lunch and Breakfast Program

1. Consider the following factors when planning menus:

- Utilize menu-planning tool for lunch on **pages CM-18** through **CM-20** for each grade group. See **pages CM-21** through **CM-23** for Breakfast Menu-Planning Tool.
- 80% of the all the grains offered throughout the course of the week must be whole grain-rich.
- Calorie, sodium, and fat maximums for all age groups.
- No more than 2 oz equivalent grain-based desserts per week.
- Include all vegetable subgroups over the week for each serving line. (Refer to subgroup on **page CM-10**.)
- Offer a variety of milk. One offering must be unflavored at each meal service.
- Limit amount of processed food.
- Use USDA recipes (<http://www.fns.usda.gov/usda-standardized-recipe>).
- Stay within the added sugar requirements for yogurt, breakfast cereal, and flavored milk.
- Consider condiments (calories, fat, sodium).
- Offer a variety of each component such as meat alternates
- Adapt menus according to grade group.
- Refer to charts on short and long weeks on **pages CM-24-27**.
- Refer to Breakfast or Lunch Meal Patterns on **pages CM-6** and **CM-7**.

2. USDA has a Menu Planner tool guidance manual for schools. This manual can be found at <https://fns-prod.azureedge.us/sites/default/files/resource-files/menuplanner.pdf> or in Other Documents.

Menu-Planning Tool— Lunch Menus for Grades K-5

Instructions: Plan 1 week of school meals for Grades K-5 to meet both daily and weekly requirements. Indicate calorie amounts for each planned item that is being served per day. Record total calories in bottom box for each day.

LUNCH	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals
Meat/Meat Alternates: 1 oz/daily, 8/week						
Grains: 1 oz/daily, 8/week						
Vegetables: 3/4 cup/daily, 3 3/4 cups/weekly						
Dark Green Vegetable: 1/2 cup/week						
Red/Orange Vegetable: 3/4 cup/week						
Beans, Peas, & Lentils: 1/2 cup/week						
Starchy Vegetable: 1/2 cup/week						
Other Vegetable: 1/2 cup/week						
Fruits: 1/2 cup/daily, 2 1/2 cups/weekly						
Milk, 2 varieties: 1 cup/daily						
Noncreditable Food Items						
Calories: 550-650 Sodium: < 1,110 mg						

Menu-Planning Tool—Lunch Menus for Grades 6-8

Instructions: Plan 1 week of school meals for Grades 6-8 to meet both daily and weekly requirements. Indicate calorie amounts for each planned item that is being served per day. Record total calories in bottom box for each day.

LUNCH	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals
Meat/Meat Alternates: 1 oz/daily, 9/week						
Grains: 1 oz/daily, 8/week						
Vegetables: 3/4 cup/daily, 3 3/4 cups/weekly						
Dark Green Vegetable: 1/2 cup/week						
Red/Orange Vegetable: 3/4 cup/week						
Beans, Peas, & Lentils: 1/2 cup/week						
Starchy Vegetable: 1/2 cup/week						
Other Vegetable: 1/2 cup/week						
Fruits: 1/2 cup/daily, 2 1/2 cups/weekly						
Milk, 2 varieties: 1 cup/daily						
Noncreditable Food Items						
Calories: 600-700 Sodium: < 1,225 mg						

Menu-Planning Tool—Lunch Menus for Grades 9-12

Instructions: Plan 1 week of school meals for Grades 9-12 to meet both daily and weekly requirements. Indicate calorie amounts for each planned item that is being served per day. Record total calories in bottom box for each day.

LUNCH	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals
Meat/Meat Alternates: 2 oz/daily, 10/week						
Grains: 2 oz/daily, 10/week						
Vegetables: 1 cup/daily, 5 cups/ weekly						
Dark Green Vegetable: 1/2 cup/week						
Red/Orange Vegetable: 1 1/4 cup/week						
Beans, Peas, & Lentils: 1/2 cup/week						
Starchy Vegetable: 3/4 cup/week						
Other Vegetable: 3/4 cup/week						
Fruits: 1 cup/daily, 5 cups/ weekly						
Milk, 2 varieties: 1 cup/daily						
Noncreditable Food Items						
Calories: 750-850 Sodium: < 1,280 mg						

Breakfast Menu-Planning Worksheet for Grades K-5

(NOTE: Vegetables may substitute fruit up to two times a week at breakfast. If the vegetable substitutes the fruit more than one day, two different subgroups are require to be offered)

Instructions: Plan 1 week of school meals for Grades K-5 to meet both daily and weekly requirements. Indicate caloric amounts for each planned item that is being served per day. Record total calories in bottom box for each day.

BREAKFAST	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals
Fruit (1 cup daily, 5 cups weekly)						
Vegetables						
Dark Green						
Red/Orange						
Beans/Peas/Lentils						
Starchy						
Other Vegetables						
Grains (1 oz. daily, 7 servings for the week)						
Meat/Meat Alternate (<i>can be substituted for one or both grains</i>)						
Milk, 2 Varieties: one must be white milk (1 cup daily)						
Noncreditable Food Items						
Sodium ≤540 mg						
Calories 350-500						

Breakfast Menu-Planning Worksheet for Grades 6-8

(NOTE: Vegetables may substitute fruit up to two times a week at breakfast. If the vegetable substitutes the fruit more than one day, two different subgroups are require to be offered)

Instructions: Plan 1 week of school meals for Grades 6-8 to meet both daily and weekly requirements. Indicate caloric amounts for each planned item that is being served per day. Record total calories in bottom box for each day.

BREAKFAST	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals
Fruit (1 cup daily, 5 cups weekly)						
Vegetables						
Dark Green						
Red/Orange						
Beans/Peas/Lentils						
Starchy						
Other Vegetables						
Grains (1 oz. daily, 8 servings for the week)						
Meat/Meat Alternate (can be for substituted one or both grains)						
Milk, 2 Varieties: one must be white milk (1 cup daily)						
Noncreditable Food Items						
Sodium ≤ 600 mg						
Calories 400-550						

Breakfast Menu-Planning Worksheet for Grades -9-12

(Note: Vegetables may be substituted for the full fruit serving up to two times a week at breakfast. If the vegetable substitutes the fruit more than one day, two different subgroups are require to be offered)

Instructions: Plan 1 week of school meals for Grades 9-12 to meet both daily and weekly requirements. Indicate caloric amounts for each planned item that is being served per day. Record total calories in bottom box for each day.

BREAKFAST	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals
Fruit (1 cup daily, 5 cups weekly)						
Vegetables						
Dark Green						
Red/Orange						
Beans/Peas/Lentils						
Starchy						
Other Vegetables						
Grains (1 oz. daily, 9 servings for the week)						
Meat/Meat Alternate (can be substituted for one or both grains)						
Milk, 2 Varieties: one must be white milk (1 cup daily)						
Noncreditable Food Items						
Sodium ≤ 640 mg						
Calories 450-600						

Short and Long Week Calculations

- Calculations are rounded to the nearest 0.5 oz eq and 0.25 cup.
- Calculations apply to schools who **regularly** operate on a shorter or longer weekly cycle.
- Since the dietary specifications are based on average daily amounts, these are unaffected by varying week lengths (average over length of week, whether consisting of 3 to 7 days).
- Due to size of weekly vegetable subgroup requirements, the 20 percent adjustment is not practical. Therefore, adjustments are primarily made to the *Additional Vegetable* category only—which in turn allows increased or decreased offering amounts of any of the subgroups to meet this requirement.

Three-Day School Week Meal Component Adjustments

3-Day School Week Breakfast Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	1	3	1	3	1	3	1	3
Grain (oz eq), Meat/Meat Alternate, or a combination of both	1	4	1	5	1	5	1	5 ½
Fluid Milk (cups)	1	3	1	3	1	3	1	3

3-Day School Week Lunch Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	½	1 ½	½	1 ½	½	1 ½	1	3
Vegetables (cups)	¾	2 ¼	¾	2 ¼	¾	2 ¼	1	3
Dark Green		½		½		½		½
Red/Orange		½		½		½		1
Beans/Peas/Lentils		½		½		½		½
Starchy		½		½		½		½
Other		¼		¼		¼		½
Additional Veg to Reach Total		0		0		0		0
Grain (oz eq)	1	5	1	5	1	5	2	6
Meat/Meat Alternate (oz eq)	1	5	1	5 ½	1	5 ½	2	6
Fluid Milk (cups)	1	3	1	3	1	3	1	3

Four-Day School Week Meal Component Adjustments

4-Day School Week Breakfast Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	1	4	1	4	1	4	1	4
Grain (oz eq), Meat/Meat Alternate, or a combination of both	1	5 ½	1	6 ½	1	6 ½	1	7
Fluid Milk (cups)	1	4	1	4	1	4	1	4

4-Day School Week Lunch Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	½	2	½	2	½	2	1	4
Vegetables (cups)	¾	3	¾	3	¾	2 ¼	1	3
Dark Green		½		½		½		½
Red/Orange		¾		¾		¾		1 ¼
Beans/Peas/Lentils		½		½		½		½
Starchy		½		½		½		½
Other		½		½		½		¾
Additional Veg to Reach Total		¼		¼		¼		½
Grain (oz eq)	1	6 ½	1	6 ½	1	6 ½	1	8
Meat/Meat Alternate (oz eq)	1	6 ½	1	7	1	7	2	8
Fluid Milk (cups)	1	4	1	4	1	4	1	4

Six-Day School Week Meal Component Adjustments

6-Day School Week Breakfast Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	1	6	1	6	1	6	1	6
Grain (oz eq), Meat/Meat Alternate, or a combination of both	1	8 ½	1	9 ½	1	9 ½	1	9 ½
Fluid Milk (cups)	1	6	1	6	1	6	1	6

6-Day School Week Lunch Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	½	3	½	3	½	3	1	6
Vegetables (cups)	¾	4 ½	¾	4 ½	¾	4 ½	1	6
Dark Green		½		½		½		½
Red/Orange		¾		¾		¾		1 ¼
Beans/Peas/Lentils		½		½		½		½
Starchy		½		½		½		½
Other		½		½		½		¾
Additional Veg to Reach Total		1 ¾		1 ¾		1 ¾		2 ½
Grain (oz eq)	1	9 ½	1	9 ½	1	9 ½	2	12
Meat/Meat Alternate (oz eq)	1	9 ½	1	9 ½	1	9 ½	2	12
Fluid Milk (cups)	1	6	1	6	1	6	1	6

Seven-Day School Week Meal Component Adjustments

7-Day School Week Breakfast Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	1	7	1	7	1	7	1	7
Grain (oz eq), Meat/Meat Alternate, or a combination of both	1	10	1	11	1	11	1	12 ½
Fluid Milk (cups)	1	7	1	7	1	7	1	7

7-Day School Week Lunch Requirements	Grades K-5		Grades 6-8		Grades K-8		Grades 9-12	
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Fruits (cups)	½	3 ½	½	3 ½	½	3 ½	1	7
Vegetables (cups)	¾	5 ¼	¾	5 ¼	¾	5 ¼	1	7
Dark Green		½		½		½		½
Red/Orange		¾		¾		¾		1 ¼
Beans/Peas/Lentils		½		½		½		½
Starchy		½		½		½		½
Other		½		½		½		¾
Additional Veg to Reach Total		2 ½		2 ½		2 ½		3 ½
Grain (oz eq)	1	11	1	11	1	11	2	14
Meat/Meat Alternate (oz eq)	1	11	1	12 ½	1	12 ½	2	14
Fluid Milk (cups)	1	7	1	7	1	7	1	7

OFFER VERSUS SERVE

- A. Offer versus Serve (OvS) was established by USDA regulations in order to reduce plate waste by giving students the option to decline food items. The SFA decides whether to implement Offer versus Serve and in what grades.
- B. Offer versus Serve is required **at lunch** in senior high schools and optional for all other grades. Offer versus Serve is not required for any grade if the institution is a residential child care institution (RCCI). Boarding schools must implement OvS at the high school level.
- C. If a district participates in Offer versus Serve, it must be reported on the annual contractual agreement with the State agency.
- D. Annual training on Offer versus Serve is required for districts that utilize OvS.
 - For K-8 district's that do not utilize Offer vs Serve, training is not required.
- E. Offer versus Serve—Lunch
 - 1. Schools must offer five food components (grains, meat/meat alternate, fruit, vegetable, and milk).
 - 2. Students **MUST** take at least three of the five food components.
 - 3. Students **MUST** select at least one-half cup fruit and/or vegetable. This requirement can be met if the student selects one-fourth cup of fruit and one-fourth cup of vegetable.
 - 4. Students **MAY** decline the milk component under Offer versus Serve.
 - 5. The meal must be priced as a unit.
 - 6. Students must take the **full planned servings** for food components to count toward a reimbursable meal (except students are required to take one-half cup of fruit and/or vegetable).
 - 7. Students may decline any food component, including the main dish or milk. However, the student must take one-half cup fruit and/or vegetable.
 - 8. **The five components offered at lunch include:**
 - Meat/Meat Alternate (M/MA)
 - Grains (G)
 - Fruits (F)
 - Vegetables (V)
 - Milk (MK)

For example, if a student in Grades 9-12 selects just milk, fruit, and vegetables, the student may take one-half cup of the vegetable but must take the full one-cup offering of the fruit. However, if the student takes another full component, such as a grains component or meat/meat alternate, the student may take a smaller portion of the fruit because the fruit is no longer being counted as the third component in the reimbursable meal.
- F. Offer versus Serve—Breakfast
 - 1. Schools must offer at least the minimum serving sizes for the appropriate grade group of four food items from three food components.

2. Students must select at least three food items in at least the minimum serving size for the appropriate grade group.
3. Students are required to take at least one-half cup fruit.
4. Students *MAY* decline the milk component under Offer versus Serve.
5. Breakfast must be priced as a unit.
6. Students must take 1/2 cup fruit as one of the 3 food items.
7. **The breakfast components offered include:**
 - Milk (Mk)
 - Juice/Fruit/Vegetable (V/F)
 - Grains (G) and/or Meat/Meat Alternate (M/MT)
 - Additional food item from any component
8. **The four food items offered at breakfast are:**
 - 1 serving of Milk
 - 1 serving of Juice/Fruit/Vegetable
 - 1 servings of Grains and/or Meat/Meat Alternate
 - Additional item such as a grain, juice/fruit/vegetable, or a meat/meat alternate.
9. Schools may substitute 1 oz eq of meat/meat alternate for 1 oz eq of grains *AFTER* the minimum *DAILY* Grains requirement is met.

H. School Nutrition Staff Roles Relating to Offer versus Serve

1. **Menu Planners**
 - Use cycle menus.
 - Plan consistent number of menu items daily.
 - Use forecasting to plan food quantities.
 - Communicate menus to other staff.
 - Educate students and teachers about OvS.
2. **Servers**
 - Display food choices clearly, attractively.
 - Encourage students to select a complete meal via:
 - Enthusiastic comments.
 - Age-appropriate merchandising.
3. **Cashiers (This may not be the cashier, but the person who is monitoring students' trays to ensure reimbursable meals.)**
 - Review the planned menu:
 - Menu items
 - Serving sizes
 - Reimbursable meals

- Remind students of choices and unit price.
- Practice!

4. **Cooks**

- Prepare foods according to standardized recipes.
- Portion foods accurately.
- Keep accurate menu production records.

I. Teaching Students About Offer versus Serve

1. **Concerns**

- Number of components to select
- Portion sizes
- Pricing

2. **Strategies**

- Encourage students to select complete meals.
- Use age-appropriate materials (posters, table tents, other signs) at the point of service.
- Promote consistent, key messages.
- Give hands-on demonstrations.
- Enlist teachers' help.
- Remind them again and again.

3. **Signage**

Schools are required to identify the foods that are part of the reimbursable meal with signage near or at the beginning of the serving line. This seeks to ensure that students understand the components of the meal and select the required food items and quantities. Hopefully, this will prevent students from making unintentional purchases of à la carte foods. (Refer to **pages CM-31-32** for an example of Offer versus Serve signage).



Lunch Meal

OFFER VS SERVE: THE CHOICE IS YOURS

OFFER 5 FOOD COMPONENTS

STUDENT MUST TAKE 2 COMPONENTS + 1/2 CUP FRUIT OR VEGETABLE

Meat/Meat Alternate or Main Dish

Vegetables

1 or more of your choice

Fruits

1 or more of your choice

Grain

1 or more of your choice

Fat-Free or Low-Fat Milk

1/2 Pint of Flavored or Unflavored milk

(Unflavored must be offered)



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Breakfast Meal

OFFER VS SERVE: THE CHOICE IS YOURS
OFFER 4 FOOD ITEMS INCLUDING MILK

STUDENT MUST TAKE 3 OF THE 4 ITEMS
STUDENT MUST TAKE 1/2 CUP FRUIT OR VEGETABLE

Fruits

1 or more your choice

Bread and/or Meat/Meat Alternate
2 Items

Fat-Free or Low-Fat Milk
1/2 Pint Flavored or Unflavored Milk
(unflavored must be offered)

Additional Food Item
Another Fruit and/or
Vegetable or Grain serving OR
Meat/Meat Alternate



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CREDITING OF FOOD

A. Food Buying Guide

The USDA Food-Buying Guide provides menu planners with information regarding crediting food items that have a Standard of Identity toward the meal pattern requirements. It should be used to determine how much food to purchase or prepare.

1. To obtain The Food-Buying Guide
 - Download a PDF copy at <https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs>
 - CARS - Other Documents in the Food Buying Guide section.
 - Interactive/electronic copy at <https://foodbuyingguide.fns.usda.gov/>
 - Download the app on your smart phone or smart devices (available on IOS and Android)
2. Foods are grouped in the Food-Buying Guide in the following sections:
 - Section 1: Meats and Meat Alternates
 - Section 2: Vegetables
 - Section 3: Fruit
 - Section 4: Grains
 - Section 5: Milk
 - Section 6: Other Foods (*the foods in this section do not meet any of the requirements for any components in the meal patterns*)
3. The Food-Buying Guide is divided into yield tables using a six-column format:

1 Food As Purchased, AP	2 Purchase Unit	3 Servings Per Purchase Unit, EP	4 Serving Size Per Meal Contribution	5 Purchase Units for 100 Servings	6 Additional Information

Column 1—Food As Purchased, AP: Tells you the name of the food item and the form(s) in which it is purchased. Individual foods are arranged in alphabetical order by type of food.

Column 2—Purchase Unit: Tells you the basic unit of purchase for the food. For most foods, the guide lists *Pound* as the purchase unit.

Column 3—Servings Per Purchase Unit, EP (Edible Portion): Shows the number of servings of a given size (found in Column 4) from each purchase unit (found in Column 2). It is based on average yields from good-quality foods prepared in ways that result in a minimum of waste.

Column 4—Serving Size Per Meal Contribution: Describes a serving by weight, measure, or number of pieces or slices. Sometimes both measure and weight are given or the measure and number of pieces or slices.

For foods specified in the meal patterns, the serving size given in this column can be credited toward meeting the meal pattern requirements. For many fruits and vegetables, both pieces and 1/4-cup servings are included.

Column 5—Purchase Units for 100 Servings: Shows the number of purchase units you need for 100 servings. This number was calculated using the purchase unit listed in Column 2 and the serving size (by weight) listed in Column 4. Numbers in Column 5 have been rounded up to help ensure enough food is available for 100 servings.

Column 6—Additional Information: Provides other information to help you calculate the amount of food you need to purchase and/or prepare.

For many food items, this column shows the quantity of ready-to-cook or cooked food you will get from a pound of food as purchased.

The data in the yield tables can help you in a variety of ways as you plan menus, make purchasing decisions, and check to make sure meals will meet CNP requirements.

4. Calculating how much food you need for a given number of servings:
 - Foods are most often purchased in case lots. Keep in mind that the purchase amount may differ from the calculated amount to prepare a menu item.
 - Always **round up** when calculating *how much food to buy*.
 - Always **round down** when calculating the *creditable component* toward meeting a meal pattern requirement.
5. To calculate how much of any food to purchase, you should begin by asking yourself the following questions:
 - How many servings will I need?
 - Will different serving sizes be used for various age/grade groupings?
 - What is my planned serving size for this food?
 - In what form will I purchase this food?
 - What serving size is listed in Column 4?
 - Is the listed serving size the same as my planned serving size?
 - How many purchase units of the food will I need to buy?

Example 1

You are planning to serve 1/4 cup of raw, unpeeled fresh apples. You will be purchasing fresh, whole apples, case count 125-138. How many pounds of fresh, whole apples will you need to buy?

1. Estimate the number of servings of the prepared food you will need.

You estimate that you will need **200** 1/4-cup servings of fresh, unpeeled apple.

2. Locate the food in the *Food-Buying Guide* in the form you intend to serve.

Section 3—Fruits

1 Food As Purchased, AP	2 Purchase Unit	3 Servings Per Purchase Unit, EP	4 Serving Size Per Meal Contribution	5 Purchase Units for 100 Servings	6 Additional Information
APPLES					
Apples, fresh <i>125-138 count</i> <i>Whole</i>	Pound	14.8	1/4 cup raw, unpeeled fruit (about 1/4 apple)	6.8	1 lb AP = 0.91 lb (3 2/3 cups) ready-to cook or -serve raw, cored, unpeeled apple

3. Check the serving size listed in Column 4. Compare this to your planned serving size.

Column 4 reads: 1/4 cup raw, unpeeled fruit (about 1/4 apple)

This is the same as your planned serving size to all students, so no conversion is needed.

4. Refer to Column 2 to find the purchase unit. Refer to Column 3 for the number of servings you will get per purchase unit.

Column 2 reads: Pound

Column 3 reads: 14.8

5. Divide the number of servings needed by the number of servings you will get per purchase unit (Column 3).

Number of servings needed = 200

Servings per purchase unit = 14.8

200 divided by 14.8 = 13.51

6. Round up to 14.0 pounds to ensure enough food is available.

ANSWER: You will need 14.0 pounds of fresh, unpeeled apples for 200 1/4-cup servings

Example 2

You are planning to serve ground beef tacos with no more than 20 percent fat to 600 students of different grade levels. How many pounds of ground beef will you need?

1. Estimate the number of servings and the serving size of the prepared food for each age/grade.

You estimate that of the 600 planned servings, 200 will be served 1 1/2 ounces each and 400 will be served 2 ounces each.

2. Locate the food in the *Food-Buying Guide* in the form you intend to serve.

Section 1—Meat/Meat Alternates

1 Food As Purchased, AP	2 Purchase Unit	3 Servings Per Purchase Unit, EP	4 Serving Size Per Meal Contribution	5 Purchase Units for 100 Servings	6 Additional Information
Beef, Ground, fresh or frozen^{7,8} <i>no more than 20% fat includes USDA commodity (Like IMPS #136)</i>	Pound	11.8	1 oz cooked lean meat	8.5	1 lb AP = 0.74 lb cooked, drained lean meat
	Pound	7.89	1 1/2 oz cooked lean meat	12.7	

3. Check the serving sizes listed in Column 4. Compare this to your planned serving sizes.

Column 4 reads: 1 ounce cooked lean meat *and* 1 1/2 ounces cooked lean meat

Since there is no serving size for 2 ounces of cooked lean meat, *a conversion is needed.*

4. Calculate the total ounces of cooked lean meat needed.

200 servings X 1.5 ounces = 300 ounces

400 servings X 2.0 ounces = 800 ounces

1,100 ounces total cooked lean meat

You need a total of 1,100 ounces of cooked lean meat. Since this total is in units of 1 ounce, you can now use the serving size of 1 ounce cooked lean meat as found in Column 4.

5. **Refer to Column 2 to find the purchase unit. Refer to Column 3 for the number of servings you will get per purchase unit.**

Column 2 reads: Pound

Column 3 reads: 11.8

6. **Divide the total number of ounces needed by the number of servings you will get per purchase unit (Column 3).**

Number of total ounces needed = 1,100

Servings per purchase unit = 11.8

1,100 divided by 11.8 = 93.22

7. **Round up to 94 pounds to ensure enough food is available.**

ANSWER: You will need 94 pounds of raw ground beef for the required serving sizes for 600 people.

NOTE:

- Green leafy vegetables include 1-cup quantity credit to a 1/2-cup vegetable credit.
- One-fourth cup of dried fruit counts as 1/2 cup.

B. Grains

1. All grain items, including those that are part of battered and/or breaded products offered must be counted toward the weekly grains requirement.
2. 80% of all the grains offered throughout the course of the week must be whole grain-rich. The 80% rule applies to each meal service - NSLP and SBP
3. Whole grain-rich items include, but are not limited to, whole-wheat flour, oatmeal, whole cornmeal, and brown rice. (See **page CM-40** for a list of whole grains)
4. There are three *different* ways to identify whole grain-rich products.

- a. Whole grain product will be listed as the *first ingredient on the ingredient label*. This indicates that the product is at least 50 percent whole grain.

NOTE: *Water can be the first ingredient.*

INGREDIENTS: WHOLE GRAIN OATS, MODIFIED CORN STARCH, CORN STARCH, SUGAR, SALT, CALCIUM CARBONATE, OAT FIBER, TRIPOTASSIUM PHOSPHATE, WHEAT STARCH, VITAMIN E (MIXED TOCOPHEROLS) ADDED TO PRESERVE FRESHNESS

- b. An *individual* grain *serving* must provide **8 grams OR MORE of whole grain** per serving.
 - c. Whole grain-rich servings *may* be specified on the CN label.
5. Labels that verify the whole grain-rich contribution must be maintained to document that the requirement was met.
 6. **Grain-based desserts** can be used for the grain requirement, but must be limited to a total of 2 oz equivalents per week.
 7. **Fortified** grain products *cannot* be used to meet the grains requirement.
 8. Once the bread item is determined to meet the whole grain-rich requirement, then the food item must meet **portion size** requirements. (Refer to the Grains Requirements for Child Nutrition Programs on **page CM-40-41** or the USDA Food-Buying Guide.)
 9. Grains Chart (Exhibit A in the Food Buying Guide)

SFAs and program operators refer to:

- Section 4: Grains of the Food-Buying Guide for Child Nutrition Programs.

All whole grain-rich products must be credited based on per-ounce equivalent (oz eq) standards. Refer to **page CM-40-41** for the Grains Requirements for Child Nutrition Programs using 16 grams per serving.

The oz eq for grains may be determined by using either the weights or volumes listed in Exhibit A, or the SFA may require documentation from a manufacturer certifying the grams of creditable grains per portion for determining the oz eq from a given product.

10. Calculating Ounce Equivalents

The contribution of grains in a recipe or product formulation statement for items listed in Exhibit A, Groups A-G, may be calculated to determine the number of oz eq grains the recipe provides.

Note: 16.0 grams of creditable grains = one full oz eq for Groups A–G of Exhibit A and 28.0 grams of creditable grains = one full oz eq for Groups H and I of Exhibit A

Total Grams of Creditable Grains in ONE portion

÷

16.0 grams or 28.0 grams
= the number of oz eq grains per portion

11. **Homemade baked goods.** If 50-100% of the grain used in the homemade product, the item is considered whole-grain. ***Make sure the recipe shows the amount of whole-grain ingredient is used as this will be looked at during the Administrative Review.***

LIST OF WHOLE GRAINS

While this list is extensive, it is *NOT* comprehensive and therefore may not contain all possible representations of whole-grain ingredient listed on food labels.

WHEAT (RED)—The Most Common Kind of Wheat in the United States

- wheat berries
- whole-grain wheat
- cracked wheat or crushed wheat
- whole-wheat flour
- bromated whole-wheat flour
- stone ground whole-wheat flour
- toasted, crushed whole wheat
- whole-wheat pastry flour
- entire wheat flour
- whole durum flour
- whole durum wheat flour
- whole-wheat flakes
- sprouted wheat
- sprouted wheat berries
- bulgur (cracked wheat)
- whole bulgur
- whole-grain bulgur

WHEAT (WHITE)

- whole white flour whole white-wheat flour

OATS

- whole oats
- oat groats
- oatmeal or instant oatmeal
- rolled oats
- whole-oat flour
- steel cut oats
- quick cooking oats
- old-fashion oats

BARLEY

- whole barley
- whole-grain barley
- whole barley flakes
- dehulled barley
- dehulled barley flour

CORN

- whole corn
- whole-corn flour
- whole-grain corn flour
- whole-grain cornmeal *or* whole cornmeal
- whole-grain grits
- popcorn
- nixtamalized corn
- ground corn treated with Lime
- hominy *or* hominy groats
- corn masa
- masa harnia

BROWN RICE

- brown rice
- brown-rice flour

WILD RICE

- wild rice
- wild-rice flour

RYE

- whole rye
- rye berries
- whole-rye flour
- whole-rye flakes
- rye groats

LESS COMMON WHOLE GRAINS:

- sprouted einkorn, whole grain einkorn flour *or* sprouted einkorn
- Kamut®
- emmer (farro)
- teff *or* teff flour
- triticale or triticale flour
- spelt berries or sprouted spelt
- buckwheat, sprouted buckwheat, buckwheat groats, *or* buckwheat flour
- amaranth or amarath flour
- sorghum (milo) *or* sorghum flour
- millet *or* millet flour
- quinoa
- graham flour

GRAINS CHART

EXHIBIT A: GRAIN REQUIREMENT FOR CHILD NUTRITION PROGRAMS^{1,2}

GROUP A	OZ EQ FOR GROUP A
• Bread-type coating • Breadsticks (hard) • Chow mein noodles • Savory crackers (saltines and snack crackers) • Croutons • Pretzels (hard) • Stuffing (dry) <i>Note: Weights apply to bread in stuffing.</i>	1 oz eq = 22 gm or 0.8 oz 3/4 oz eq = 17 gm or 0.6 oz 1/2 oz eq = 11 gm or 0.4 oz 1/4 oz eq = 6 gm or 0.2 oz
GROUP B	OZ EQ FOR GROUP B
• Bagels • Batter-type coating • Biscuits • Breads (sliced whole-wheat, French, Italian) • Buns (hamburger and hot dog) • Sweet crackers (graham crackers—all shapes, animal crackers) • Egg roll skins • English muffins • Pita bread (whole-wheat or whole grain-rich) • Pizza crust • Pretzels (soft) • Rolls (whole-wheat or whole grain-rich) • Tortillas (whole-wheat or whole-corn) • Tortilla chips (whole-wheat or whole-corn) • Taco shells (whole-wheat or whole-corn)	1 oz eq = 28 gm or 1.0 oz 3/4 oz eq = 21 gm or 0.75oz 1/2 oz eq = 14 gm or 0.5 oz 1/4 oz eq = 7 gm or 0.25oz
GROUP C	OZ EQ FOR GROUP C
• Cookies (plain—includes vanilla wafers) • Cornbread • Corn muffins • Croissants • Pancakes • Pie crust (dessert pies, cobbler, fruit turnovers, and meat/meat alternate pies) • Waffles	1 oz eq = 34 gm or 1.2 oz 3/4 oz eq = 26 gm or 0.9 oz 1/2 oz eq = 17 gm or 0.6 oz 1/4 oz eq = 9 gm or 0.3 oz
GROUP D	OZ EQ FOR GROUP D
• Doughnut (cake and yeast-raised, unfrosted) • Cereal bars, breakfast bars, granola bars (plain) • Muffins (all except corn) • Sweet roll (unfrosted) • Toaster pastry (unfrosted)	1 oz eq = 55 gm or 2.0 oz 3/4 oz eq = 42 gm or 1.5 oz 1/2 oz eq = 28 gm or 1.0 oz 1/4 oz eq = 14 gm or 0.5 oz

¹ The following food quantities from Groups A-G must contain at least 16 grams of whole grain or can be made with 8 grams of whole grain and 8 grams of enriched meal and/or enriched flour to be considered whole grain-rich.

² Some of the following grains may contain more sugar, salt, and/or fat than others. This should be a consideration when deciding how often to serve them.

³ Allowed in NSLP (up to 2.0 oz eq grain-based dessert per week in grades K-12) as specified in §210.10. Considered a grain-based dessert and cannot count towards the grains component in CACFP preschool meals or in Afterschool snacks as specified in §226.20(a)(4) and §210.10.

GROUP E	OZ EQ FOR GROUP E
• Cereal bars, breakfast bars, granola bars⁴ (with nuts, dried fruit, and/or chocolate pieces) • Cookies³ (with nuts, raisins, chocolate pieces, and/or fruit purees) • Doughnuts⁴ (cake and yeast-raised, frosted or glazed) • French toast • Sweet rolls⁴ (frosted) • Toaster pastry⁴ (frosted)	1 oz eq = 69 gm or 2.4 oz 3/4 oz eq = 52 gm or 1.8 oz 1/2 oz eq = 35 gm or 1.2 oz 1/4 oz eq = 18 gm or 0.6 oz
GROUP F	OZ EQ FOR GROUP F
• Cake³ (plain, unfrosted) • Coffee cake⁴	1 oz eq = 82 gm or 2.9 oz 3/4 oz eq = 62 gm or 2.2 oz 1/2 oz eq = 41 gm or 1.5 oz 1/4 oz eq = 21 gm or 0.7 oz
GROUP G	OZ EQ FOR GROUP G
• Brownies³ (plain) • Cake³ (all varieties, frosted)	1 oz eq = 125 gm or 4.4 oz 3/4 oz eq = 94 gm or 3.3 oz 1/2 oz eq = 63 gm or 2.2 oz 1/4 oz eq = 32 gm or 1.1 oz
GROUP H	OZ EQ FOR GROUP H
• Cereal grains (barley, quinoa, etc.) • Breakfast cereals^{5,6} (cooked) • Bulgur or cracked wheat • Macaroni (all shapes) • Noodles (all varieties) • Pasta (all shapes) • Ravioli (noodle only) • Rice (enriched white or brown)	1 oz eq = 1/2 cup cooked or 1 oz (28 g) dry
GROUP I	OZ EQ FOR GROUP I
• Ready-to-eat breakfast cereal^{5,6} (cold, dry)	1 oz eq = 1 cup or 1 oz for flakes and rounds 1 oz eq = 1.25 cups or 1 oz for puffed cereal 1 oz eq = 1/4 cup or 1 oz for granola

⁴ Allowable in NSLP (up to 2.0 oz eq grain-based dessert per week for grades K-12) as specified in §210.10. May count towards the grains component in SBP (grades K-12). Considered a grain-based dessert and cannot count towards the grains component in the CACFP and NSLP/SBP infant and preschool meals as specified in §226.20(a)(4) and §210.10.

⁵ Refer to program regulations for the appropriate serving size for supplements served to children aged 1 through 5 in the NSLP and meals served to children aged one through five and adult participants in the Child and Adult Care Food Program (CACFP). Breakfast cereals are traditionally served as a breakfast menu item, but may be served in meals other than breakfast.

⁶ Cereals must be whole grain or whole grain and enriched or whole grain and fortified cereal.

C. Food Items Not Found in the Food Buying Guide

Many purchased, preprocessed foods will **not** be found in the Food-Buying Guide. These foods **do not have a Standard of Identity** and include, but are not limited to, pizzas, burritos, egg rolls, and breaded meats. The school **must obtain documentation** from the **food manufacturer** to know how to credit the food item toward the meal pattern requirement. The documentation **must be referenced on the food production record** and **maintained** in a retrievable manner to document that the planned menu met meal pattern requirements.

1. CN Labeling

The USDA's Agricultural Marketing Service (AMS) has published a list of manufacturers that have met the FNS's Quality Control Program requirements for the Child Nutrition (CN) Labeling Program. AMS has provided a list of authorized CN labels issued to these manufacturers since January 2005. These lists will be updated monthly and posted to the FNS CN Labeling Program Web site at: <www.fns.usda.gov/cnd/cnlabeling/authorized.htm>.

The information in these lists will be provided in a search-capable Portable Document Format (PDF) and limited to the following information: **CN Identification Number, Federal or Equal to Federal (ETF) Establishment (EST) Number, Product Description, Label Approval Expiration Date, and Company Name** (on separate directory list). (Reference USDA Memo TA-05-2010)

- a. Items that can be CN-labeled:
 - Purchased combination-type foods that contribute significantly to the meal, but creditability data cannot be determined by the ingredient label.
- b. Yield data from the **Food-Buying Guide for Child Nutrition Programs** (FBG), is used for calculating a CN-labeled product's contribution toward meal pattern requirements. (Using yields from the FBG will help ensure that various meat/meat alternate items, regardless of cooking methods used or the addition of other ingredients, will be nutritionally equivalent.)
- c. CN-labeled product will have the following information printed on the principal display panel on the box:
 - Product name
 - Ingredient listing in descending order of predominance by weight for all ingredients
 - Establishment number (for meat, poultry, and seafood items only)
 - Manufacturer's or distributor's name and address
 - CN label statement
- d. CN label statement must be an integral part of the product label and must include the following information:
 - CN logo, which is a distinctive border around the CN statement
 - A six-digit product identification number that will appear in the upper right-hand corner of the CN label statement
 - The statement of the product's contribution toward meal pattern requirements for the CNP
 - A statement specifying that the use of the logo and CN label statement is authorized by USDA/FNS
 - The month and year the label was approved by USDA/FNS

e. Advantage of using CN-labeled products:

CN labeled products carries a USDA warranty. If an SFA purchases such a product ***and uses it according to directions***, the SFA will not have an audit claim filed against it should state or federal reviewers find that the CN-labeled product does not actually meet the meal pattern requirements claimed on the label.

f. What a CN label does ***NOT*** do:

- Guarantee that the ***FULL*** requirement will be met (the product's contribution toward the meal pattern requirements is specified in the CN label statement)
- Assure that a product is ***good for children***
- Assure that children will like the product
- Suggest that products without a CN label are inferior or that CN-labeled products are superior

g. SFA responsibilities concerning CN labels:

- Assure that product received meets specifications and has correct CN number (Provide site managers with appropriate information; e.g., copy of label, dates product will be)
- Provide site managers with serving sizes/crediting information
- If a half-iceberg/half-spinach mix is served and counted as a ***dark green vegetable***, there must be a statement as such on the label

h. Acceptable documentation using CN labels are:

(1) CN-Labeled Products

- The CN label provides a warranty against audit claims when the product is used according to the manufacturer's direction.
 - ***Program operators may submit an original CN label or a photocopy or photograph of the original CN label during an AR as acceptable and valid documentation.*** If using a photocopy or photograph of the CN label, please be sure to follow the criteria below:
 - Photocopies of the CN label must be shown attached to the original product carton.
- OR***
- Photographs of the CN label must be shown attached to the original product carton. (CN labels that are photocopied or photographed must be visible and legible.)

SAMPLE CN LABEL STATEMENT

CN		000000
CN	Each 4.5 oz Chicken Stir-Fry Bowl provides 1.5 oz equivalent meat, 1.0 serving of WGR Grains, 1/4 cup dark green vegetable, 1/4 cup red/orange vegetable, and 1/8 cup other vegetable for Child Nutrition Meal Pattern Requirements. (Use of this logo and statement authorized by the Food and Nutrition Service, USDA 05/25.)	CN
CN		

(2) Watermarked CN Labels

- A CN label with a watermark is used when the CN logo and contribution statement are used on product information other than the actual product carton and is presented as a separate document.
- If the original CN label or the valid photograph or photocopy of the original CN label is **NOT** available, program operators may provide the Bill of Lading (invoice) containing the product name **AND**:
 - A hard copy of the CN label copied with a watermark displaying the product name and CN number provided by the vendor**OR**
 - An electronic copy of the CN label with a watermark displaying the product name and CN number provided by the vendor.

2. Product Formulation Statement (PFS)

- a. A product formulation is a statement prepared and certified by a manufacturer of a prepared product declaring appropriate ingredient and crediting information. If a company provides a product formulation statement, a school food authority (SFA) may wish to use the product to meet USDA meal pattern requirements. However, USDA does not monitor product formulation statements for compliance with the product formulation or the Child Nutrition Programs (CNP) meal pattern requirements. The product formulation statement does not carry a USDA warranty, and should state or federal reviewers find that the product did not actually meet meal pattern requirements, an overclaim can be established. Signed product formulation statements could provide the SFA legal recourse with the company should the product contribution be challenged or found to be in error.
- b. USDA Foods (commodities) that have been processed by USDA do not need a product formulation statement.
 - The information USDA provides for these products is either in a product information sheet or on the packaging of the product.
 - The product information sheet may be obtained by going to **<https://www.fns.usda.gov/usda-fis/usda-foods-product-information-sheets>**. On the left-hand side, under Search FNS, type Commodity Fact Sheet and select NSLP Commodity Fact Sheets Report or DHS may be contacted at 405-521-3581.
- c. CNP directors should not let their desire to offer children a commercially prepared product outweigh their need to obtain proper documentation for the product. If vendors understand that the program will not purchase a product without proper documentation, they will be more accommodating in providing sufficient information.
- d. ***SFAs should be careful not to mistake vendor advertising literature for a product formulation statement.*** Advertising literature provided by a company may contain valuable information, but it may not be used to support the contribution that a product makes toward the USDA meal pattern requirements.

- e. A product formulation statement must satisfy all the following **REQUIREMENTS**: (See sample forms on **pages CM-48-57**)
- Be on the company's letterhead.
 - Provide the product name, as written on the label, and provide other identifying information, such as product code number, portion size/weight, pack, case weight.
 - Contain a crediting statement; i.e., a declaration of the contribution of one portion of the cooked product toward meeting USDA meal pattern requirements. This may be combined with the certification statement.
 - Contain a certification statement. For example, the certification or crediting statement may read, "I certify that the above information is true and correct and that a 3.25-ounce serving of the above product [ready for serving] contains two ounces of cooked lean meat/meat alternate when prepared according to product directions."
 - Provide sufficient information for purchaser to determine the reasonableness of the crediting statement.
 - For meat/meat alternates, the following must also be included:
 - Description of creditable ingredients per Food-Buying Guide.
 - Ounces per raw portion of creditable ingredient.
 - Food-Buying Guide yield/creditable amount.
 - Information concerning alternate protein product (APP), if applicable.
 - Be signed and dated by a legally authorized representative of the company.
- f. SFA responsibilities concerning product formulation statements:
- Prior to purchase, carefully review the product formulation statement to determine the reasonableness of information provided by the manufacturer. There is no easy way to verify the accuracy of information on a product formulation statement.
 - Ensure that proper documentation is maintained on each prepared product used to meet USDA meal pattern requirements.
 - Assure that product received meets specifications and has correct code number. Provide site managers with appropriate information; e.g., copy of label, product formulation statement, dates product will be used, serving sizes, or crediting information.

NOTE: A commercially prepared meat, poultry, or seafood product combined with alternate protein product (APP) to meet all or part of the meat/meat alternate requirement must include the following statement on the label: "This item contains alternate protein product(s) authorized as an alternative food in the Child Nutrition Programs."

3. Nutrition Facts label: In order for the State agency to conduct a nutrient analysis or formulation, a Nutrition Facts label (refer to **page CM-58**) is required on every product. This does not replace the CN label or product formulation statement because there is no crediting information available.

CHECKLIST FOR EVALUATING A MANUFACTURER'S PRODUCT FORMULATION STATEMENT (PFS)

(If *N* is checked for any question below, contact the manufacturer to request the information)

Y	N	Is the PFS on signed company letterhead? The signature on the PFS can be handwritten, stamped, or electronic.
Y	N	Does the PFS include product name, product code number, and serving/portion size?
Y	N	Do the creditable ingredients* listed on the PFS match or have a similar description as the ingredients listed on the product label? For example, if the PFS lists <i>ground beef (not more than 20% fat)</i> , the product label should also list <i>ground beef (not more than 20% fat)</i> .
Y	N	Do the creditable ingredients* listed on the PFS match or have a similar description to a food item listed in the <i>Food-Buying Guide</i> (FBG) (available at http://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs)?
Y	N	If the product is a meat/meat alternate, does it contain an Alternate Protein Product (APP) such as soy concentrate? If <i>Yes</i> , does the manufacturer provide supporting documentation that meets USDA's APP requirements? Specific requirements for APP products and examples of supporting documentation are available at http://www.fns.usda.gov/cnlabeling/food-manufacturersindustry .
Y	N	Does the PFS demonstrate how creditable ingredients* contribute toward the meal pattern requirement(s) (i.e., provides information to calculate crediting)?
Y	N	Are the manufacturer's calculations correct and verified?

- The total creditable amount should **NEVER** be rounded up. The total creditable amount must **round down** to the nearest 0.25 oz (e.g., total creditable amount of 0.99 oz must **round down** to 0.75 oz.).
- The meat/meat alternate credit cannot exceed the total serving size of the product (e.g., a 2.15-oz beef patty may not credit more than 2.00 oz meat/meat alternate).
- Fruits and vegetables (including purees) credit on the volume served (cup servings).

The only exceptions are:

- Tomato paste and tomato purée are credited based on their whole food equivalency using the percent natural tomato soluble solids in the paste or purée. Refer to the Food Buying Guide for additional information on calculated volume.
- Dried fruits credit on the volume served (e.g., 1/4 cup raisins credit as 1/2 cup fruit).
- Raw leafy vegetables credit as half the volume served (e.g., 1 cup raw spinach credits as 1/2 cup vegetable). All other CN programs credit as volume served.
- A PFS may include crediting information for more than one meal component. For instance, a cheese pizza may credit toward the meat/meat alternate, grains, and the vegetable group. The crediting information for each meal component may be documented on the same PFS.

PFS templates for each meal component are available on the CN labeling Web site at <http://www.fns.usda.gov/cnlabeling/food-manufacturersindustry>. Manufacturers may use PFS templates as a guide to help develop a PFS; however, they are not required to use the same format as the USDA's template, but they must present the same information on their company letterhead.

- * A **creditable ingredient** is a food/ingredient that contributes to one of the food components of USDA's meal pattern requirements.

PRODUCT FORMULATION STATEMENT FOR MEAT/MEAT ALTERNATE AND ALTERNATE PROTEIN PRODUCT CALCULATIONS

Provide a copy of the label in addition to the following information on company letterhead signed by an official representative of the company.

Product Name: _____ Code Number: _____

Manufacturer: _____ Case/Pack/Count/Portion/Size: _____

I. Meat/Meat Alternate (M/MA)

Please fill out the chart below to determine the creditable amount of Meat/Meat Alternate.

Description of Creditable Ingredients Per Food-Buying Guide	Ounces Per Raw Portion of Creditable Ingredient	Multiply	Food-Buying Guide Yield	Creditable Amount*
		X		
		X		
		X		
A. Total Creditable Amount¹				

*Creditable Amount—Multiply ounces per raw portion of creditable ingredient by the Food-Buying Guide yield.

II. Alternate Protein Product (APP)

If the product contains APP, please fill out the chart below to determine the creditable amount of APP. If APP is used, you must provide documentation as described in Attachment A for each APP used.

Description of APP, Manufacturer's Name, and Code Number	Ounces Dry APP Per Portion	Multiply	% of Protein As-Is*	Divide by 18**	Creditable Amount APP***
		X	%	÷ by 18	
		X	%	÷ by 18	
		X	%	÷ by 18	
B. Total Creditable Amount¹					
C. TOTAL CREDITABLE AMOUNT (A + B rounded down to nearest 1/4 oz)					

*Percent of protein As-Is is provided on the attached APP documentation.

**18 is the percent of protein when fully hydrated.

***Creditable amount of APP equals ounces of dry APP multiplied by the percent of protein as-is divided by 18.

¹ Total Creditable Amount must be rounded **DOWN** to the nearest 0.25 oz (1.49 would round down to 1.25 oz meat equivalent). Do **NOT** round up. If you are crediting both M/MA and APP, you do not need to round down in Box A until after you have added the creditable APP amount from Box B.

Total weight (per portion) of product as purchased: _____

Total creditable amount of product (per portion): _____
(Reminder: Total creditable amount cannot count for more than the total weight of product.)

I certify that the above information is true and correct and that a _____-ounce serving of the above product (ready for serving) contains _____ ounces of equivalent meat/meat alternate when prepared according to directions.

I further certify that any APP used in the product conforms to the Food and Nutrition Service (FNS) Regulations (7 CFR Parts 210, 220, 225, 226, Appendix A) as demonstrated by the attached supplier documentation (Attachment A).

Signature: _____ Title: _____

Printed Name: _____ Date: _____ Phone Number: _____

ATTACHMENT A

Company Name: _____

APP Product: _____

- A. _____ certifies that _____ meets all requirements for APP intended for use in foods manufactured for Child Nutrition Programs as described in Appendix A of 7 CFR 210, 220, 225, and 226.
- B. _____ certifies that _____ has been processed so that some portion of the nonprotein constituents have been removed by fractionating. This product is produced from _____.
- C. The Protein Digestibility Corrected Amino Acid Score (PDCAAS) for _____ is _____. The PDCAAS is required to be greater than 0.8 (80 percent of casein).
- D. The protein level of _____ is at least 18 percent by weight when fully hydrated at a ratio of _____ parts water to one part product.
- E. The protein level of _____ is certified to be at least _____ on an as-is basis for the as-purchased product. **Note: Protein is often provided on a moisture-free basis (MFB), which is not the information Food and Nutrition Service (FNS) requires.**

All of the above information is required for APP.

EXAMPLE OF CREDITABLE AMOUNTS USED IN PRODUCT FORMULATION STATEMENT

1. Meat/Meat Alternate (M/MA)

Description of Creditable Ingredients Per Food-Buying Guide	Ounces Per Raw Portion of Creditable Ingredient	Multiply	Food-Buying Guide Yield	Creditable Amount*
Beans, black (turtle), dry, canned, whole	1.0 oz	X	27.8/110	0.252
Beans, black (turtle), dry, canned, whole, drained (Column 6 conversion)	1.0 oz	X	27.8/62.0	0.44
Beans, kidney, dry, whole	1.0 oz	X	24.8/16	1.55
Beef, ground (not more than 18% fat), raw	1.0 oz	X	0.74	0.74
Beef brisket without bone, practically free of fat, raw	1.0 oz	X	0.69	0.69
Cheese mozzarella	1.0 oz	X	16/16	1.0
Cheese, cottage	1.0 oz	X	8/16	0.5
Chicken, boneless, fresh	1.0 oz	X	0.70	0.7
Chicken, drumstick with bone, fresh, skin on	2.0 oz	X	0.49	.098
Egg, frozen whole, pasteurized liquid	1.0 oz	X	18/16	1.125
Egg, whole, dried	0.25 oz	X	64/16	1.0
Fish fillet, fresh	1.0 oz	X	0.70	0.7
Ham, water added	1.0 oz	X	0.82	0.82
Nuts, almond	1.0 oz	X	16/16	1.0
Peanut butter	1.0 oz	X	14.4/16	0.9
Pork, ground (not more than 30% fat)	1.0 oz	X	0.70	0.7
Tuna, chunk-style, water-packed	1.0 oz	X	51.2/66.5	0.769
Tuna, chunk-style, drained (Column 6 conversion)	1.0 oz	X	51.2/51.2	1.0
Turkey, cooked diced, light and dark meat in natural proportions (no skin, wing meat, neck meat, giblets, or kidneys)	1.0 oz	X	16/16	1.0
Turkey ham, fully cooked	1.0 oz	X	0.70	0.7
Turkey ham, 15% water added	1.0 oz	X	0.59	0.59
Yogurt, plain	1.0	X	8/32	0.25

*Creditable amount—Multiply ounces per raw portion of creditable ingredient by the Food-Buying Guide yield.

II. Alternate Protein Product (APP)

Products containing APP must also provide the documentation described in Attachment A.

Description of APP, Manufacturer's Name, and Code Number	Ounces Per Dry APP Per Portion	Multiply	% of Protein As-Is*	Divide by 18**	Creditable Amount APP***
Soy flour, ABComp 1234	0.25 oz	X	52.0*	÷ by 18	0.72
Soy protein concentrate, ABComp 45	0.25 oz	X	64.8*	÷ by 18	0.9
Soy protein isolate XY-Comp 333	0.25 oz	X	85.0*	÷ by 18	1.18
Whey protein concentrate, Dairy 3	0.25 oz	X	45.0*	÷ by 18	0.625
Nonfat dry milk, Dairy 789	0.25 oz	X	21.0*	÷ by 18	0.29

*Percent of protein As-Is is provided on the attached APP documentation.

**18 is the percent of protein when fully dehydrated.

***Creditable amount of APP equals ounces of dry APP multiplied by the percent of protein As-Is divided by 18.

EXAMPLE
Soy Company X
Soy Protein Concentrate
Product Y

ATTACHMENT A

Documentation for Company X Products Used as Alternate Protein Products (APP) for Child Nutrition Programs:

- A. Company X certifies that Product Y meets all requirements for APP intended for use in foods manufactured for Child Nutrition Programs as described in Appendix A of 7 CFR 210, 220, 225, and 226.
- B. Company X certifies that Product Y has been processed so that some portion of the nonprotein constituents have been removed by fractionating. This product is produced from soybeans by removing the majority of the soybean oil and some of the other nonprotein constituents.
- C. The Protein Digestibility Corrected Amino Acid Score (PDCAAS) for Product Y is 0.99. The PDCAAS is required to be greater than 0.8 (80 percent of casein).
- D. The protein level of Product Y is at least 18 percent by weight when fully hydrated at a ratio of 2.43 parts water to one part product.
- E. The protein level of Product Y is certified to be at least 61.8 percent on as **As-Is** basis for the As-Purchased produced. **Note: Protein is often provided on a moisture-free basis (MFB), which is not the information Food and Nutrition Service (FNS) requires.**

All of the above information is required for APP and must be presented for approval.

Note: It is also helpful to have the ingredients statement for Product Y. For example, if the product is uncolored and unflavored, the ingredients statement might be soy protein concentrate or if the product is colored and textured, the ingredients statement might be textured vegetable protein (soy flour, caramel color).

*(Place information on company letterhead with signature
of a legally authorized representative of the company.)*

**PRODUCT FORMULATION STATEMENT
FOR PREPARED FRUIT OR PREPARED VEGETABLE**

Product Name: _____ Code Number: _____

Case/Pack/Count/Portion/Size: _____

Volume and Weight of One Serving of Product: _____

- Weight of Total Product Per Batch: _____
- Number of Portions/Servings Per Batch: _____

I certify that the above information is true and correct and that one _____ serving (specify serving volume/weight) of the above product (ready to eat) contains _____ servings of fruit/vegetable** for the Child Nutrition Programs.

SIGNATURE

TITLE

PRINTED NAME

DATE

TELEPHONE NUMBER

* CNP requires 16 grams of whole-grain flour or meal, bran or germ, or an equivalent amount of cereal as provided in FNS Instruction 783-1, Rev. 2, to equal 1 serving Grains/Breads. Grains/breads may be credited in 1/4-serving increments.

** CNP requires a minimum of 1/8 cup fruit/vegetable to be counted toward meal requirements.

EXAMPLE

PRODUCT FORMULATION STATEMENT FOR MEAT/MEAT ALTERNATE AND ALTERNATE PROTEIN PRODUCT CALCULATIONS

JOJO'S GOOD TIME TREATS, INC.

2211 Savory Taco Drive

Flower Shop, Texas 75000

1-800-555-9999

Provide a copy of the label in addition to the following information on company letterhead signed by an official representative of the company.

Product Name: Treat Time Combination Burrito® Code Number: 123456

Manufacturer: Treat Time Case/Pack/Count/Portion/Size: 72 ct/6.61 oz

I. Meat/Meat Alternate (M/MA)

Please fill out the chart below to determine the creditable amount of Meat/Meat Alternate.

Description of Creditable Ingredients Per Food-Buying Guide	Ounces Per Raw Portion of Creditable Ingredient	Multiply	Food-Buying Guide Yield	Creditable Amount*
Beef, ground, frozen, 30% fat	1.25 oz	X	.70	.875 oz
Beans, pinto, dry, canned	1 oz	X	1	1.00 oz
Cheese, Cheddar, natural	.19 oz	X	1	.19 oz
A. Total Creditable Amount ¹				2.065 oz

*Creditable Amount—Multiply ounces per raw portion of creditable ingredient by the Food-Buying Guide yield.

II. Alternate Protein Product (APP)

If the product contains APP, please fill out the chart below to determine the creditable amount of APP. If APP is used, you must provide documentation as described in Attachment A for each APP used.

Description of APP, Manufacturer's Name, and Code Number	Ounces Dry APP Per Portion	Multiply	% of Protein As-Is*	Divide by 18**	Creditable Amount APP***
NA		X	%	÷ by 18	
		X	%	÷ by 18	
		X	%	÷ by 18	
B. Total Creditable Amount ¹					
C. TOTAL CREDITABLE AMOUNT (A + B rounded down to nearest 1/4 oz)					

*Percent of protein As-Is is provided on the attached APP documentation.

**18 is the percent of protein when fully hydrated.

***Creditable amount of APP equals ounces of dry APP multiplied by the percent of protein as-is divided by 18.

¹ Total Creditable Amount must be rounded **DOWN** to the nearest 0.25 oz (1.49 would round down to 1.25 oz meat equivalent). Do **NOT** round up. If you are crediting both M/MA and APP, you do not need to round down in Box A until after you have added the creditable APP amount from Box B.

Total weight (per portion) of product as purchased: 6.61 oz

Total creditable amount of product (per portion): 2.065 oz
(Reminder: Total creditable amount cannot count for more than the total weight of product.)

I certify that the above information is true and correct and that a 6.61 -ounce serving of the above product (ready for serving) contains 2 ounces of equivalent meat/meat alternate when prepared according to directions.

I further certify that any APP used in the product conforms to the Food and Nutrition Service (FNS) Regulations (7 CFR Parts 210, 220, 225, 226, Appendix A) as demonstrated by the attached supplier documentation (Attachment A).

Signature: Happy Empanada Title: Compliance Manager

Printed Name: Happy Empanada Date: MM/DD/YY Phone Number: 999-555-5555

Product Formulation Statement for Grains in School Meals

*(Crediting Standards Based on Revised Exhibit A
Weights Per Oz Equivalent)*

School food authorities (SFAs) should include a copy of the label from the purchased product carton in addition to the following information on letterhead signed by an official company representative. The crediting standards for grains (as outlined in Policy Memorandum SP 30-2012).

Product Name: _____ Code No.: _____

Manufacturer: _____ Serving Size: _____

I. Does the product meet the Whole Grain-Rich Criteria: Yes _____ No _____
(Refer to SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program.)

II. Does the product contain noncreditable grains: Yes _____ No _____ **How many grams:** _____
(Products with more than 0.24 oz equivalent or 3.99 grams for Groups A-G and 6.99 grams for Group H of noncreditable grains cannot be credited using Exhibit A weights. Please use template for crediting using amount of creditable grains.)

III. Use Policy Memorandum SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program: Exhibit A to determine if the product fits into Groups A-G, Group H, or Group I. (Please be aware that different methodologies are applied to calculate servings of grain component based on creditable grains. Groups A-G use the standard of 16 grams creditable grain per oz eq; Group H uses the standard of 28 grams creditable grain per oz eq; and Group I is reported by volume or weight.)
Indicate which Exhibit A Group (A-I) the Product Belongs: _____

Description of Product Per Food-Buying Guide	Portion Size of Product As Purchased A	Weight of One-Ounce Equivalent as Listed in SP 30-2012 B	Creditable Amount A ÷ B
Total Creditable Amount ¹			

¹Total Creditable Amount must be rounded **DOWN** to the nearest quarter (0.25) oz eq. Do **NOT** round up.

Total weight (per portion) of product as purchased _____
Total contribution of product (per portion) _____ oz equivalent

I further certify that the above information is true and correct and that a _____ - ounce portion of this product (ready for serving) provides _____ oz equivalent Grains. I further certify that noncreditable grains **ARE NOT** ☐ or **ARE** ☐ above 0.24 oz eq per portion (please check one box). SFAs should include totals of noncreditable grains in weekly maximum if above 0.24 oz eq.

Signature

Title

Printed Name

Date

Phone Number

EXAMPLE

Product Formulation Statement for Grains in School Meals

*(Crediting Standards Based on Revised Exhibit A
Weights Per Oz Equivalent)*

School food authorities (SFAs) should include a copy of the label from the purchased product carton in addition to the following information on letterhead signed by an official company representative. The crediting standards for grains (as outlined in Policy Memorandum SP 30-2012).

Product Name: Wheat Smile Pancakes Code No.: 14005

Manufacturer: ABC Bread Company Serving Size: 2 pancakes 50 g (1.75 oz)

I. Does the product meet the Whole Grain-Rich Criteria: Yes X No
(Refer to SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program.)

II. Does the product contain noncreditable grains: Yes No X
How many grams:
(Products with more than 0.24 oz equivalent or 3.99 grams for Groups A-G and 6.99 grams for Group H of noncreditable grains cannot be credited using Exhibit A weights. Please use template for crediting using amount of creditable grains.)

III. Use Policy Memorandum SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program: Exhibit A to determine if the product fits into Groups A-G, Group H, or Group I. (Please be aware that different methodologies are applied to calculate servings of grain component based on creditable grains. Groups A-G use the standard of 16 grams creditable grain per oz eq; Group H uses the standard of 28 grams creditable grain per oz eq; and Group I is reported by volume or weight.)

Indicate which Exhibit A Group (A-I) the Product Belongs: C

Description of Product Per Food-Buying Guide	Portion Size of Product As Purchased	Weight of One-Ounce Equivalent as Listed in SP 30-2012	Creditable Amount
	A	B	A ÷ B
<i>Pancakes</i>	<i>50 grams</i>	<i>34 grams</i>	<i>1.47</i>
Total Creditable Amount¹			1.25

¹Total Creditable Amount must be rounded **DOWN** to the nearest quarter (0.25) oz eq. Do **NOT** round up.

Total weight (per portion) of product as purchased 50 g
Total contribution of product (per portion) 1.25 oz equivalent

I further certify that the above information is true and correct and that a 1.75 - ounce portion of this product (ready for serving) provides 1.25 oz equivalent Grains. I further certify that noncreditable grains **ARE NOT** ☐ or **ARE** ☐ above 0.24 oz eq per portion (please check one box). SFAs should include totals of noncreditable grains in weekly maximum if above 0.24 oz eq.

Happy Empanada

Signature

Compliance Manager

Title

Happy Empanada

Printed Name

MM/DD/YY

Date

999-555-5555

Phone Number

EXAMPLE
Product Formulation Statement for Grains in School Meals

(Crediting Standards Based on Grams of Creditable Grains)

School food authorities (SFAs) should include a copy of the label from the purchased product carton in addition to the following information on letterhead signed by an official company representative. The crediting standards for grains (as outlined in Policy Memorandum SP 30-2012).

Product Name: Wheat Smile Pancakes Code No.: 14005

Manufacturer: ABC Bread Company Serving Size: 2 pancakes 50 g (1.75 oz)

(Raw dough weight may be used to calculate creditable grain amount)

- I. Does the product meet the Whole Grain-Rich Criteria:** Yes X No
(Refer to SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program.)
- II. Does the product contain noncreditable grains:** Yes No **How many grams:**
(Products with more than 0.24 oz equivalent or 3.99 grams for Groups A-G and 6.99 grams for Group H of noncreditable grains cannot be credited using the amount of creditable grains only.)
- III. Use Policy Memorandum SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program: Exhibit A to determine if the product fits into Groups A-G, Group H, or Group I.** *(Different methodologies are applied to calculate servings of grain component based on creditable grains. Groups A-G use the standard of 16 grams creditable grain per oz eq; Group H uses the standard of 28 grams creditable grain per oz eq; and Group I is reported by volume or weight.)*

Indicate which Exhibit A Group (A-I) the Product Belongs: C

Description of Creditable Grain Ingredient*	Grams of Creditable Grain Ingredient Per Portion ¹ A	Gram Standard of Creditable Grain Per Oz Equivalent (16 g or 28 g) ² B	Creditable Amount A ÷ B
Whole-wheat flour (47%)	23.5	16	1.4687
Enriched flour (22%)	11	16	.6875
			2.15
Total Creditable Amount³			2.00

*Creditable grains are whole-grain meal/flour and enriched meal/flour.

¹(Serving size) X (% of creditable grain in formula). Please be aware serving size other than grams must be converted to grams.

²Standard grams of creditable grains from the corresponding group in Exhibit A.

³Total Creditable Amount must be rounded ***DOWN*** to the nearest quarter (0.25) oz eq. Do ***NOT*** round up.

Total weight (per portion) of product as purchased 50 g (1.75 oz)

Total contribution of product (per portion) 2.00 oz equivalent

I further certify that the above information is true and correct and that a 1.75 - ounce portion of this product (ready for serving) provides 2.00 oz equivalent Grains. I further certify that noncreditable grains ***ARE NOT*** ☐ or ☒ ***ARE*** above 0.24 oz eq per portion (please check one box). SFAs should include totals of noncreditable grains in weekly maximum if above 0.24 oz eq.

Happy Empanada
Signature

Compliance Manager
Title

Happy Empanada
Printed Name

MM/DD/YY
Date

999-555-5555
Phone Number

Product Formulation Statement for Grains in School Meals

(Crediting Standards Based on Grams of Creditable Grains)

School food authorities (SFAs) should include a copy of the label from the purchased product carton in addition to the following information on letterhead signed by an official company representative. The crediting standards for grains (as outlined in Policy Memorandum SP 30-2012).

Product Name: _____ Code No.: _____

Manufacturer: _____ Serving Size: _____

I. **Does the product meet the Whole Grain-Rich Criteria:** Yes _____ No _____
(Refer to SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program.)

II. **Does the product contain noncreditable grains:** Yes _____ No _____
How many grams: _____
(Products with more than 0.24 oz equivalent or 3.99 grams for Groups A-G and 6.99 grams for Group H of noncreditable grains cannot be credited using the amount of creditable grains only.)

III. **Use Policy Memorandum SP 30-2012 Grain Requirements for the National School Lunch Program and School Breakfast Program: Exhibit A to determine if the product fits into Groups A-G, Group H, or Group I.** (Different methodologies are applied to calculate servings of grain component based on creditable grains. Groups A-G use the standard of 16 grams creditable grain per oz eq; Group H uses the standard of 28 grams creditable grain per oz eq; and Group I is reported by volume or weight.)

Indicate which Exhibit A Group (A-I) the Product Belongs: _____

Description of Creditable Grain Ingredient*	Grams of Creditable Grain Ingredient Per Portion ¹ A	Gram Standard of Creditable Grain Per Oz Equivalent (16 g or 28 g) ² B	Creditable Amount A ÷ B
Total Creditable Amount ³			

*Creditable grains are whole-grain meal/flour and enriched meal/flour.

¹(Serving size) X (% of creditable grain in formula). Please be aware serving size other than grams must be converted to grams.

²Standard grams of creditable grains from the corresponding group in Exhibit A.

³Total Creditable Amount must be rounded **DOWN** to the nearest quarter (0.25) oz eq. Do **NOT** round up.

Total weight (per portion) of product as purchased _____
Total contribution of product (per portion) _____ oz equivalent

I further certify that the above information is true and correct and that a _____ - ounce portion of this product (ready for serving) provides _____ oz equivalent Grains. I further certify that noncreditable grains **ARE NOT** ☐ or ☐ **ARE** above 0.24 oz eq per portion (please check one box). SFAs should include totals of noncreditable grains in weekly maximum if above 0.24 oz eq.

Signature

Title

Printed Name

Date

Phone Number

EXAMPLE NUTRITION FACTS LABEL

This label is only a sample. Exact specifications are in the final rules. Source: Food and Drug Administration, 2004.

Sample Label for Macaroni and Cheese

The title signals that the label contains the required information.    

More consistent serving sizes in both household and metric measures, replacing those that used to be set by manufacturers.

Nutrients required on nutrition panel are those most important to the health of today's consumers, most of whom need to worry about getting too much of certain items (fat, for example) rather than too few vitamins or minerals, as in the past. 

Nutrition Facts

Serving Size 1 cup (228g)

Servings Per Container 2

Amount Per Serving

Calories 250 **Calories From Fat** 110

% Daily Value*

Total Fat 12g **18%**

Saturated Fat 3g **15%**

Trans Fat 0g

Cholesterol 30mg **10%**

Sodium 470mg **20%**

Total Carbohydrates 31g **10%**

Dietary Fiber 0g **0%**

Sugars 5g

Vitamin A 4%

Vitamin C 2%

Calcium 20%

Iron 4%

* Percent Daily Values are based on a 2,000 calorie diet.
Your daily values may be higher or lower depending on your calorie needs:

		2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories from fat are now shown on the label to help consumers meet dietary guidelines that recommend people get no more than 30 percent of the calories in their overall diet from fat.

% Daily Value shows how a food fits into the overall daily diet. 

Daily values are also something new. Some are maximums, as with fat (65 grams or less); others are minimums, as with carbohydrate (300 grams or more). The daily values for a 2000-calorie and a 2500-calorie diet must be listed on the label of larger packages 

STANDARDIZED RECIPES

Standardized recipes are an important part of any well-managed food service program. They are essential to ensure that the planned serving sizes of food items are provided to students. SFAs must develop and use standardized recipes.

A. Definition of Standardized Recipe:

A standardized recipe may be defined as one that has been tested and adapted for use by a given food service operation and found to produce the same good results, yield, and nutrients every time when the exact procedures are used with the same type of equipment and the same quantity and quality of ingredients.

B. Benefits of Standardized Recipes Include:

1. Quality control.
2. Portion and yield control.
3. Cost control.
4. Creativity.
5. Accurate nutrient analysis.
6. Hazard Analysis and Critical Control Points (HACCP) requirements.

C. When is a Standardized Recipe Required?

Anytime a food item contains more than one ingredient that contributes to the nutrient content of the meal. This includes added margarine or butter, salt, seasoned salt, etc. Examples of food items needing recipes include toast, seasoned vegetables, scrambled eggs, sandwiches, and salad bars.

D. Each Standardized Recipe Must Include: *(See example on **pages CM-60 and CM-62**)*

1. Yield
2. Serving size
3. Crediting information
4. Ingredient information, including form (fresh, frozen, canned, etc.), fat content, packing medium (water, syrup, fruit juice, etc.)
5. Correct measures, weights, and/or pack
6. Complete preparation and serving procedures
7. CCPs—Critical Control Points
8. Process numbers (optional)

E. Modifications to Developed Recipes

Modifications can be made to any recipe including USDA recipes. Any changes must be documented. A new recipe must be written with the modifications.

F. USDA standardized recipes can be found online at:

- Institute of Child Nutrition Recipe box: <https://theicn.org/cnrb/>
- Healthy Schools Recipes: <https://healthyschoolrecipes.com/>

EXAMPLE

Recipe: CORN CHIP PIE Category: Meat/meat alternate
 Process Number: 2 Grains

Ingredients	Yield <u>100</u>		Directions
	Weight	Measure	
Pinto beans	2 #10 Cans		1. Drain beans.
Raw ground beef, 80/20 Onions, chopped	6 Lb 1 Lb		2. Brown ground beef and onions together.
Tomatoes, canned, crushed Flour	1 1/2 #10 Cans 3 Tbsp		3. Drain juice from tomatoes. Make paste of flour and tomato juice. Add crushed tomatoes; add flour/juice paste to beef mixture. Simmer 30 minutes.
Salt Chili powder Garlic salt	2 Oz 2 Oz 3 Tsp		4. Add beans and remainder of seasonings. Stir. CCP = heat to 155°F or higher for at least 15 seconds. 5. Portion into 12"x20"x2" serving pans. Heat to 155°F or higher for at least 15 seconds.
Whole corn chips Reduced-fat cheddar cheese, grated	7 Lb 3 1/2 Lb		6. To serve, place whole corn chips on plate or tray; top with 1/2 cup (no. 8 Dish) chili mixture, and sprinkle with grated cheese. 7. Ccp = hold for hot service at 135°F or higher.

CCP: Cook to 155°F for 15 seconds, and hold at 135°F or higher

Crediting Information: 1/2 Cup chili mixture and .9 Oz whole corn chips, sprinkle with cheese

Serving Sizes: 1 Portion provides 2 oz meat/meat alternate, 1 ounce whole grain, and 1/8 cup (rov) vegetable

Mt—Meat/Meat Alternate	Vegetable:
GB—Grain	DGV—Dark Green Vegetable
WGR—Whole Grain-Rich	ROV—Red/Orange Vegetable
F—Fruit	BV—Beans, Peas, and Lentils Vegetable
Mk—Milk	SV—Starchy Vegetable
X—Extra Foods/Condiments	OV—Other Vegetable

Key for crediting information.

Recipe: _____ Category: _____
 Process Number: _____

Ingredients	Yield _____		Directions
	Weight	Measure	

CCPs: _____

Crediting Information: _____

Serving Sizes: _____

Mt—Meat/Meat Alternate G—Grains WGR—Whole Grain-Rich F—Fruit Mk—Milk X—Extra Foods/Condiments	Vegetable: DGV—Dark Green Vegetable ROV—Red/Orange Vegetable LV—Beans, Peas, and Lentils Vegetable SV—Starchy Vegetable OV—Other Vegetable

Key for crediting information.

EXAMPLE Recipe Analysis

Recipe Name: **CORN CHIP PIE** Portions per Recipe: **100**

Ingredients	Quantity of Ingredients As Purchased	Purchase Unit	Servings Per Purchase Unit in Food-Buying Guide	Meat/Meat Alternate	Grains	Fruits	Vegetables DGV—Dark Green Vegetables ROV—Red/Orange Vegetables BV—Bean, Peas, and Lentils Vegetables SV—Starchy Vegetables OV—Other Vegetables				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	DGV	ROV	BV	SV	OV
PINTO BEANS, CANNED, DRAINED GROUND BEEF, 80/20 REDUCED-FAT CHEDDAR CHEESE, GRATED TOMATOES, CANNED, CRUSHED ONIONS, DICED, READY-TO-USE WHOLE CORN CHIPS	2 6LB 3.5 LB 1.5 1 LB 7 LB	#10 CAN LB LB #10 CAN LB LB	37.2 11.8 16 46.6 12.6 15	74.4 70.8 56	105			69.9			12.6
NOTES			TOTALS	201.2	105		0	69.9	0	0	0
- Oz to lb conversion chart is on page I-36 in the Food-Buying Guide - Remember to convert ready-to-use products to their As Purchased amount - The values for Columns 5, 6, 7, and 8 are found by multiplying the value in Column 2 by the value in Column 4 - Remember to divide the total 1/4 cup of vegetables and fruits by 4 to get the cups of vegetables and fruits - Grains in portions of a cup: Convert all needed servings into the same portion of a cup; use the corresponding yield data for that same size - Grains in numbers of servings: Use the yield data provided for 1 Grains serving - Separate vegetables into subgroups, using the subcolumns of 8 - Keep recipe analysis with standardized recipes for reference				Total of M/MA divided by Total # Portions	Total of Grains divided by Total # Portions	(1) Total of Fruits divided by 4 to convert to cups; (2) Divide cups by Total # Portions	(1) Total of DGV divided by 4 to convert to cups; (2) Divide cups by Total # Portions	(1) Total of ROV divided by 4 to convert to cups; (2) Divide cups by Total # Portions	(1) Total of LV divided by 4 to convert to cups; (2) Divide cups by Total # Portions	(1) Total of SV divided by 4 to convert to cups; (2) Divide cups by Total # Portions	(1) Total of OV divided by 4 to convert to cups; (2) Divide cups by Total # Portions
Calculations				oz M/MA	Oz. Equiv. Grains	cups Fruits	cups DGV veg	cups ROV veg	cups BV veg	cups SV veg	cups OV veg
Each Portion Contains				2 oz	1 serv	0 c	0 c	1/8 c	0 c	0 c	0 c

Recipe Analysis

Recipe Name: _____ Portions per Recipe: _____

Ingredients (1)	Quantity of Ingredients As Purchased (2)	Purchase Unit (3)	Servings Per Purchase Unit in Food- Buying Guide (4)	Meat/Meat Alternate (5)	Grains (6)	Fruits (7)	Vegetables DGV—Dark Green Vegetables ROV—Red/Orange Vegetables BV—Beans, Peas, and Lentils Vegetables SV—Starchy Vegetables OV—Other Vegetables (8)				
							DGV	ROV	BV	SV	OV
NOTES			TOTALS								
											c

FOOD PRODUCTION RECORDS

A. Purpose

1. The CNP production record is a required record that documents compliance with the meal requirements. SFAs must maintain documentation that demonstrates how meals offered to students meet meal pattern requirements. Production records must be complete and accurate. SFAs are required to document that reimbursable meals are offered.
2. The SFA/school district may elect to use a different format that better meets its needs; but it must contain, at a minimum, the required information and be approved by your program specialist.
3. Besides meeting federal record-keeping requirements, several other valuable management tools are available from the proper use of this form:
 - a. Determining trends in student acceptability of the menu items
 - b. Projecting student participation levels
 - c. Forecasting quantities of food to purchase
 - d. Effectively managing menu planning and the scheduling of labor and work assignments

B. Records Retention

All records concerning the CNP, including the Food Production Record (or equivalent) and supporting documentation (e.g., CN labels, product formulation statements, nutrition labels, and Nutrient Data Forms), must be retained for a period of three years plus the current year. The records must be retained beyond the three-year period if audit findings have not been resolved.

C. Preparation

Use of food production records should begin prior to meal preparation for the purpose of planning the menu. The records must be completed daily after meal service at the food preparation site to reflect what was actually prepared, including quantities prepared and served, and any menu changes and/or modifications. Records must include all information necessary to support the claiming of reimbursable meals.

If a site has extensive menu offerings and/or multiple serving lines, modifying the form or preparing separate records for each serving line may be necessary.

D. Multiple Lines

If a school has multiple serving lines, a daily production record must be maintained for each.

- Each serving line must offer all vegetable subgroups and meet minimum and maximum of all required food components.

E. Lines With Multiple Main Dishes

Lines with multiple main dishes may be recorded on one daily food production record if the same fruits and vegetables are available to students on that line.

- See example on **page CM-72** for K-5 grade grouping for meat/meat alternate and grains/breads. The fruit and vegetable items that are offered are the same for each option.

FOOD PRODUCTION RECORD INSTRUCTIONS

NOTE: *Each item served is recorded on a separate line.*

School Site: Record the name of the eating site.

Date: Record the date (month, day, and year) of the meal service.

Meal Type: Select Breakfast, Lunch, or At-Risk Supper

Offer versus Serve and Grades Participating:

Indicate if the eating site participates in Offer versus Serve. Record the grades that participate in Offer versus Serve at the eating site.

Actual Number of Meals Served:

Record the grade group and the number of meals served to students, adults, and any contract meals.

Item A: **Menu or Food Item Used**

Record each menu or food item used and the form of the item (e.g., sliced, chopped, shredded, fresh, frozen, canned, raw), the packing medium (e.g., canned in juice or light syrup, frozen with added sugar or plain), and the method of preparation (e.g., baked or boiled). All offerings, choices, milk, substitutions, condiments, and noncreditable items must be listed to facilitate an accurate nutrient analysis of the menu.

Item B: **Recipe Number, Product Brand, and CN Label Number**

Record the recipe number of the menu item if the menu item is made from a recipe. Any menu item that has more than two ingredients combined to make the item must have a standardized recipe (e.g., seasoned or buttered corn, tossed salad, lasagna, rolls, fruit salad, cookies). If the item has been purchased, record the product brand, and/or CN label number, if applicable.

Item C: **Total Quantity of All Food Prepared**

Record the quantity of each menu or food item prepared for all students, adults, à la carte, and contract meals. Indicate the unit size in very specific terms (i.e., pounds, #10 cans, number of recipe servings).

Item D: **Indicate the Meal Contribution of Each Menu Item**

- Meat/Meat Alternate (Mt)
- Fruit (F)
- Vegetable: Dark Green (DGV); Red/Orange (ROV); Beans, Peas, and Lentils (BV); Starchy (SV); Other (OV)
- Grains (G)—Whole grain-rich (WGR)
- Milk (Mk)
- Extra Foods/Condiments (X)

Items E and F: Indicate the internal temperatures of hot and cold foods **AND the times they were taken.**

Items G, H, I, and Pre-K:

Grade Group

Indicate the Grade Group being served.

Planned Number of Meals

Indicate the total number of reimbursable student meals planned. These figures will be used to conduct a nutrient analysis and, therefore, should not include any cafeteria workers, adults, contract, or à la carte numbers.

Planned Serving Size

Record the serving size of the menu/food item to be served. **NOTE: The planned serving size must be the same as the portion size required to be served—descriptive and measurable.**

Planned Number of Servings

Record the total number of servings planned for each menu/food item to be served. If seconds are routinely planned, they are to be recorded in this column and will be included in the nutrient analysis.

Item J: **Adult, À la Carte, and Contract Meals**

Any adult meal, à la carte, or contract meals served must be recorded here.

Item K: **Leftovers/Comments**

Enter the quantity of each menu item left at the end of the meal service. Record if the food was discarded, given out as seconds, or stored for future use. The menu planner may also use this column to record comments about the menu.

Food Production Record

Site Name: _____ Modine PS _____ Date: 10/14/XX

Meal Type	Breakfast	☐	Offer versus Serve	Yes	☒	Grades Participating	2-12
	Lunch	☒		No	☐		

Meal Type	At-Risk - Supper	☐

Meals Served	
Grade Group	Actual Number Served
Pre-K	23
K-8	241
9-12	168
Adult Meals	21
Contract Meals	0

A Menu or Food Item Used or Served	B Recipe # or Product Brand and CN Label #	C Total Quantity of All Food Prepared	D Meal Con- tribu- tion*	E Time and Temp I	F Time and Temp 2	G Grade Group: <u>K-8</u> Planned # Reimbursable Meals for Students: <u>250</u>	H Grade Group: <u>9-12</u> Planned # Reimbursable Meals for Students: <u>175</u>		I Grade Group: _____ Planned # Reimbursable Meals for Students: _____		PRE-K CACFP Meal Patterns Planned # Reimburs- able Meals for Students: <u>25</u>	J À La Carte, Adults, Contract Meals	K Leftovers/ Comments	
							Planned # Serving Size**	Planned # Servings (Including Planned Seconds)	Planned # Serving Size**	Planned # Servings (Including Planned Seconds)				
See Temp Log														
Spaghetti & Meat Sauce	USDA D-35A	475				1 cup	1 cup	175			Planned # Serving Size**	Planned # Servings (Including Planned Seconds)	25	30 servings leftover - served out
Ground Beef (raw) 85/15	USDA Foods	55 lbs	MT											
Ground Pork (raw) 85/25		29 lbs	MT											
Spaghetti Noodles	Noodl-O's	30 lbs	G											
Tomato Puree	USDA Foods	47.5 lbs	ROV											
Carrots, shredded	Red Carrot Company	12 lbs	ROV											
Broccoli Florets	USDA Foods	53 lbs	DGV			1/2 cup	1 cup	100			1/2 cup	25	15	30 servings leftover - discarded
Salad Mix, Lettuce	Greens A Go Go	46 lbs	OV			1 cup							15	
Mixed Fruit	Vendor Brand	20/#10 can	F			1/2 cup	1 cup	100			1/2 cup	25	20	20 servings leftover - served out
WG Bread Stick	Bakers Bread Company	600/ 1oz	WGR			1 each	2 each	150			1 each	25	25	
Salad Bar***			X				1/2 cup	125					25	
Milk 1% White	Dairy Mart	60	Mk			1/2 PT	1/2 PT	15	1/2 PT		1/2 PT	25	5	
Milk FF Chocolate	Dairy Mart	265	Mk			1/2 PT	1/2 PT	75	1/2 PT				5	

* Meal Contribution—Meat/Meat Alternate (Mt); Fruit (F); Vegetable—Dark Green (DGV), Red/Orange (ROV), Beans/Peas/Lentils (BV), Starchy (SV), Other (OV); Grains (G); Whole Grains (WGR); Milk (MK); Extra Foods/Condiments (X). ** The planned serving size must be the same as the portion size served. *** A salad bar production record is required when a salad bar is offered.

Date:

Offer versus Serve	Yes	Grades Participating
	No	

Meals Served	
<i>Grade Group</i>	<i>Actual Number Served</i>
Adult Meals	
Contract Meals	

A Menu or Food Item Used or Served	B Recipe # or Product Brand and CN Label #	C Total Quantity of All Food Prepared	D Meal Con- tribu- tion*	E Time and Temp I	F Time and Temp 2	G Grade Group: _____ Planned # Reimburs- able Meals for Stu- dents: _____		H Grade Group: _____ Planned # Reimburs- able Meals for Stu- dents: _____		I Grade Group: _____ Planned # Reimburs- able Meals for Stu- dents: _____		PRE-K CACFP Meal Patterns Planned # Reimburs- able Meals for Stu- dents: _____		J À La Carte, Adults, Contract Meals	K Leftovers/ Comments
						Planned Serving Size**	Planned # Servings (including Planned Seconds)	Planned Serving Size**	Planned # Servings (including Planned Seconds)	Planned Serving Size**	Planned # Servings (including Planned Seconds)	Planned Serving Size**	Planned # Servings (including Planned Seconds)		
Milk -			Mk			1/2 PT		1/2 PT			1/2 PT				
Milk -			Mk			1/2 PT		1/2 PT			1/2 PT				

* Meal Contribution—Meat/Meat Alternate (Mt); Fruit (F); Vegetable—Dark Green (DGV), Red/Orange (ROV), Other (OV), Beans/Peas/Lentils (BV), Starchy (SV), Grains (G); Whole Grains (WGR); Milk (MK); Extra Foods/Condiments (X) ** The planned serving size must be the same as the portion size served. ***A salad bar production record is required when a salad bar is used.

F. Salad and Food Bars

1. **A school may offer a daily salad or food bar line that offers multiple vegetable subgroups every day as a way to meet the weekly vegetable subgroup requirement.**

This is acceptable ONLY if the salad/food bar is available before the point of service or is monitored by the site to ensure a child took the correct amount of vegetable for a reimbursable meal. The salad bar must offer all the weekly subgroups. If salad bar that is AFTER the point of service or is not being monitored, it is considered an extra and DOES NOT meet the required weekly subgroups over the course of the week. *See Item 5 below.*

2. **The vegetable subgroups offered on a daily salad or food bar need to be itemized on the production records. All of these items need to be listed on the menu.**

Section 210.10(a)(3) of the regulations requires that production and menu records for the meals show how the meals offered contribute to the required food components and food quantities. These records must be examined by the State agency during the administrative review to ensure the meals offered are reimbursable.

3. **Schools that offer salad or food bars are not required to use specific size serving utensils to meet quantity requirements.**

Schools are not required to use specific serving size utensils, but may do so to encourage children to take appropriate food amounts. However, regardless of the serving utensils used, food service staff must ensure that the portions on the student's tray meet the meal pattern requirements. This may be done by training the cashiers to visually identify the correct portions or by preportioning the food items.

4. **Salad Bars and Point of Service (PoS)**

SP-10-2012 (v.9) August 3, 2015: Questions and Answers on the Final Rule, *Nutrition Standards in the National School Lunch and School Breakfast Programs*, page 9, Number 24

5. **May a salad bar with fruits and vegetables offered as part of the reimbursable meal be located after the point of service?**

As stated in the memorandum on salad bars (SP-31-2013), the PoS should be stationed after the salad bar. If a school is not able to position the salad bar in a location prior to the PoS, the State agency may authorize alternatives to the PoS lunch counts, such as stationing staff at the end of the salad bar to ensure each student leaves with a reimbursable meal. If the fruits and vegetables are located in an approved location beyond the PoS, there must be a system in place to ensure that each reimbursable meal selected by the student includes a fruit or a vegetable, and that the total of any fruit or vegetable item selected under OvS equals at least 1/2 cup. Unmonitored salad bars after the PoS are considered extra foods that do not contribute toward the reimbursable meal and need to be considered with regard to the weekly dietary specifications.

6. **If the salad or food bar is designated to provide a complete reimbursable meal, the production record *MUST* be maintained on the FULL meal Food Production Record forms.**

7. **Do the vegetable subgroups offered on a daily salad or food bar need to be itemized on the production records? Do all of these items need to be listed on the menu?**

Yes. Section 210.10(a)(3) of the regulations requires that production records and menu records for the meals shows how the meals offered contribute to the required food components and food quantities. These records must be examined by the State agency during the AR to ensure the meals offered are reimbursable.

Salad/Food Bar Production Record Instructions

Follow these instructions when the salad/food bar is planned as a menu item or extra offerings rather than a reimbursable meal.

Date: Record the date.

Planned Number of Students and Adults for Salad/Food Bar:

Indicate the total number of students and adults eating from the salad/food bar.

Meal Contribution:

Check the *Vegetable and/or Fruit Component* box when it is being used as a component toward a reimbursable meal.

Note: Salad/food bar must be monitored when contributing to any part of the reimbursable meal.

Comments/Leftovers: Note comments or what was done with those leftovers.

Item A: Food Item Prepared, Recipe Number or Product Brand

Record each menu or food item to be prepared. Record the form of the item (i.e., sliced, chopped, shredded, fresh, frozen, canned, raw), the packing medium (e.g., canned in juice or light syrup, frozen with added sugar or plain), and the method of preparation. ***Note: Indicate the description of food items based on the Food-Buying Guide, when applicable.***

Record the recipe name and number of the menu item if the menu item is made from a recipe. Any menu item that has more than two ingredients combined to make the item must have a standardized recipe (e.g., seasoned or buttered vegetables, potato salad). If the item has been purchased, record the product brand and Child Nutrition (CN) label, when applicable.

Item B: Record times and temperatures according to your local HACCP plan.

Item C: Indicate the meal contribution and serving size. Vegetables must be reported by subgroups.

Use the following abbreviations:

Meat/Meat Alternate (Mt), Fruit (F), Vegetable—Dark Green (DGV), Red/Orange (ROV), Beans, Peas, and Lentils (BV), Starchy (SV), Other (OV), Milk (Mk), Extra Foods/Condiments (X). The planned serving size must also be indicated.

Item D: Total Quantity of Food Prepared

Record the exact quantity of each food item to be prepared. Indicate the unit size in very specific terms (i.e., pounds, #10 cans, dozen).

Item E: Quantity Used on the Salad/Food Bar

Subtract Item D from Item C, and record quantity.

Item F: Quantity of Food Left Over

Enter the quantity of each food item leftover at the end of the meal service. Indicate leftovers in a standardized measure.

Item G: Comments

Record if the food was discarded or stored for future use. The menu planner may also use this column to record comments about the food item.

Example

SALAD/FOOD BAR PRODUCTION RECORD

Date: 10/1/YYYY Planned Number of Students and Adults for Salad/Food Bar: 100

Meal Contribution	
<i>NOTE: Use this form ONLY when the salad/food bar is planned as a menu item or extra offerings rather than a reimbursable meal. Salad bar items will be counted in total meal contribution dietary specifications.</i>	
☐ Vegetable Component	EXTRA
☐ Fruit Component	EXTRA

(A) Food Item Prepared, Recipe Number, or Product Brand	(B) Time and Temp	(C) Meal Contribution and Serving Size	(D) Total Quantity of Food Prepared (lb or qty)	(E) Quantity of Used on the Salad Bar (lb or qty)	(F) Quantity Food Left Over (lb or qty)	(G) Leftovers/ Comments
Romaine	10:30 AM	X	10 lb	5 lb	5 lb	Use next day
	40°					
Tomatoes	10:30 AM	X	5 lb	0	5 lb	
	40°					
Carrots, baby	10:30 AM	X	3 lb	1 lb	2 lb	Use next day
	40°					
Cucumber	10:30 AM	X	5 lb	4 lb	1 lb	Discarded
	39°					
Broccoli	10:30 AM	X	3 lb	0	3 lb	
	39°					
Light Ranch	10:30 AM	X	1/2 gal	1/4 gal	1/4 gal	Use next day
	39°					
Italian Dressing	10:30 AM	X	1/4 gal	1/8 gal	1/8 gal	Use next day
	39°					
Pears, diced	10:30 AM	X	1 #10 can	0	1 #10 can	
	40°					
Strawberries	10:30 AM	X	5 lb	4 1/2 lb	1/2 lb	Discarded
	40°					

Meal Contribution: Fruit (F); Vegetable—Dark Green (DGV), Red/Orange (ROV), Beans, Peas, and Lentils (BV), Starchy (SV), Other (OV), Extra Foods/Condiments (X)

SALAD/FOOD BAR PRODUCTION RECORD

Date: _____ Planned Number of Students and Adults for Salad/Food Bar: _____

Meal Contribution

NOTE: Use this form *ONLY* when the salad/food bar is planned as a menu item or extra offerings rather than a reimbursable meal. Salad bar items will be counted in total meal contribution dietary specifications.

☐ Vegetable Component _____

☐ **Fruit Component** _____

[illegible]

Meal Contribution: Fruit (F); Vegetable—Dark Green (DGV), Red/Orange (ROV), Beans, Peas, and Lentils (BV), Starchy (SV), Other (OV), Extra Foods/Condiments (X)

Line With Multiple Main Dishes

K-5 Meal Pattern

Component	Food Item		Serving Size	Total Servings—Sample Menu	
	Option 1	Option 2		Option 1	Option 2
Meat/Meat Alternate 8 ounce equivalent (oz eq) weekly/ 1 ounce equivalent (oz eq) daily	M <i>Chicken Burger</i>	M <i>Grilled Cheese</i>	Mon 2 oz, 1 oz	2 oz eq Chicken	1 oz eq Cheese
	T <i>Marinara With Beef</i>	T <i>Lowfat Yogurt</i>	Tues 2 oz, 4 oz	2 oz eq Beef	1 oz eq Yogurt
	W <i>Chicken Fajita</i>	W <i>Beef Burrito</i>	Wed 2 oz, 2 oz	2 oz eq Chicken	2 oz eq Beef
	Th <i>Ginger Chicken With Citrus Glaze</i>	Th <i>Braised Tofu</i>	Thurs 2 oz, 2 oz	2 oz eq Chicken	2 oz eq Tofu
	F <i>Cheese Pizza</i>	F <i>Chef's Salad</i>	Fri 2 oz, 2 oz	2 oz eq Cheese	2 oz eq C Salad
				TOTAL: (MAX) 10 oz eq	TOTAL: (MIN) 8 oz eq

Component	Food Item		Serving Size	Total Servings—Sample Menu	
	Option 1	Option 2		Option 1	Option 2
Grains 8 ounce equivalent (oz eq) weekly/ 1 ounce equivalent (oz eq) daily	M <i>Whole Grain-Rich Bun</i>	M <i>Whole-Wheat Bread</i>	Mon 1 ea, 2 slices	2 oz eq Bun	1 oz eq Bread
	T <i>Whole Grain-Rich Noodles</i>	T <i>Whole Grain-Rich Roll</i>	Tues 1/2 cup, 1 ea	2 oz eq Noodles	1 oz eq Roll
	W <i>Tomato-Basil Tortilla</i>	W <i>Whole Grain-Rich Tortilla</i>	Wed 1 ea, 1 ea	2 oz eq Tortilla	2 oz eq Tortilla
	Th <i>Whole Grain-Rich Rice</i>	Th <i>Whole Grain-Rich Roll</i>	Thurs 1/2 cup, 1 ea	2 oz eq Rice	2 oz eq Roll
	F <i>Pizza Crust, Whole Grain-Rich</i>	F <i>Whole Grain-Rich Roll</i>	Fri 1 ea, 1 ea	2 oz eq Crust	2 oz eq Roll
				TOTAL: (MAX) 10 oz eq	TOTAL: (MIN) 9 oz eq

Component	Food Item	Serving Size	Total Servings—Sample Menu
Fruits 2 1/2 cups weekly/ 1/2 cup daily	M <i>Fresh banana or raisins (1/4 cup raisins = 1/2 cup)</i>	Mon 1/2 cup	1/2 cup
	T <i>Fresh orange or sliced peaches</i>	Tues 1/2 cup	1/2 cup
	W <i>Fresh, seedless grape bunches or sliced pears</i>	Wed 1/2 cup	1/2 cup
	Th <i>Fresh apple slices or pineapple juice</i>	Thurs 1/2 cup	1/2 cup
	F <i>Fresh kiwi or pineapple</i>	Fri 1/2 cup	1/2 cup
			TOTAL: 2 1/2 cups

Component	Food Item	Serving Size	Total Servings—Sample
Vegetables 3 3/4 cups weekly/ 3/4 cup daily	M <i>Baked beans or sweet potato fries</i>	Mon 3/4 cup	Dark Green 1 1/2 cups
	T <i>Cooked spinach or green peas</i>	Tues 3/4 cup	Red/Orange 1 1/2 cups
	W <i>Roasted herb corn or cole slaw</i>	Wed 3/4 cup	Beans/Peas 3/4 cup
	Th <i>Steamed broccoli or celery sticks</i>	Thurs 3/4 cup	Starchy 3/4 cup
	F <i>Fresh carrots or green beans</i>	Fri 3/4 cup	Other 2 1/4 cups
			TOTAL: 6 3/4 cups

Component	Food Item	Serving Size	Total Servings—Sample
Milk 5 cups weekly/ 1 cup daily	Fat-free milk, flavored or unflavored each day	8 ounces (1 cup)	5 cups weekly

APPROVED NUTRIENT ANALYSIS SOFTWARE

CN Central

(former name: inTEAM Menu Compliance Tool+)

inTEAM Associates LLC

Phone: (866)457-4705

eTriton

Harris School Solutions

Phone: (716) 402-2492

Health-e Pro Meal Planner

Water Walkers, Inc dba Health-e-Pro

Phone: (800) 838-4856 x5

MCS Edison Menus & Inventory

Heartland School Solutions

Phone: (800) 724-9853

Meals Plus, a LINQ Solution

(web version)

LINQ, Inc.

Phone: (800) 541-8999

Mosaic Menu Planning

Heartland School Solutions

Phone: (800) 724-9853

NUTRIKIDS: Menu Planning & Nutritional Analysis

Heartland School Solutions

Phone: (800) 724-9853

OneSource—Menu Planning and Nutrient Analysis

Horizon Software International

Phone: (800) 741-7100

PRIMA Web

Aramark

Phone: (215) 238-3000

PrimeroEdge—Menu Planning Module

Cybersoft Technologies , Inc.

Phone: (866) 510-2525

SchoolCafe Menu Planning & Nutritional Analysis

Cybersoft Technologies , Inc.

Phone: (866) 510-2525

TITAN, a LINQ Solution

LINQ, Inc.

Phone: (800) 541-8999

TrakNOW—Nutrition and Inventory

PCS Revenue Control Systems, Inc

Phone: (800) 247-3061; (201) 568-8300

FOOD SAFETY/HACCP

If you have questions regarding Food Safety, contact your local health department.

A. Required Food Safety Training

Food Safety training is required for Child Nutrition Directors. Eight hours of food safety training must be completed every 5 years or within 30 days of the director's start date. This training is to be completed by the Health Department or by the Institute of Child Nutrition (ICN).

B. Hazard Analysis and Critical Control Point (HACCP) System (Reference All State Directors' Memo 2005-SP-21)

1. Section 111 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended Section 9(h) of the Richard B. Russell National School Lunch Act by requiring SFAs to implement a food safety program for the preparation and service of school meals served to children. The program must be based on HACCP principles and conform to guidance issued by USDA. All SFAs must have had a fully implemented food safety program. (Reference USDA Guidance on Developing a School Food Safety Program Based on the Process Approach to HACCP Principles—June 2005)

HACCP is a food safety program designed to reduce the risk of food-borne hazards by focusing on each step of the food production process—receiving, storing, preparing, cooking, cooling, reheating, holding, assembling, packaging, transporting, and serving. The purpose of a school food safety program is to ensure the delivery of safe foods to children in the school meals program by controlling hazards that may occur or be introduced into foods anywhere along the flow of the food from receiving to service (food flow).

2. Two Types of Hazards:

- (a) Ones specific to the preparation of the food, such as improper cooking for the specific type of food (beef, chicken, eggs, etc.); and
- (b) Nonspecific ones that affect all foods, such as poor personal hygiene. Specific hazards are controlled by identifying CCPs and implementing measures to control the occurrence or introduction of those hazards. Nonspecific hazards are controlled by developing and implementing Standard Operating Procedures (SOPs).

- C. Section 302 of the Act amends Section 9(h)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758[h][5]) by requiring that the school food safety program based on HACCP principles be applied to any facility or part of a facility in which food is stored, prepared, or served for the purposes of the NSLP, SBP, or other FNS program. The school food safety program addresses food safety in all aspects of school meal preparation, ranging from procurement through service. (Reference: USDA Policy Memo SP-37-2011)

Food safety programs must be reviewed to ensure standard operating procedures for safe food handling are updated to include any facility or part of a facility where food is stored, prepared, or served, such as on school buses, in hallways, school courtyards, kiosks, classrooms, or other locations outside the cafeteria. This requirement applies to child nutrition programs.

D. Requirements for a Food Safety Program

The SFA is responsible for developing a comprehensive food safety program, including a plan for every school food preparation and service site.

1. Develop, Document, and Implement Standard Operating Procedures (SOPs)

SOPs lay a strong foundation for your overall school food safety program. SOPs are step-by-step written instructions for routine food service tasks that affect the safety of food (***NONSPECIFIC*** hazards), such as proper dishwashing procedures, or for tasks that are a part of the HACCP-based plan (specific hazards), such as proper cooking procedures. Each SOP should include instructions on monitoring, documentation, corrective actions, and periodic review of the procedures they cover. Adherence to SOPs allows food service managers and employees to effectively control and prevent hazards.

If SFAs do not have SOPs, ICN has developed a series of SOPs applicable to schools. The final versions of these SOPs are posted on the Institute of Child Nutrition Web site. Log on to **<https://theicn.org/icn-resources-a-z/standard-operating-procedures/>**. Scroll down to **Food Safety Standard Operating Procedures** and select the SOP desired. These SOPs include critical limits, monitoring, corrective action, verification, and record-keeping procedures. They may be customized to your foodservice operation.

The main categories of SOPs with example topics are listed on the following pages.

a. General Safety Considerations

- Prohibit bare hand contact with ready-to-eat (RTE) foods.
- Store chemicals away from food and food-related supplies.

b. Personnel

- Require hand washing after restroom use, sneezing, coughing, or after performing any cleaning activity.
- Develop a policy for restricting or excluding ill employees from food production or preparation areas.

c. Product Procurement

- Follow recommendations for selecting vendors such as those found in state distributing agency vendor certification procedures
- Develop buyer product specifications

d. Receiving

- Reject all cans with swollen sides or ends, flawed seals and seams, rust, or dents.
- Put perishable foods into the refrigerator or freezer immediately.

e. Storing

- Store all food and paper supplies six to eight inches off the floor.
- Label all food with name of the school and delivery date.

f. Transporting

- Preheat transfer carts prior to use.
- Limit transport travel time to a maximum of two hours.

g. Holding

- Keep hot foods hot (above 135°F [Oklahoma Health Department requirement]) and cold foods cold (below 41°F).

h. Preparation

- Do not keep food in the ***danger zone*** (between 41°F and 135°F) for more than four hours.
- Handle food with utensils; clean, gloved hands; or clean hands. (Bare-hand contact with food during preparation should be limited. Bare-hand contact with ready-to-eat (RTE) foods should be prohibited.)

i. Cleaning/Sanitizing

- Use clean water, free of grease and food particles.
- Keep wiping cloths in sanitizing solution while cleaning.

j. Cooking and documenting temperatures

- Record all temperatures when they are taken.
- Use only a clean and sanitized thermometer when taking internal temperatures of foods.

k. Cooling

- Cool rapidly by storing food in small batches in individual containers; cover loosely so that heat can escape quickly.
- Keep cold foods cold by prechilling ingredients for salads.

l. Reheating

- Transfer reheated food to hot-holding equipment only when the food reaches the proper temperature.
- Use only cooking ranges, ovens, steamers, and microwave ovens to reheat foods.
- Use hot-holding equipment only to maintain temperature and not for rapidly heating food

2. A Written Food Safety Plan at Each School Site Preparing and Serving Meal

a. Assigning menu items in the appropriate HACCP process category

USDA recommends using the ***Process Approach*** to HACCP to give flexibility to create a program suitable for a variety of situations. The Process Approach categorizes food preparation into three categories based on how many times each menu item moves through the temperature danger zone as shown below.

Does the menu items have a no cook step involved, undergo a cook step for same-day service, or receive additional cooling and reheating following a cook step? Place each menu item into the appropriate process. Identify the number of times each menu item goes up (heating) or comes down (cooling) through the ***danger zone*** (41°F — 135°F), and classify items into the following food preparation processes:

- **Process 1—No Cook**

The menu item does not go completely through the danger zone in either direction.

- **Process 2—Same-Day Service**

The menu item takes one complete trip through the danger zone (going up during cooking) and is served.

- **Process 3—Complex Food Preparation**

The menu item goes through both heating and cooling, taking two or more complete trips through the danger zone.

Document the appropriate process for each menu item. This can be done by writing the process number directly on the recipe or developing a list of menu items in each of the processes.

- b. Identifying control measures and critical control points (CCPs)

The control measures that are essential and must be applied at key points, known as CCPs, during the food preparation process to control specific hazards (physical, chemical, or biological). A CCP is a key point where a step can be taken to prevent, eliminate, or reduce a food safety hazard to an acceptable level.

Document the CCPs and critical limits for each process approach category in your food safety program at each site. Each of the three processes in the process approach has specific CCPs (such as cooking, cooling, hot holding, cold holding, and reheating). The CCPs for each of the processes will remain the same regardless of the menu item. The critical limits will vary, depending upon the menu item and the recipe used to prepare each item.

Critical limits for cooking, hot holding, and reheating are demonstrated on the *Temperature Rules* chart below.

TEMPERATURE RULES! Cooking for Food Service

Minimum Temperatures and Holding Times

165°F (15 seconds)

- Poultry—chicken, turkey, duck, goose—whole, parts, or ground
- Soups, stews, stuffing, casseroles, mixed dishes
- Stuffed meat, poultry, fish, and pasta
- Leftovers (to reheat)
- Food, covered, cooked in microwave oven (hold cover **2 minutes** after removal)

160°F (15 seconds)

- Hamburger, meatloaf, and other ground meats
- Eggs, any type

145°F (15 seconds)

- Beef, corned beef, pork, ham—roasts (hold 4 minutes)*
- Beef, lamb, veal, pork—steaks or chops
- Fish and shellfish, any type
- Fresh shell eggs—broken, cooked, and served immediately

140°F (15 seconds)

- Ham, cooked—packaged in USDA-inspected plants—to reheat (all others to 165°F)
- Fruits and vegetables that are cooked

***Reheat Foods to the Proper Temperature!**

- Reheat food within 2 hours to an internal temperature of 165°F for 15 seconds.
- Discard foods not reheated to 165°F within 2 hours.

Hold All Hot Food at 135°F or Above After Cooking!

The following are CCPs, related to each food preparation process:

- **For Process 1—No Cook**

- Cold holding or limiting time in the danger zone to inhibit bacterial growth and toxin production (e.g., limiting time would be holding at room temperature for four hours and then discarding)

- **For Process 2—Same-Day Service**

- Cooking to destroy bacteria and other pathogens
- Hot holding or limiting time in the danger zone to prevent the outgrowth of spore-forming bacteria

- **For Process 3—Complex Food Preparation**

- Cooking to destroy bacteria and other pathogens
- Cooling to prevent the outgrowth of spore-forming bacteria
- Hot and cold holding or limiting time in the danger zone to inhibit bacterial growth and toxin formation
- Reheating for hot holding, if applicable

USDA's *Recipes for Schools* include CCPs and critical limits. USDA recipes are available on several website located on **page CM-59**. Having the recipes on file and following the recipes exactly will fulfill the requirement for documenting CCPs and critical limits within the process approach specifically for these recipes. Any other recipes, local or must have CCPs and critical limits.

c. Monitoring food safety procedures

Employees must be trained in what is required by HACCP. Control measures, including CCPs and SOPs, must be monitored, controlled, and documented in writing. Monitoring involves making direct observations or taking measurements to see that the food safety program is being followed. Monitoring will also identify when there is a loss of control so that corrective action can be taken. Monitors must review the school food safety programs at least annually or when any significant changes occur in the operations.

In establishing your monitoring procedures, consider the following questions:

- How will the SFA monitor CCPs and SOPs?
- When and how often will the SFA monitor?
- Who will be responsible for monitoring?
- Who will be responsible for documenting the Food Safety Checklist, if applicable per district's HACCP plan. See *Food Safety Checklist* on **page CM-81-84**.

d. Corrective Action—Food Safety

Whenever a critical limit is not met, a corrective action must be carried out immediately. A corrective action may be simply continuing to heat food to the required temperature. Other corrective actions may be more complicated, such as rejecting food items that were not delivered at the right temperature or discarding food that has been held without temperature

control too long. The food safety program must include corrective actions. Employees must know what these corrective actions are and be trained in making the right decisions.

e. Record keeping

Certain written records or documentation is needed to verify the food safety program is working. These records will normally involve:

- The food safety plan for each preparing and serving site;
- Monitoring forms;
- Corrective action, if applicable; or
- Calibration records produced in the operation of the food safety program based on HACCP principles.

Record keeping provides a basis for periodic reviews of the overall food safety program. In the event your operation is implicated in a food-borne illness, documentation of activities related to monitoring and corrective actions can provide proof that reasonable care was exercised in the operation of your facility.

Maintain records of cooking, cooling, and reheating temperatures and other CCPs in the food preparation process. Keep documentation as simple as possible to make record keeping easy for employees. It does not necessarily mean new records need to be developed. For example, you may use existing paperwork such as delivery invoices for documenting product temperature when receiving food items. Determine what records must be kept, where to keep them, and which staff members will be responsible for maintaining them.

Types of records that should be maintained include:

- Records documenting the SOPs
- Time and temperature monitoring records
- Corrective action record
- Verification or review records
- Calibration records
- Training logs
- Receiving logs

f. Review and revise periodically

Review and revise the site's food safety program at least annually or as often as necessary to reflect changes in your facility. This may include new equipment, new menu items, reports of illness or comments on health inspections, or other factors that indicate how well your food safety program is working. Determine who will review the current plan, when it will be done, and how it will be documented.

D. Developing a School Food Safety Program

1. Before developing a food safety program, review the food service operations within your SFA and describe the facility, functions, and standard procedures for each. Some basic information to consider when doing this initial review includes:

- Types of facilities in your SFA
 - Existing SOPs
 - Number and type of employees at each site
 - Types of equipment
 - Processes for food preparation
 - Menu items
2. Three essential points to developing this program: **(Any questions regarding Food Safety, contact your local health department)**
 - a. **Sanitation**—Be sure that all of your food preparation areas are clean and sanitary, such as workers' hands, utensils, and food contact surfaces. Avoid cross contamination.
 - b. **Temperature control**—Be sure to keep cold foods cold and hot foods hot. Cook to proper temperatures, and hold at proper temperatures; be sure to record those temperatures. A basic, properly calibrated food thermometer (digital or dial) is all you need to check for proper temperatures.
 - c. **Standard Operating Procedures (SOPs)**—They can be used both for sanitation and to verify that proper temperatures are being observed as well as other aspects of a foodservice operation. The Institute of Child Nutrition (ICN) has a template available for SOPs.
 3. An example of a Food Safety Program plan can be found in the USDA HACCP Guidance. Go to CARS - Other Document under the *Food Safety* section.

E. Emergency Procedures—Food Loss

1. During a power outage, a freezer temperature of 10°F or below is still considered a hard freeze. Therefore, if the freezer temperature stays below 10°F, food may still be kept in the freezer and used at a later date.
2. Most freezers will lose one degree per day without power if the freezer door stays shut. Sites must continue to check the temperature daily to avoid using foods not kept at the correct temperature.
3. If the temperature of the freezer rises above 10°F, then the food should be moved to a refrigerator and used within seven days.
4. When a site has food it feels should not be used, contact the Food Sanitation Office of the Oklahoma State Health Department at 405-271-5243 and the Food Distribution Agency at 405-521-3581. The Health Department can schedule a county official to come out to the site and help the site dispose of the food and document the amount of food lost. This will give the site the documentation necessary for commodity replacement and insurance purposes for purchased foods.

FOOD SAFETY CHECKLIST

(At least annually or more frequently if determined by your HACCP plan)

Date: _____ Observer: _____

Name of Site: _____

***Directions:** Use this checklist according to the instructions in your SOPs, if applicable. Determine areas in your operations requiring corrective action. Record corrective action taken, and keep completed records in a notebook for future reference.*

PERSONAL HYGIENE

	Yes	No	Corrective Action
• Employees wear clean and proper uniform, including shoes.	☐	☐	_____
• Effective hair restraints are properly worn.	☐	☐	_____
• Fingernails are short, unpolished, and clean (no artificial nails).	☐	☐	_____
• Jewelry is limited to a plain ring such as a wedding ring, a watch, and no bracelets.	☐	☐	_____
• Hands are washed properly, frequently, and at appropriate times.	☐	☐	_____
• Burns, wounds, sores or scabs, or splints and bandages on hands are completely covered with a glove while handling food.	☐	☐	_____
• Eating, drinking, chewing gum, smoking, or using tobacco are allowed only in designated areas away from preparation, service, storage, and all washing areas.	☐	☐	_____
• Employees use disposable tissues when coughing or sneezing and then immediately wash hands.	☐	☐	_____
• Employees appear in good health.	☐	☐	_____
• Hand sinks are unobstructed, operational, and clean.	☐	☐	_____
• Hand sinks are stocked with soap, disposable towels, and warm water.	☐	☐	_____
• A hand washing reminder sign is posted.	☐	☐	_____
• Employee restrooms are operational and clean.	☐	☐	_____

FOOD PREPARATION

	Yes	No	Corrective Action
• All food stored or prepared in facility is from approved sources.	☐	☐	_____
• Food preparation, equipment, and food contact surfaces are properly washed, rinsed, and sanitized before every use.	☐	☐	_____
• Frozen food is thawed under refrigeration, cooked to proper temperature from frozen state, or in cold running water.	☐	☐	_____
• Thawed food is not refrozen.	☐	☐	_____
• Preparation is planned so ingredients are kept out of the temperature danger zone to the extent possible.	☐	☐	_____

FOOD PREPARATION (Continued)

	Yes	No	Corrective Action
• Food is tasted using the proper procedure.	☐	☐	_____
• Procedures are in place to prevent cross-contamination.	☐	☐	_____
• Food is handled with suitable utensils, such as single-use gloves or tongs.	☐	☐	_____
• Food is prepared in small batches to limit the time it is in the temperature danger zone.	☐	☐	_____
• Clean, reusable towels are used only for sanitizing equipment surfaces and not for drying hands, utensils, floor, etc.	☐	☐	_____
• Food is cooked to the required safe internal temperature for the appropriate time. The temperature is tested with a calibrated food thermometer.	☐	☐	_____
• The internal temperature of food <i>being cooked</i> is monitored and documented.	☐	☐	_____

HOT HOLDING

	Yes	No	Corrective Action
• Hot holding unit is clean.	☐	☐	_____
• Food is heated to the required safe internal temperature before placing in hot holding. Hot holding units are not used to reheat potentially hazardous foods.	☐	☐	_____
• Temperature of hot food <i>being held</i> at or above 135°F.	☐	☐	_____
• Hot holding unit is preheated before hot food is placed in unit.	☐	☐	_____
• Food is protected from contamination.	☐	☐	_____

COLD HOLDING

	Yes	No	Corrective Action
• Temperature of cold food being held is at or below 41°F.	☐	☐	_____
• Food is protected from contamination.	☐	☐	_____

REFRIGERATOR, FREEZER, AND MILK COOLER

	Yes	No	Corrective Action
• Refrigerator and freezer units are clean and neat.	☐	☐	_____
• Temperature is appropriate for piece of equipment.	☐	☐	_____
• Food is stored 6 inches off floor in walk-in cooling equipment.	☐	☐	_____
• Thermometers are available and accurate.	☐	☐	_____
• Proper chilling procedures are used.	☐	☐	_____
• All food is properly wrapped, labeled, and dated.	☐	☐	_____
• The FIFO (First In, First Out) method of inventory is practiced.	☐	☐	_____
• A temperature form is maintained to document storage temperatures daily.	☐	☐	_____

FOOD STORAGE AND DRY STORAGE

	Yes	No	Corrective Action
• Temperature of dry storage area is between 50°F and 70°F or state public health department requirement.	☐	☐	_____
• All food and paper supplies are stored six to eight inches off the floor.	☐	☐	_____
• All food is labeled with name and delivery date.	☐	☐	_____
• Food is stored in original container or a food grade container.	☐	☐	_____
• Open bags of food are stored in containers with tight-fitting lids and labeled with common name.	☐	☐	_____
• The FIFO method of inventory management is used.	☐	☐	_____
• There are no bulging or leaking canned goods.	☐	☐	_____
• Food is protected from contamination.	☐	☐	_____
• All surfaces and floors are clean.	☐	☐	_____
• Labeled chemicals are stored away from food and food-related supplies.	☐	☐	_____
• There is a regular cleaning schedule.	☐	☐	_____

CLEANING AND SANITIZING

	Yes	No	Corrective Action
• Three-compartment sink is properly set up for washing.	☐	☐	_____
• Dishwasher is working properly (such as gauges and chemicals are at recommended levels).	☐	☐	_____
• Suds are visible in wash sink.	☐	☐	_____
• Water is clean and free of grease and food particles.	☐	☐	_____
• Water temperatures are correct for wash and rinse.	☐	☐	_____
• If heat sanitizing, the utensils are allowed to remain immersed in 171°F water for 30 seconds.	☐	☐	_____
• If using a chemical sanitizer, it is mixed correctly and a sanitizer test strip is used to test chemical concentration.	☐	☐	_____
• Smallware and utensils are allowed to air dry.	☐	☐	_____
• Wiping cloths are stored in sanitizing solution while in use.	☐	☐	_____

UTENSILS AND EQUIPMENT

	Yes	No	Corrective Action
• All small equipment and utensils, including cutting boards, are cleaned and sanitized between uses.	☐	☐	_____
• Small equipment and utensils are washed, sanitized, and air-dried.	☐	☐	_____
• Work surfaces and utensils are clean.	☐	☐	_____
• Work surfaces are cleaned and sanitized between uses.	☐	☐	_____
• Thermometers are cleaned and sanitized after each use.	☐	☐	_____
• Thermometers are calibrated on a routine basis.	☐	☐	_____
• Can opener is clean.	☐	☐	_____
• Drawers and racks are clean.	☐	☐	_____
• Clean utensils are handled in a manner to prevent contamination of areas that will be in direct contact with food or a person's mouth.	☐	☐	_____

LARGE EQUIPMENT

	Yes	No	Corrective Action
• Food slicer is clean.	☐	☐	_____
• Food slicer is cleaned and sanitized after each use.	☐	☐	_____
• Boxes, containers, and recyclables are removed from site.	☐	☐	_____
• Loading dock and area around dumpsters are clean and odor-free.	☐	☐	_____
• Exhaust hood and filters are clean.	☐	☐	_____

GARBAGE STORAGE AND DISPOSAL

	Yes	No	Corrective Action
• Kitchen garbage cans are clean and covered.	☐	☐	_____
• Garbage cans are emptied as necessary.	☐	☐	_____
• Boxes and containers are removed from site.	☐	☐	_____
• Loading dock and area around dumpster are clean.	☐	☐	_____
• Dumpster is closed.	☐	☐	_____

PEST CONTROL

	Yes	No	Corrective Action
• Outside doors have screens, are well sealed, and are equipped with a self-closing device.	☐	☐	_____
• No evidence of pests is present.	☐	☐	_____
• There is a regular schedule of pest control by a licensed pest control operator.	☐	☐	_____

USDA FOODS - COMMODITIES

- A. If SFAs have any questions about USDA Foods (i.e., perpetual inventory, transferring foods, lost USDA Foods, disposal of spoiled USDA Foods), they should contact the Department of Human Services (DHS) at **405-521-3581** and/or go to the following web site: **www.okdhs.org**.
- B. USDA Foods are allocated based on the total number of lunches served in the previous school year. USDA Foods are forecast a year in advance (in February). If there is an increase or decrease in the number of lunches served, this will be reflected in the next year's allocation.
- C. The maintenance of a refrigerator and/or freezer daily temperature log is required by the Food Distribution Unit of DHS for SFAs receiving USDA Foods. In the event that a refrigerator or freezer containing USDA Foods should malfunction and the contents be lost, USDA has deemed that the SFA must assume financial responsibility for the lost items unless a daily temperature log maintenance record can be produced. The daily temperature log maintenance record could possibly save the SFA from being placed in the unfortunate situation of having a claim filed by USDA for the value of USDA Foods lost. Refer to Food Distribution website for USDA Foods forms.
- D. A USDA Foods Commodity Product Comment Form developed by USDA is to provide local SFAs with a standardized method in which to document undesirable and/or inferior USDA Foods received by their SFAs. For the DHS Commodity Product Comment form, go to the OK Commodity Distribution website: <https://oklahoma.gov/okdhs/library/rpts/arhome6.html>.
- E. If any possible holds or recalls declared on USDA Foods, DHS requires a written system of accountability be developed for the USDA Foods received separately from other foods obtained by the SFA. USDA refers to this as a **perpetual inventory**. This is the complete and accurate record of the receipt, distribution, use, disposal, and inventory of USDA Foods. For the DHS perpetual inventory form, go to the OK Commodity Distribution website: <https://oklahoma.gov/okdhs/library/rpts/arhome6.html> or go to Other Documents under Interactive form for OK DHS Perpetual Inventory form.
- F. Sites are required to use USDA Foods for reimbursable meals. Districts may be used in the preparation of meals served in any child nutrition program that is operated in a site under the nonprofit CNP account; e.g., SBP, SMP, à la carte sales, and snacks. (Reference All State Directors' Memo 99-SNP-14)

Examples of **ACCEPTABLE** use of USDA Foods are:

- Repackaging and selling USDA Foods peanuts in the à la carte sales line.
- Serving USDA Foods beef patties at a school function banquet. The cost must be at least equal to or greater than the value of the USDA Foods contained in the meal. The USDA value of the USDA Foods must accrue to the nonprofit school food service account (SFSA).
- Using USDA Foods in baking items that are sold in the teachers' lounge as long as they are also sold/served to students.

Examples of **UNACCEPTABLE** use of USDA Foods are:

- Catering operations for sites not participating in the NSLP.
- Catering for child care centers not participating in the CACFP.
- Using USDA Foods in the preparation of meals served at a school function banquet where the USDA value of the USDA Foods is not returned to the nonprofit SFSA.
- Using donated products in baking items that are given/sold exclusively to faculty, parent organizations, or the public.

- Using USDA Foods in any nonstudent-related events such as catering banquets for civic groups, partisan political functions, or supplying refreshments for parent organizations. Further, SFAs are prohibited from increasing their orders for USDA Foods for the purpose of supporting school-related functions other than NSLP, SBP, etc.

G . USDA Foods/Commodity Processing

Schools can convert their USDA Foods into ready-to-use end products. Establishing the Nutrient Standards for processed end products, and sharing their standards with processors, is the responsibility of the SFA that orders the end product.

- Commodity processing allows state distributing agencies (DHS) and eligible SFAs to contract with commercial food processors to convert raw bulk USDA Foods into more convenient ready-to-use end products.
- USDA Foods that have been processed by USDA do not need a product formulation statement. The information USDA provides for these products is either in a product information sheet or on the packaging of the product. The fact sheets may be obtained by going to <https://www.fns.usda.gov/usda-fis/usda-foods-product-information-sheets> or <https://oklahoma.gov/okdhs/services/cd/commoditydistribution.html>. If you go to the DHS Commodity website, look to your right and you will see **Resources**. Under Resources click on **Commodity Fact Sheet**. If you have any question, contact Oklahoma Department of Human Services (DHS) Commodity Distribution at 405-521-3581 or 1-800-848-4019 or the following website <https://oklahoma.gov/okdhs/services/cd/commoditydistribution.html>.

1. USDA Foods/Commodity Processing Operations

USDA offers states an estimate of the dollars planned to support a particular commodity. Multiple forms of a commodity are available as ordering options, one of which is bulk for reprocessing. For more information about commodity processing, we suggest that you contact DHS. A list of these state contacts may be found on the Food Distribution Web site at <http://www.okdhs.org/services/cd/Pages/default.aspx>

- *Example*, funds to support the turkey market may be spent on turkey roasts, turkey ham, whole turkeys, or bulk pack turkeys. The bulk pack is specifically designed for efficient processing into end products such as sliced deli meat, hot dogs. DHS coordinates with school districts the best forms in which to order this commodity to meet school needs.

For raw bulk USDA Foods can be processed into selected end products, DHS or SFAs contract with commercial food processors to have USDA Foods converted to more usable forms.

A legally binding agreement (or processing agreement) allows the processor to receive USDA Foods like bulk chicken as an ingredient in the production of a finished end product like chicken nuggets or patties. In turn, the value of USDA Foods is passed through to the recipient agency in the form of a lower cost for the finished product. USDA purchases and delivers bulk donated foods to the designated processing location as ordered by DHS.

2. The USDA Foods/Commodity Value Passed on to SFA

Processors entering into these types of agreements must ensure that the full value of USDA Foods contained in the finished products is returned to the SFA. This value can be returned to the SFA by:

- a. Discounting the normal commercial price of a product.
- b. Paying a refund to the school.
- c. Charging a fee for service for converting the USDA Foods/Commodities.

End products made from meat or poultry are usually produced under fee-for-service agreements. Under this arrangement, the end products are sold at a processing fee, which represents the processor's costs for labor, packaging, other ingredients, and administrative overhead. With a fee for service, the value of the USDA Foods in the end products is not included in the price of the product.

3. Types of USDA Foods/Commodity Processing Agreement

Processing agreements can be between FNS, DHS, and a processor, or an SFA and a processor. There are four basic types of agreement:

- **National Processing Agreement (NPA).** To reduce costs and paperwork, FNS has taken on the role of holding the agreement with the processor, monitoring the bond and approving all of the end products manufactured under the agreement. For additional information on NPA, go to <https://www.fns.usda.gov/usda-fis/national-processing-agreement-npa-approved-processors>
- **State Master Agreement.** Under a state master agreement, DHS enters into an agreement with the processor and designated eligible SFAs may purchase end products from their processor.
- **State Agreement.** Under a state agreement, DHS negotiates bids and/or prices, selects the processor and the end products that will be produced, and enters into an agreement with the processor.
- **Recipient Agency Agreement.** Under a recipient agency agreement, the SFA enters into an agreement with the processor. This kind of arrangement requires the approval of DHS. Once approved, the SFA may purchase end products from that processor. A recipient agency agreement should be used after the SFA has completed its procurement process.

4. Procurement of Commodity Processing Services

Commodity processing is governed by regulations contained in 7 CFR §250.30. For a complete copy of 7 CFR §250 regulations, go to the Food Distribution Web site at <https://www.usda.gov/topics/food-and-nutrition/food-distribution>.

- a. When the district processing commodities, schools must use the Oklahoma USDA Foods Distribution list of approved processors as they are nationally approved and the State has obtained an agreement with them.
- b. Regardless of the type of agreement that is used, processing services must be procured following federal procurement regulations. There is no statewide contracts of processed products.
- c. Any FSMC contracting with a district for commodity processing, should properly procure the processed products for the SFA. If procurement was not contracted with the FSMC, then the SFA would have to properly procure the processed product.
- d. Specifications for commodity processing:
 - Specifications would be written like they would be for any other product. They will write the spec for the processed end product with a note on what bulk commodity they are using.
 - Information on products can be obtained directly from Processor Link, K12, or from the brokers and processors to help in writing "like product" specs.

5. USDA Foods and FSMC

USDA Foods belong to the district. Commodities are to remain with the district even if the contract is terminated. (FD-80)

DAILY TEMPERATURE LOG

NAME OF SITE _____

MONTH AND YEAR _____

☐ Walk-In Cooler ☐ Freezer ☐ Refrigerator ☐ Other: _____

No more than a two-day gap on breaks/holidays.

Date	Time	Temperature	Initials	Comments
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
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24				
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26				
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30				
31				

REFRIGERATOR/FREEZER DAILY TEMPERATURE LOG INSTRUCTIONS

The maintenance of a refrigerator and/or freezer temperature log is required by the Food Distribution Unit of the Department of Human Services (DHS) for any institution receiving commodities. In the event that a refrigerator or freezer containing United States Department of Agriculture (USDA) commodities should malfunction and the contents be lost, USDA has deemed that the institution must assume financial responsibility for the lost items unless a temperature log maintenance record can be produced. The temperature log maintenance record could possibly save the institution from being placed in the unfortunate situation of having a claim filed by USDA for the value of commodities lost. Refrigerators should be maintained at 40°F or below; freezers should be maintained at 0°F or below.

INSTRUCTIONS:

- Use one form per freezer and/or refrigerator unit.
- Record name of site and month and year.
- Indicate if it is a walk-in freezer, a regular freezer, or refrigerator, or other.
- Record a temperature reading of every unit each morning.
- Post the date, time, and temperature of each unit on the designated form for that unit.
- Initial form for the day the temperature of the unit was recorded.
- Add a comment, if applicable.

Document temperatures daily during operations. Record the temperatures late each Friday afternoon and early Monday morning if the institution is closed for the weekends. Record the temperature immediately after a known or suspected power loss. During holidays, record the temperature at least every other day, with no more than a two-day gap.

To obtain the USDA Foods/Commodities Temperature logs, go to Food Distribution website: <https://oklahoma.gov/okdhs/library/rpts/arhome6.html>

PROFESSIONAL STANDARDS AND HIRING STANDARDS

The goal of the training and hiring standards is to ensure the success of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) by assisting school food authorities (SFAs) in:

- Recruiting, hiring, training, and retaining qualified school nutrition staff.
- Enhancing the image of school nutrition professionals and their influence in the community.
- Building skills and empowering staff to lead and efficiently operate school nutrition programs.

A. Standards for School Nutrition Employees, Directors, Managers, and Staff

1. Applies to all school nutrition employees, whether the SFA operates the school nutrition program or contracts with a Food Service Management Company (FSMC).

- Annual requirements apply to the 12 months between July 1 and June 30.
- Any excess annual training hours may be carried over to a subsequent school year.
- Directors are required to have at least 8 hours of Food Safety Training every five years.
- Compliance with the professional standards is a part of the Administrative Review.

2. Required Trainings

- a. **ABVM or District-wide Provision ABVM:** It is required at least one person from every district attend ABVM each year. It is offered annually, in-person throughout the state in July/August. It will be available on OSDE Connect after school is in session.

- *ABVM* is for district's or RCCIs that collect household applications for at least one site.
- *District-wide Provision ABVM* is for districts or an RCCI that **DOES NOT** collect Free and Reduced applications at **ANY** site.

- b. **Offer vs Serve Training** is required annually for CNP employees who work at sites that conduct offer vs serve. This training is offered multiple times a year on Zoom and available in OSDE Connect.

- c. **Civil Right Training** is required annually for any employee in a district who assist with any Child Nutrition duties. This training is offered on Zoom in August then will be available on OSDE Connect.

- d. **Procurement Training** is required annually for Child Nutrition Directors and any staff that procures items for Child Nutrition. This training is offered on Zoom three times a year and is available on OSDE Connect.

- e. **Food Safety** is only required for Child Nutrition Directors. Eight hours of food safety training must be completed every 5 years or within 30 days of the director's start date. ***This training is to be completed by the Health Department or by the Institute of Child Nutrition (ICN).***

3. Job Categories (See Table 1 below)

- a. **Directors** plan, administer, implement, monitors, and evaluates all district-wide aspects of the school nutrition program.
- (1) Every district **MUST** have a designated Director for Child Nutrition (SP-05-2020 #6) even if this role is shared between multiple people. The person designated as director performs these program duties on a daily, weekly, seasonal, or yearly basis:
- Facilities & Equipment Management;
 - Financial Management;
 - Food Production and Operation Management;
 - Sanitation & Safety;
 - Human Resources Management;
 - Marketing & Communication;
 - Menu & Nutrition Management;
 - Procurement & Inventory Management;
 - Program Management & Accountability; and
 - Technology & Information Systems
- (2) If a school uses a Food Service Management Company (FSMC), **BOTH** the district and FSMC must designate a Director and both must have 12 hours of Professional Development hours annually.
- b. **Managers** have direct responsibility for the day-to-day operations at one or more schools.
- c. **Staff** prepare and serve meals, process transactions at point of service, and review the free/reduced-price applications, along with other routine work.

Table 1: Summary of Annual Required Minimum Training Hours for School Nutrition Employees	
JOB CATEGORY	ANNUAL REQUIREMENTS*
Directors	12 hours
Managers	10 hours
Staff	6 hours
Part-time Staff (working less than 20 hours per week)	4 hours
Midyear Hires in All Categories (January 1 or later)	One-half of training requirement for each job category

*Annual requirements apply to the 12 months between July 1 and June 30. If a schools uses a Food Service Management Company (FSMC), both the district and FSMC must designate a Director and both must have 12 hours of Professional Development hours annually.

B. Training Topics by Key Areas

USDA has suggested job-specific training topics that align with four key areas: nutrition, operations, administration, and communications/marketing.

Table 2: Training Topics by Key Areas	
KEY AREAS	TRAINING TOPICS
Nutrition	Menu Planning Nutrition Education General Nutrition
Operations	Food Production Records Serving Food Cashier and Point of Service Purchasing/Procurement Receiving and Storage Food Safety and Hazard Analysis and Critical Control Point (HACCP)
Administration	Free and Reduced-Price Meal Benefits Program Management Financial Management Human Resources and Staff Training Facilities and Equipment Planning
Communications & Marketing	Communications and Marketing

See the FNS Professional Standards Web site for suggested learning objectives for each training topic:

<http://www.fns.usda.gov/school-meals/professional-standards>

C. Allowable Training Methods

- Online courses
- Structured, on-the-job training
- In-service training
- Local school nutrition organization educational events
- State agency-sponsored training
- Training you conduct for staff
- Meetings sponsored by food service partners (vendors and commodity groups), including exhibits (as allowed by your State Agency)
- CNP conferences such as the School Nutrition Association Conference: State and National
- College courses with job-specific content

D. Crediting Professional Development Hours

- A full 60 minutes of training counts as one training hour.
- Shorter periods of time are allowable. For example, four, 15 minute, in-service training sessions equal one training hour. Not all activities will count toward trainings they all must be job-specific.
- The State agency allows a 2 year period to complete training, but some training hours must be completed each year.
- **Excess Training Hours:** Any excess annual training hours may be carried over to a subsequent school year. This is intended to help provide flexibility while ensuring that the SFA employees receive a reasonable amount of training each school year.

E. Record-Keeping Requirements

- Records indicating the employee name, employer/school, training title, topic/objectives, training source, dates, and total training hours would be appropriate to demonstrate compliance with training requirements.
- Records must be maintained and made available to the State agency upon request. They may be kept electronically in a local database, in paper files, or through the State agency Tracking tool in CARS or the USDA Training Tracking Tool.
- Documentation of professional standards training is part of the AR, so while it is ideal for individual staff members to keep track of their own training, the school must ensure it is available for State agency review.

F. Using the School Food Service Account for CNP Training

1. Cost related to training Child Nutrition personnel is an allowable use of the SFSA. Allowable cost include:
 - Printing materials for CNP trainings
 - The cost of registration for CNP trainings or conferences;
 - Mileage to get a training; or
 - Hotel accommodations
2. **Exception**—Child Nutrition funds **CANNOT** be used to meet the standards for hiring new personnel such as completion of a college degree.

G. Hiring Standards for School Nutrition Program Directors (See Table 3 on page C-94)

1. Every district **MUST** have a designated Director for Child Nutrition. (SP-05-2020 #6)
 - For districts using a FSMC, the designated FSMC Child Nutrition director must meet USDA's hiring standards.
2. Hiring standards for directors hired on or after July 1, 2015.
 - Hiring criteria depend on LEA enrollment size.
 - LEA's with enrollment less than 500, may acquire State agency approve to hire of a candidate with a HS diploma or GED with less than the required years of experience, if they are the best qualified candidate.
 - Directors hired prior to July 1, 2015 can remain in their current positions without meeting the hiring standards.

TABLE 3: MINIMUM HIRING STANDARDS FOR CHILD NUTRITION DIRECTORS

District's Student Enrollment	Small Districts 2,499 or Less	Medium Districts 2,500-9,999	Large Districts 10,000 or More
Minimum Hiring Standards	Bachelor's Degree* in specific/related major** (experience preferred but not required) OR Bachelor's Degree* in any other major <i>and</i> state-recognized certificate for school nutrition program directors OR Bachelor's Degree* in any major <i>and</i> 1 year of relevant experience OR Associates Degree* in specific/related major** <i>and</i> 1 year Of relevant school nutrition experience OR High School Diploma (or GED) <i>and</i> 3 years*** Of relevant school nutrition experience	Bachelor's Degree* in specific/related major** (experience preferred but not required) OR Bachelor's Degree* in any other major <i>and</i> state-recognized certificate for school nutrition program directors OR Bachelor's Degree* in any major <i>and</i> 2 years of relevant experience OR Associates Degree* in specific/related major** <i>and</i> 2 years Of relevant school nutrition experience OR High School Diploma (or GED) <i>and</i> 10 years Of relevant school nutrition experience	Master's degree At least 1 year of child nutrition experience OR Bachelor's Degree* in specific/related major** (experience preferred but not required) OR Bachelor's Degree* in any other major <i>and</i> state-recognized certificate for school nutrition program directors OR Bachelor's Degree* in any major <i>and</i> 5 year of relevant experience OR High School Diploma (or GED) <i>and</i> 10 years Of relevant school nutrition experience
Food Safety Training	At least 8 hours within 5 years prior to or within 30 days of start date		

* Or equivalent educational experience; consult your State agency for more information.

** Specific/related major: Academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field.

*** For LEA enrollments less than 500, the State agency may approve the hire of a candidate with a high school diploma or GED and less than the required years of experience, if this is the person best candidate. (Memo SP 05-2020)

ADDITIONAL INFORMATION

A. Food Leaving School Premises/Designated Eating Areas (Reference FNS Instruction 786-8, Rv. 1)

School meals given to children to take home are *NOT* reimbursable. Breakfast, lunch, and snacks ***SERVED* must be *CONSUMED* on school or school-related ground premises** to be reimbursable. The term PREMISES has been defined as those assigned eating areas for both students and adults. Guests must also eat their meals in the designated areas. **No food items—meals, leftover food, or USDA Foods—are to be carried away from the premises by any person, except for one vegetable, fruit, or grain item that may leave the premises.**

Meals taken on school-supervised field trips may be reimbursed if they meet meal pattern requirements and are served and consumed as part of a school-related function. These functions must be part of the curriculum, as defined by the State agency, and not extracurricular events. Meals served off-site should be subject to especially stringent sanitary and precautionary measures to avoid contamination and spoilage.

NOTE: USDA requires all food items necessary for a reimbursable meal be provided by the SFA. Therefore, any part(s) of a meal that is being provided by a parent, student organization, grandparent, or any other person or entity must not be claimed for reimbursement. (Reference 7 CFR §210.10)

B. Use of Leftover Foods (Reference USDA Policy Memo 89-SNP-7 and 96-SNP-28)

1. There has been a strict interpretation of regulations dealing with the use of foods produced and USDA Foods used in the school food service program.

At the same time, discarding unusable leftover food when there are needy people in the community and there are charitable nonprofit organizations in the community that can use the food to address that need is wasteful and violates humanitarian sensibilities.

2. A new policy will allow the state the flexibility to authorize SFAs to release leftover food to charitable nonprofit organizations under the following conditions:
 - a. Good meal production planning is followed to ensure that one meal per child is produced.
 - b. The leftover food cannot be used in the food service program and would otherwise be thrown away.
 - c. State and local health codes are followed.
 - d. There is an agreement on file at the SFA between the SFA and the nonprofit organization to include, at a minimum: (a) terms of the agreement; (b) duties of the district; (c) duties of the contractor; (d) nondiscrimination; (e) contractor not an officer, employee, or agent of the district; (f) liability; (g) hold harmless and indemnification; and (h) certification of liability insurance. An example of an agreement is on **page CM-110-111**.
 - e. Documentation must be maintained with food production records. This must include, at a minimum:
 - What food items
 - Quantities
 - Date

3. Share Table (SP 41-2016)

- a. Using “share tables” is an innovative strategy to encourage the consumption of nutritious foods and reduce food waste.
- b. All CNP operators must plan, prepare, and order food with the goal of providing one meal per child at each meal service. If a school has leftovers or unusable foods on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers or unusable foods.
- c. FNS regulations require participating schools to provide reimbursable meals that meet specific meal pattern requirements. However, FNS recognizes that children may not always want to consume certain food or beverage items included in their meal. “Share tables” are tables or stations where children may return whole food or beverage items they choose not to eat, if it is in compliance with local and State food safety codes. These foods and beverage items are then available to other children who may want additional servings.
- d. Contact your local health department to ensure the district having a share table is allowable in your county.

C. Feeding Leftovers to Livestock

USDA has very strict regulations about the distribution of food garbage for the use of feeding animals. Contacted the Oklahoma Department of Agriculture at (405) 521-3864 for further information.

D. Sanitation/Health Inspections of Kitchens

1. Sanitation

Local, county, and state standards must be followed. It is recommended that a sample of each food served during the day be taken at each meal service and kept under refrigeration for at least 72 hours before discarding. The Oklahoma State Department of Health Food Service Establishment Regulations (Chapter 256) may be obtained through the Consumer Protection Division of Food Sanitation at 405-271-5243. This information may also be accessed at www.ok.gov/health.

2. Health Inspections of Kitchens

- a. Section 111 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended Section 9(h) of the Richard B. Russell National School Lunch Act regarding health inspections required in schools participating in the NSLP or SBP.
- b. Each school must obtain at least two health inspections each school year. The inspections must be conducted by the Health Department.
 - Schools must post the most recent health inspection, in a publicly visible location,
 - Provide a copy of the health inspection report to a member of the public upon request.
 - If a school is not receiving the required two inspections per year, the school should contact the Health Department to request that the inspections be conducted; the date and name of the person spoken to concerning this matter should be documented.

- c. The Reauthorization Act also requires the State agency to annually submit a report on health inspections to the Secretary of Agriculture.
 - State agencies must annually collect and submit to FNS the number of schools within the state that meet the requirement for two health inspections; the number of schools that have only obtained one inspection; the number of schools that have not been able to obtain any inspections; and the number of schools that exceed the required number of inspections. (Reference USDA Policy Memo 2005-SP-10)
 - This report will be submitted through CARS by each school district prior to the submission of the September claim for reimbursement.
- d. Oklahoma Law Title 63 O.S. Sections 1-106.1(E) and 1-1118, and Title 75 O.S. Section 314(C)(1) requires institutions to pay an annual license renewal fees per site to the Oklahoma State Department of Health. This fee is necessary to support the continued operation of food sanitation programs, including facility inspections conducted by the Health Department.

E. Purchase or Sale of Branded Foods

There are several USDA rules and regulations that apply when commercially branded foods are purchased and sold by school food service programs.

1. Sales Agency Agreements

Sites may not enter into a sales agency agreement with a food vendor. **The vendor may not bring the food product into the site and make direct sales to the final consumer (students, teachers, etc.). SFAs must purchase the food items from the vendor and may then resell to students, etc.**

2. Food Safety and Inspection Service (FSIS) Requirements

USDA/FSIS requires food items to be inspected at the time of preparation if the food item is sold to sites through a vendor agreement. If the school food service program purchases a product (for example, burritos) from a local restaurant to resell in the food service program, then the food item must be inspected when it is being prepared at the local restaurant. Sites can purchase food ingredients in bulk (for example, whole grain-rich flour tortillas, cooked and seasoned ground beef, or refried beans) in the same form and packaging as the local restaurant and complete final preparation and/or assembly in the site kitchen. This requirement applies to both the reimbursable meal and à la carte programs. Sandwiches and pizzas have been exempted from this inspection requirement.

F. Smart Snacks in School/Competitive Foods

1. Items sold to students during the school day ***MUST*** be smart snack compliant on the entire school grounds not just during the meal service area. Smart Snack foods can be served at any time during the day even at the same time as a meal service.
2. A school site is not authorized any competitive foods unless the school district has adopted a **written policy**. If the food items offered are not smart snack compliant, the item cannot be served anywhere on the school grounds during the entire duration of the meal service time. This includes breakfast, lunch, and after school snack. ***Note: All competitive foods sold in a school district that does not have a written policy must meet the nutritional guidelines under Smart Snacks.***

3. USDA established Nutrition Standards for all foods and beverages sold to students in school during the school day, including foods sold outside of the meals served through the NSLP and the SBP. Smart Snacks in School Nutrition Standards help schools to make a healthy choice and the easy choice by offering students more of the foods and beverages we should be encouraging—whole grains, fruits and vegetables, leaner protein, lower-fat dairy—while limiting foods with too much sugar, fat, and salt.

4. Smart Snack Calculator

To assist districts in determining if a food meets the Smart Snack Rule, you will need to use the Smart Snack calculator using the product's nutrition facts label.

Go to <https://foodplanner.healthiergeneration.org/calculator/>

5. Definitions

- a. **School Day**—From midnight on any given day when school is in session to 30 minutes past when the last bell rings.
- b. **All Foods**—Any foods sold on school premises during the school day, no matter what fund purchased the food. **All foods** includes all foods in snack shops, student stores, vending machines, concession stands operating during the school day, etc.

6. Fundraisers: Exemption from Smart Snack Standards

A school site is not authorized to conduct or allow any exempt fundraisers unless the school district has adopted a written policy. If the food items offered are not smart snack compliant, the item cannot be served anywhere on the school grounds during the entire duration of the meal service time. This includes breakfast, lunch, and after school snack **All competitive foods sold in a school district that does not have such a written policy must meet the nutritional guidelines under Smart Snacks.**

A school district that wishes to conduct fundraisers exempt from the Smart Snack rules must adopt a written policy which shall be board-approved and provide the following:

- a. Each school site shall designate a Smart Snacks in School Exempt Fundraiser contact person who shall be responsible for maintaining up-to-date documentation regarding each fundraiser held at the school site. An example of the School Organization Fundraising Form can be found on **page CM-104** and in Other Documents on the CARS System.
- b. **A limit of 30 exempt fundraisers per semester may be held at each school site.** (Vending machines, snack shops, and student stores are all considered fundraisers.)
- c. Exempt fundraisers **are prohibited** from taking place during the entire meal service time to students under the NSLP or the SBP and while after-school snacks are being served to students under the ASSP.
- d. The maximum duration of any individual exempt fundraiser shall be 14 fundraising days.
- e. For each individual exempt fundraiser, documentation must be kept on file at the school site showing:
 - (1) The school organization, activity, class, or other group that benefits from the fundraiser.
 - (2) The date(s) the fundraiser is conducted, with the duration not to exceed 14 fundraising days per semester.

f. Fundraiser Exemptions (Limit of 30 per semester, per school site)

A school site is not authorized to conduct or allow any exempt fundraisers unless the school district has adopted a written policy that meets these requirements. All competitive foods sold in a school district that does not have such a written policy must meet the nutritional guidelines under Smart Snacks.

A school district that wishes to conduct fundraisers exempt from the Smart Snack rules must adopt a written policy which shall be board-approved and provide the following:

- (1) Each school site shall designate a Smart Snacks in School Exempt Fundraiser contact person who shall be responsible for maintaining up-to-date documentation regarding each exempt fundraiser held at the school site. Refer to **page CM-104** for an example of the School Organization Fundraising Form that schools may use.
- (2) A limit of 30 exempt fundraisers per semester may be held at each school site. ***This includes vending machines, snack shops, and student stores are all considered fundraisers.***
- (3) Exempt fundraisers ***are prohibited*** from taking place while meals are being served to students under the NSLP or the SBP and while after-school snacks are being served to students under the ASSP.
- (4) The maximum duration of any individual exempt fundraiser shall be 14 school days.
- (5) For each individual exempt fundraiser, documentation must be kept on file at the school site showing:
 - (a) The school organization, activity, class, or other group that benefits from the fundraiser.
 - (b) The date(s) the fundraiser is conducted, with the duration not to exceed 14 school days per semester.

7. Nutrient Standards for All Foods Sold in School

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL		
Food/ Nutrient	General Standard	Exemptions to the Standard
General Standard for Competitive Food	To be allowable, a competitive FOOD item must: 1. The food must meet the nutrient standards for calories, sodium, fats, and total sugar; AND 2. Be a grain product that contains 50 to 100 percent or more whole grains by weight or have whole grains as the first ingredient*; OR 3. Have as the first ingredient a fruit, a vegetable, a dairy food, or a protein food (meats, beans, poultry, seafood, eggs, nuts, seeds, etc.); OR 4. Be a combination food that contains at least 1/4 cup fruit and/or vegetable. <i>* If water is the first ingredient, the second ingredient must be one of Items 2, 3, or 4 .</i>	• Fresh and frozen fruits and vegetables with no added ingredients except water are exempt from all Nutrient Standards. • Canned fruits packed in 100 percent juice, extra light syrup, or light syrup with no added ingredients except water or are exempt from all Nutrient Standards. • Canned vegetables (no salt/ low sodium), with no added fats are exempt from all Nutrient Standards.

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL continued		
Food/ Nutrient	Nutrient Standard	Exemptions to the Standard
NSLP/SBP Entrée Items Sold à La Carte	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after service in the lunch or breakfast program.	
Total Fats	Acceptable food items must $\leq$ 35 percent calories from total fat as served	- Reduced-fat cheese (including part-skim mozzarella) is exempt from the total fat standard - Nuts and seeds and nut/seed butters are exempt from the total fat standard - Bean dip including hummus are exempt from the total fat standard - Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the total fat standard - Seafood with no added fat is exempt from the total fat standard Combination products are not exempt and must meet all of the Nutrient Standards.
Saturated Fats	Acceptable food items must have $\leq$ 10 percent calories from saturated fat as served	- Reduced-fat cheese (including part-skim mozzarella) is exempt from the saturated fat standard - Nuts and seeds and nut/seed butters are exempt from the saturated fat standard - Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard Combination products are not exempt and must meet all of the Nutrient Standards.
Calories	Snack items and side dishes sold à la carte: $\leq$ 200 calories per item as served, including any added accompaniment. Entrée items sold à la carte: $\leq$ 350 calories per item as served, including any added accompaniments	Entrée items served as an NSLP or SBP entrée are exempt on the day of or day after service in the Program meal.

NUTRIENT STANDARDS FOR ALL FOODS SOLD IN SCHOOL continued		
Food/ Nutrient	General Standard	Exemptions to the Standard
Sodium	Snack items and side dishes sold à la carte: $\leq$ 230 mg sodium per item as served. Snack items and side dishes sold à la carte must be: $\leq$ 200 mg sodium per item as served, including any added accompaniments. Entrée items sold à la carte: $\leq$ 480 mg per item as served, including any added accompaniments.	
Sugar	Acceptable food items must have $\leq$ 35 percent of weight from total sugar as served	• Dried whole fruits or vegetables, dried whole fruit or vegetable pieces, and dehydrated fruits or vegetables with no added nutritive sweeteners are exempt from the sugar standard • Dried whole fruits or pieces with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, tart cherries, or blueberries) are exempt from the sugar standard • Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard
Caffeine	Elementary and middle school: foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances. High school: foods and beverages may contain caffeine.	
Accompaniments	Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.	
Sugar-Free Chewing Gum	Sugar-free chewing gum is exempt from all competitive food standards.	

Food/ Nutrient	Beverage Standard
Beverages	Elementary School • Plain water or plain carbonated water (no size limit). • Lowfat milk, flavored or unflavored (≤ 8 fl oz). • Nonfat milk, flavored or unflavored (≤ 8 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements. • 100 percent fruit/vegetable juice (≤ 8 fl oz). • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 8 fl oz). Middle School • Plain water or plain carbonated water (no size limit). • Lowfat milk, flavored or unflavored (≤ 12 fl oz). • Nonfat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements. • 100 percent fruit/vegetable juice (≤ 12 fl oz). • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 12 fl oz). High School • Plain water or plain carbonated water (no size limit). • Lowfat milk, flavored or unflavored (≤ 12 fl oz). • Nonfat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements. • 100 percent fruit/vegetable juice (≤ 12 fl oz). • 100 percent fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 12 fl oz). • Other flavored and/or carbonated beverages (≤ 20 fl oz) that are labeled to contain < 5 calories per 8 fl oz or ≤ 10 calories per 20 fl oz. • Other flavored and/or carbonated beverages (≤ 12 fl oz) that are labeled to contain ≤ 40 calories per 8 fl oz or ≤ 60 calories per 12 fl oz. If flavored milk is served, it must meet the added sugar requirements. • 8 ounces of flavored milk = 10 grams of added sugar • 10 ounces of flavored milk - 15 grams of added sugar

8. How to calculate Food Items to determine if it meets Smart Snack requirements.

How to calculate the percentage of calories from fat contained in an item?

To calculate using the calories from fat information, take the calories from fat listed on the label and divide by the total calories, then multiply by 100. Using the Nutrition Facts label example shown on the following page to calculate the calories from fat method, the calculation would be as follows: $50 \text{ calories} \div 140 \text{ calories} \times 100 = 35.7$ percent of calories from fat

To use the grams of total fat method, take the grams of fat on the label and multiply by 9 (the calories in each gram of fat), divide that result by the total calories, then multiply by 100. Using the Nutrition Facts label example on the following page, the calculation would be: $5 \text{ grams} \times 9 \text{ calories} \div 140 \text{ calories} \times 100 = 32.14$ percent of calories from fat.

These two methods may give different results when calculating the percentage of calories from fat. If so, which calculation should be used?

These two methods will often provide slightly different results because the FDA has different rounding rules for the labeling of each of these nutrients on the Nutrition Facts label. However, if either method results in less than or equal to 35 percent of calories from fat (do not round the result), the product will meet the total fat standard. The previous example could be sold since the result, using the grams of total fat, is less than or equal to 35 percent of calories from fat.

How to calculate the percentage of calories from saturated fat in an item?

To calculate the percentage of calories from saturated fat, take the grams of saturated fat and multiply by 9 (the calories in each gram of saturated fat), divide that result by the total calories, then multiply by 100. Using the

Nutrition Facts label, the calculation would be: $(0.5 \text{ grams} \times 9 \text{ calories}) \div 140 \times 100 = 3.2 \text{ percent}$. Do not round the result since the standard is less than 10 percent of calories from saturated fat. A product with up to 9.9 percent of calories from saturated fat will meet the standard.

How to calculate the percent of sugar by weight?

To calculate the percentage of sugar by weight, take the grams of sugar on the Nutrition Facts label and divide that by the total weight of the food in grams. Using the Nutrition Facts label, the calculation would be: $2 \text{ grams (grams of sugar)} \div 28 \text{ grams (total weight of food)} \times 100 = 7.14 \text{ percent sugar by weight}$. Total sugar must be no more than 35 percent by weight. Do not round the result.

How to calculate the percentage of calories from saturated fat in an item?

To calculate the percentage of calories from saturated fat, take the grams of saturated fat and multiply by 9 (the calories in each gram of saturated fat), divide that result by the total calories, then multiply by 100. Using the Nutrition Facts label, the calculation would be: $(0.5 \text{ grams} \times 9 \text{ calories}) \div 140 \times 100 = 3.2 \text{ percent}$. Do not round the result since the standard is less than 10 percent of calories from saturated fat. A product with up to 9.9 percent of calories from saturated fat will meet the standard.

How to calculate the percent of sugar by weight?

To calculate the percentage of sugar by weight, take the grams of sugar on the Nutrition Facts label and divide that by the total weight of the food in grams. Using the Nutrition Facts label, the calculation would be: $2 \text{ grams (grams of sugar)} \div 28 \text{ grams (total weight of food)} \times 100 = 7.14 \text{ percent sugar by weight}$. Total sugar must be no more than 35 percent by weight. Do not round the result.

Nutrition Facts	
Serving Size 1 oz (28g)	
Servings Per Container 1	
Amount Per Serving	
Calories 140 Calories From Fat 50	
	% Daily Value*
Total Fat 5g	8%
Saturated Fat 0.5g	3%
Trans Fat 0g	
Sodium 200mg	8%
Total Carbohydrate 18g	6%
Dietary Fiber 3g	12%
Sugars 2g	
Protein 3g	6%
*Percent Daily Values are based on a 2,000 calorie diet.	

School Organization Fundraiser Form

****All fundraisers must be approved by the Smart Snack contact person before the fundraisers begin****

Form must be completed by the organization's sponsor/teacher:

School Site: _____

Number of exempt fundraisers per semester at this school site: _____

A limit of 30 exempt fundraisers per semester may be held at each school site.

Name of Organization: _____

Proposed Fundraiser: _____

Purpose for the Fundraiser: _____

Dates Requesting Fundraiser: _____

Has the fundraiser been approved by the Sponsoring Organization? Yes ☐ No ☐

Does this fundraiser have food items? Yes* ☐ No ☐

**If Yes, please verify below:*

1. I certify that my fundraiser will not operate on the school campus during breakfast, lunch, dinner, or when after-school snack is being served.
2. I certify my fundraiser will not operate more than 14 school days.
3. I certify that my organization will provide documentation to the school of the food products sold to the students from midnight to thirty minutes after school ends, when school is in session.

Signature of the Organization's Sponsor: _____

Date: _____

Smart Snack Approver Signature: _____

Date: _____

Signature of Smart Snack School Contact Person): _____

Date: _____

G . Oklahoma law and Foods of Minimal Nutritional Value (FMNV)

1. Section of law (70 O.S. Section 5-147) provides that each district board of education shall ensure:
 - a. Students in elementary school facilities are not provided FMNV except on special occasions. (Reference 70 O.S. §5-147)
 - b. Students in middle and junior high school facilities are not provided FMNV except after school, at events which take place in the evening, and on special occasions. An exception to the minimal nutritional value standard will be diet soda with less than ten calories per bottle or can.
 - c. Students in high schools are provided healthy food options in addition to any FMNV to which they have any access at school. Each district shall provide incentives such as lower prices or other incentives to encourage healthy food choices for high school students.
 - d. ***Foods of minimal nutritional value*** means any food so defined in 7 CFR §210 Appendix B in the NSLP regulations.
 - e. There may be exceptions to the above-named rules in certain instances. For example, FMNV may be allowed when used as part of an instructional program; when prescribed by a physician or as part of a student's individualized education program (IEP); when part of a lunch brought from home; or when used as an ingredient in a special recipe, such as cupcakes with jellybeans or sweet potatoes with marshmallow topping.

H. Substitutions Due to Ethnic or Religious Preferences

1. Sites ***MAY*** consider ethnic and religious preferences when planning and preparing meals. Variations on an experimental or continuing basis in the ***food components*** for the ***food-based*** menu-planning approaches must have written approval from USDA. Contact the State agency for further instructions. (Reference USDA Regulations §210.10[g][2])
2. **Serving Traditional Indigenous Foods**
 - The Final Rule allows SFAs and schools that are tribally operated, by the Bureau of Indian Education, or that serve primarily American Indian or Alaska Native children may serve ***vegetables to meet the grains requirement***.
 - Traditional Indigenous foods may be served in school meals and encourages schools to serve traditional Indigenous foods.

I. Special Medical or Dietary Needs

USDA's School Meal Programs aim is to provide all participating children, regardless of background, with the nutritious meals and snack they need to be healthy. Consistent with federal law and program regulation, this includes ensuring children with disabilities have an equal opportunity to participate in and benefit from the programs, which are the NSLP, SBP, FFVP, SMP, and the After-School Snack component of the NSLP.

The question of whether a child has a disability for purposes of making modifications to program meals has been simplified by the ADA Amendments Act of 2008 (PL 110-325; September 25, 2008) and should no longer require extensive analysis. After the passage of the ADA Amendments Act, most physical and mental impairments will constitute a disability. The central concern for SFAs should be ensuring equal access to program benefits for children with disabilities.

Circumstances often vary, even when a disability diagnosis may be the same. The nature of the disability and age of the child should be considered when developing appropriate modifications. Each situation should be treated on a case-by-case basis. SFAs and schools should direct specific questions to the State agency if they are unsure how to proceed. (Reference USDA Memo SP-26-2017 for Questions and Answers)

1. Schools should not delay a child's meal substitutions while waiting for the family to submit a medical statement. In this situation, schools must document the initial conversation with the family when first made aware of the child's request for meal substitution. Schools should continue to follow up with the family until a medical statement is obtained or the request is rescinded

If a medical statement is provided and does not fully explain the modification needed, the SFA should immediately contact the child's parent or guardian for guidance and ask the family to provide an amended medical statement as soon as possible. Documentation of special dietary needs must be on file at the cafeteria manager's office. Such statement shall, in the case of a disabled student, be signed by a physician or, in the case of a nondisabled student, by **a state licensed healthcare or registered dietitian**. (Refer to **page CM-108** for medical form.)

2. SFA Responsibilities:

- Required to make substitutions or accommodations for students with disabilities if meals or milk under SMP is normally available to the general student population and a Section 504 Plan is on file for the student (the Rehabilitation Act of 1973).
- Must provide additional meal services or food items not normally available for disabled students when required in an IEP (Individuals With Disabilities Education Act [IDEA]).
- Must base substitutions or modifications for disabled students on a prescription written by a state licensed healthcare or a registered dietitian.
- Must base substitutions or modifications for nondisabled children on a medical statement by a state licensed healthcare or a registered dietitian.
- Must not revise or change a diet prescription or medical order.
- May provide food or beverage substitutions or accommodations for nondisabled children with special dietary needs as supported by a statement signed by a state licensed healthcare or registered dietitian.
- ***Documentation of special dietary needs must be on file at the cafeteria manager's office.***

J. Milk Substitutions (Nondairy Beverage)

1. Public Law 108-265, Section 102 states, a school **MAY** substitute for the fluid milk requirement a nondairy beverage that is nutritionally equivalent to fluid milk and meets nutritional standards established by USDA for students who cannot consume fluid milk because of a medical or other special dietary need other than a disability.
2. Substitutions **MAY** be made if the school notifies the State agency in its Renewal Policy Statement that the school is implementing this variation. The substitution is required to have a written statement from a state licensed healthcare, a registered dietitian, or from a student's parent or legal guardian (refer to **page CM-109**, Milk Substitution Request Form) that identifies the medical or other special dietary need that restricts the student's diet. The school shall not be required to provide beverages other than beverages the school has identified as acceptable

substitutes.

3. Expenses incurred in providing substitutions that are in excess of expenses covered by reimbursement shall be paid for by the SFA.

NOTE: Only meals that contain milk or an acceptable milk substitute are reimbursable unless the school is implementing the Offer versus Serve provision and the student declines the milk.

- a. Fluid milk substitution rule applies to the following CNP

:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- After-School Snack Program (ASSP)
- Special Milk Program (SMP)
- Seamless Summer (SSO)
- Child and Adult Care Food Program (CACFP)

- c. Nondairy beverage nutrient requirements per cup:

• Calcium	276 mg
• Protein	8 g
• Vitamin A	150 mcg retinol activity equivalents (RAE)
• Vitamin D	2.5 mcg
• Magnesium	24 mg
• Potassium	349 mg
• Phosphorus	222 mg
• Riboflavin	.44 mg
• Vitamin B-12	1.1 mcg

Note: Added sugar requirements does NOT apply to flavored milk substitutes.

- e. Acceptable reasons for requesting a milk substitute:

- Milk allergy
- Religious
- Cultural
- Ethical reason
- Vegan diet

NOTE: If a request states that a child does not like milk, this is not an acceptable reason.

- e. Unacceptable milk substitutions:

- Water
- Juice
- Flavored non-dairy beverages served to children 1 through 5 years old cannot be claimed for reimbursement. (CACFP 01-2025)

NOTE: When the milk substitution request is due to a medical or special dietary need other than a disability, the school chooses whether to accommodate the student and selects the nondairy beverage in accordance with the final milk substitution rule.

MEDICAL STATEMENT

Requesting Special Foods in Child Nutrition Programs

Part I (to be filled out by Parent/Guardian)

Name of Student: _____

Name of Parent/Guardian: _____ Contact Number: _____

School District: _____ School Attended by Student: _____

Part II (to be filled out by a State Licensed Healthcare Professional or Registered Dietitian)

Diagnosis (include description of the patient's medical or other special dietary needs that restrict the child's diet): _____

List food(s) to be omitted from diet: _____

List food(s) that may be substituted (diet plan): _____

Additional information: _____

Signature of State Licensed Healthcare Professional
or Registered Dietitian

Date:

State Licensed Healthcare Professional or Registered Dietitian Phone #

MILK SUBSTITUTION REQUEST

Student's Name: _____

School Site the Student Attends: _____

_____ Public School is participating in the milk substitution provision which states a district may substitute for fluid milk for a nondairy beverage that is nutritionally equivalent to fluid milk and meets Nutritional Standards established by the United States Department of Agriculture (USDA).

Parents or guardians may request in writing nondairy milk substitutions, as described above, without providing a medical statement. Example, if a parent has a child who follows a vegan diet, the parent can submit a written request asking a milk substitution be served in lieu of cow's milk. A written request from a state healthcare professional, registered dietitian, or the parent/guardian must identify the student's medical or other special dietary need that precludes the consumption of cow's milk. No other information is required. (SP 07-2010)

Nondairy beverage nutrient requirements per cup:

- Calcium 276 mg
- Protein 8 g
- Vitamin A 150 mcg retinol activity equivalents
- Vitamin D 2.5 mcg
- Magnesium 24 mg
- Potassium 349 mg
- Phosphorus 222 mg
- Riboflavin 0.44 mg
- Vitamin B-12 1.1 mcg

Reason for Substitution: Milk Allergy ☐ Religious ☐
 Ethical Reasons ☐ Cultural ☐

Expenses incurred in providing substitutions that are in excess of expenses covered by reimbursements shall be paid by the school district.

Signature of State Healthcare Professional or Parent/Guardian

Date

*Cannot revise or change a diet prescription or medical order.

USE OF LEFTOVER FOODS

AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, between _____, hereinafter referred to as the ***Contractor***, and _____, hereinafter referred to as the ***District***.

WHEREAS the Contractor is a nonprofit agency qualified to distribute food to needy persons in the community,

The parties hereby agree as follows:

1. TERM

This Agreement is effective upon execution and shall remain in effect until terminated by the parties hereto. Either party may terminate this Agreement by providing the other party five days advance written notification, delivered to its last known address.

2. DUTIES OF THE DISTRICT

The District shall make available to the Contractor at no cost and on a nonexclusive basis leftover food items from the District's food service operation, for which the District has determined it has no further use.

3. DUTIES OF THE CONTRACTOR

The Contractor shall pick up the food items at times and places mutually agreeable to the parties as specified in paragraph 9, transport them as necessary, and provide them at no cost to needy persons, all in a manner that complies with applicable laws and regulations.

4. NONDISCRIMINATION

Neither party shall employ discriminatory practices in its performance hereunder on the basis of race, color, religion, national origin, ancestry, sex, age, or disability.

5. CONTRACTOR NOT AN OFFICER, EMPLOYEE, OR AGENT OF THE DISTRICT

While engaged in performance of this contract, the Contractor is an independent contractor and is not an officer, employee, or agent of the District.

6. LIABILITY

The District shall not be liable to the Contractor for personal injury or property damage sustained by the Contractor in the performance of this contract, whether caused by the District, its officers, employees, or by third persons.

7. HOLD HARMLESS AND INDEMNIFICATION

The Contractor agrees to release, discharge, indemnify, defend, and hold harmless the District, its employees, and agents for all illness, injury, or damage to persons or property which may arise out of the activities covered under this Agreement, including the transportation, distribution, use, or consumption of food items, irrespective of any negligence on the part of the District.

Furthermore, the Contractor agrees to defend and fully indemnify the District from any and all liability, loss, or damage the District or its agents or employees may suffer as a result of claims, demands, costs, penalties, litigation, or judgments against it arising from any and all illness, injury, or damage to any person, persons, or property caused by or resulting from the activities covered under this Agreement, including the transportation, distribution, use, or consumption of food item.

8. INSURANCE

The Contractor shall carry sufficient general liability insurance to protect itself, its employees, and agents against all such claims (referenced in paragraph 7, above) arising under this Agreement, and to indemnify and defend the District.

Contractor shall provide the District with certificate(s) of insurance acceptable to the District's Contract Supervisor, specifying that the District is to be given written notice 30 days in advance of any modification to or termination of coverage.

The Contractor's insurance carrier is: _____,

Policy Number: _____

9. DELIVERY

Contractor shall take leftover foods to the following location(s):

Contractor Signature

Date

Contractor Title

District Representative Signature

Date

M. Inventory Records

1. Since SFAs are required to account for all revenues and expenditures and the definition of ***cost of food used*** is the dollar value of beginning inventory plus the dollar value of food received during the period less the value of ending inventory, inventory is required by USDA of ***foods that are purchased by the SFA***. (Reference USDA Policy Memo 1984-SNP-31)

An Inventory Record Value form is available as an interactive form in the CARS system. The publication reflects only the physical inventory for one year. Each SFA may print the appropriate number of Inventory Records needed for each eating site. An excel spreadsheet can be found in Other Documents, or a paper form can be found on **pages CM-113 and CM-114**.

2. An inventory system is a tool of management that must be maintained for an efficient food service operation. Inventory of purchased goods and USDA Foods. Inventory provides food service managers with a systematic method for taking and maintaining a complete inventory record of purchased food and supplies.

An incorrect inventory can mean the difference between profit or loss and will also reflect an incorrect food cost.

Inventory records are used to:

- Develop meaningful food cost analysis (arrive at food and milk used).
- Prepare monthly orders for food and supplies.
- Avoid being overstocked or understocked.
- Assure that quantity of food needed to meet menu requirements is available.
- Prevent food deterioration by using older stocks first.
- Control any possible disappearance of foods.
- File insurance claims in case of fire or theft.
- Determine food and milk used for financial reports.

3. USDA Foods received require a perpetual inventory. The USDA Foods perpetual inventory form can be found on OK DHS Commodity Distribution website: <https://oklahoma.gov/okdhs/library/rpts/arhome6.html>

MONTHLY INVENTORY RECORD

Example

Month: March

Year: 20XX

Item Name	Unit type: lb, oz, 10# can	Amount on Hand	Unit price \$	TOTAL VALUE \$	Item Name	Unit type: lb, oz, 10# can	Amount on Hand	Unit price \$	TOTAL VALUE \$
Hamburger 80/20	lbs	50	\$3.54	\$177.00					
Pinapple, tidbit	#10 can	8	\$16.75	\$134.00					
Apple Juice	4 oz	55	\$0.35	\$19.25					
Broccoli, frozen	lbs	20	\$2.22	\$44.40					
Spaghetti pasta	lbs	15	\$14.45	\$216.75					
Chicken Nuggets	lbs	35	\$10.11	\$353.85					
Mozzarella Cheese	lbs	5	\$28.95	\$144.75					
Grand Total:			\$1,090.00						

Instructions:

This form is located in Other Documents under the Interactive Form section in the CARS system.

Item Name & Unit Type: List each item purchased. This number should be the number of single units- such as 21 cans of applesauce (not 3 cases + 3 cans), 30 pounds frozen strawberries (not 1 bag), 48 pounds flavored gelatin (not 2 boxes). Items such as eggs would be priced by the dozen, mustard might be by the gallon, vanilla per quart. The majority of items will be priced by the #10 can.

Unit Price The Unit price will be such as \$5.75 per #10 can, \$1.00/lb, \$3.00 per qt/jar

Amount on Hand: How many of these items does the district have on hand

****When the Inventory Record has been completed, transfer the totals to the Monthly Record of Inventory Value**

Note:

- In the storeroom, the commodity items should be separated from from the purchased foods and inventoried separately using the perpetual inventory form provided by DHS - USDA Foods Department.
- Any substantial amount of food in the refrigerators should be inventoried at the per portion cost.
- For speed, accuracy, and efficiency, items on the storeroom shelf should be arranged in the same order as the inventory form.
- When space and facilities permit, nonfood supplies should be in a separate storeroom. When this is not possible, they should be grouped together in alphabetical order in one area of the storeroom.

YEAR: _____

CM-114 Oklahoma State Department of Education Cafeteria Managers Section, July 2025

CHILD AND ADULT CARE FOOD PROGRAM MEAL PATTERNS

CACFP Breakfast (Select all three components for a reimbursable meal)				
Food Components and Food Items ¹	Ages 1-2	Ages 3-5	Ages 6-12	Ages 13-18 ² (At-Risk After-School Programs and Emergency Shelters)
Fluid Milk³	4 fluid ounces	6 fluid ounces	8 fluid ounces	8 fluid ounces
Vegetables, Fruits, or Portions of Both⁴	1/4 cup	1/2 cup	1/2 cup	1/2 cup
Grains (oz eq)^{5, 6, 9}				
Whole grain-rich or enriched bread	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich or enriched bread product such as biscuit, roll, or muffin	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich, enriched, or fortified, cooked breakfast cereal ⁷ , cereal grain, and/or pasta	1/4 cup	1/4 cup	1/2 cup	1/2 cup
Whole grain-rich, enriched, or fortified ready-to-eat breakfast cereal (dry, cold) ^{7, 8}				
Flakes or rounds	1/2 cup	1/2 cup	1 cup	1 cup
Puffed cereal	3/4 cup	3/4 cup	1 1/4 cups	1 1/4 cups
Granola	1/8 cup	1/8 cup	1/4 cup	1/4 cup

¹ Must serve all three components for a reimbursable meal. Offer versus Serve (OvS) is an option for At-Risk After-School participants.

² Larger portion sizes than specified may need to be served to children aged 13 through 18 to meet their nutritional needs.

³ Must be unflavored whole milk for children aged one. Must be unflavored lowfat (1 percent) or fat-free (skim) milk for children aged two through five. Must be unflavored or flavored lowfat (1 percent) or (skim) milk for children aged six and older. **Flavored milk can only have 10 grams of added sugar per 8 oz.**

⁴ Pasteurized full-strength juice may only be used to meet the vegetable or fruit requirement at one meal, including snack, per day.

⁵ At least one serving per day, across all eating occasions, must be whole grain-rich. Grain-based desserts do not count toward meeting the Grains requirement.

⁶ Meat and Meat Alternates may be used to meet the entire Grains requirement a maximum of three times a week. One ounce of Meat and Meat Alternates is equal to one ounce equivalent (oz eq) of Grains.

⁷ Breakfast cereals must contain no more than 6 grams of **added** sugar per dry ounce (no more than 21.2 grams sucrose and other sugars per 100 grams of dry cereal).

⁸ The minimum serving size specified in this section for ready-to-eat breakfast cereals must be served.

⁹ **Yogurt served can only have 12 grams of added sugar per 6 ounces.**

CHILD AND ADULT CARE FOOD PROGRAM

MEAL PATTERNS

CACFP Lunch and Supper (Select all five components for a reimbursable meal)				
Food Components and Food Items ¹	Ages 1-2	Ages 3-5	Ages 6-12	Ages 13-18 ² (At-Risk After-School Programs and Emergency Shelters)
Fluid Milk³	4 fluid ounces	6 fluid ounces	8 fluid ounces	8 fluid ounces
Meat/Meat Alternates				
Lean meat, poultry, or fish	1 ounce	1 1/2 ounces	2 ounces	2 ounces
Tofu, soy product, or alternate protein products ⁴	1 ounce	1 1/2 ounces	2 ounces	2 ounces
Cheese	1 ounce	1 1/2 ounces	2 ounces	2 ounces
Large egg	1/2	3/4	1	1
Cooked dry beans or peas	1/4 cup	3/8 cup	1/2 cup	1/2 cup
Peanut butter or soy nut butter or other nut or seed butters	2 Tbsp	3 Tbsp	4 Tbsp	4 Tbsp
Yogurt, plain or flavored, unsweetened or sweetened ⁵	4 ounces or 1/2 cup	6 ounces or 3/4 cup	8 ounces or 1 cup	8 ounces or 1 cup
The following may be used to meet no more than 50 percent of the requirement: Peanuts, soy nuts, tree nuts, or seeds, as listed in Program guidance, or an equivalent quantity of any combination of the above Meat/Meat Alternates (1 oz of nuts/seeds = 1 oz of cooked, lean meat, poultry, or fish)	1/2 ounce = 50%	3/4 ounce = 50%	1 ounce = 50%	1 ounce = 50%
Vegetables⁶	1/8 cup	1/4 cup	1/2 cup	1/2 cup
Fruits^{6, 7}	1/8 cup	1/4 cup	1/4 cup	1/4 cup
Grains (oz eq)^{8,9}				
Whole grain-rich or enriched bread	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich or enriched bread product such as biscuit, roll, or muffin	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich, enriched or fortified cooked breakfast cereal ⁹ , cereal grain, and/or pasta	1/4 cup	1/4 cup	1/2 cup	1/2 cup

¹ Must serve all five components for a reimbursable meal. Offer versus Serve (OvS) is an option for At-Risk After-School participants.

² Larger portion sizes than specified may need to be served to children aged 13 through 18 to meet their nutritional needs.

³ Must be unflavored whole milk for children aged one. Must be unflavored lowfat (1 percent) or fat-free (skim) milk for children aged two through five. Must be unflavored or flavored lowfat (1 percent) or (skim) milk for children aged six and older. **Flavored milk can only have 10 grams of added sugar per 8 oz.**

⁴ Alternate protein products must meet the requirements in Appendix A to Part 226.

⁵ Yogurt must contain no more than **12 grams of added sugars** per 6 ounces.

⁶ Pasteurized full-strength juice may only be used to meet the vegetable or fruit requirement at one meal, including snack, per day.

⁷ A vegetable may be used to meet the entire fruit requirement. When two vegetables are served at lunch or supper, two different kinds of vegetables must be served.

⁸ At least one serving per day, across all eating occasions, must be whole grain-rich. Grain-based desserts do not count toward meeting the Grains requirement.

⁹ Breakfast cereals must contain no more than 6 grams of **added** sugar per dry ounce (no more than 21.2 grams sucrose and other sugars per 100 grams of dry cereal).

CHILD AND ADULT CARE FOOD PROGRAM MEAL PATTERNS

CACFP Snack (Select two of the five components for a reimbursable snack)				
Food Components and Food Items ¹	Ages 1-2	Ages 3-5	Ages 6-12	Ages 13-18 ² (At-Risk After-School Programs and Emergency Shelters)
Fluid Milk³	4 fluid ounces	4 fluid ounces	8 fluid ounces	8 fluid ounces
Meat/Meat Alternates				
Lean meat, poultry, or fish	1/2 ounce	1/2 ounce	1 ounce	1 ounce
Tofu, soy product, or alternate protein products ⁴	1/2 ounce	1/2 ounce	1 ounce	1 ounce
Cheese	1/2 ounce	1/2 ounce	1 ounce	1 ounce
Large egg	1/2	1/2	1/2	1/2
Cooked dry beans or peas	1/8 cup	1/8 cup	1/4 cup	1/4 cup
Peanut butter or soy nut butter or other nut or seed butters	1 Tbsp	1 Tbsp	1 Tbsp	2 Tbsp
Yogurt, plain or flavored, unsweetened or sweetened ⁵	2 ounces or 1/4 cup	2 ounces or 1/4 cup	4 ounces or 1/2 cup	4 ounces or 1/2 cup
Peanuts, soy nuts, tree nuts, or seeds	1/2 ounce	1/2 ounce	1 ounce	1 ounce
Vegetables⁶	1/2 cup	1/2 cup	3/4 cup	3/4 cup
Fruits⁶	1/2 cup	1/2 cup	3/4 cup	3/4 cup
Grains (oz eq)^{7, 8}				
Whole grain-rich or enriched bread	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich or enriched bread product such as biscuit, roll, or muffin	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq
Whole grain-rich, enriched or fortified cooked breakfast cereal ⁹ , cereal grain, and/or pasta	1/4 cup	1/4 cup	1/2 cup	1/2 cup
Whole grain-rich, enriched, or fortified ready-to-eat breakfast cereal (dry, cold) ^{8,9}				
Flakes or rounds	1/2 cup	1/2 cup	1 cup	1 cup
Puffed cereal	3/4 cup	3/4 cup	1 1/4 cups	1 1/4 cups
Granola	1/8 cup	1/8 cup	1/4 cup	1/4 cup

¹ Select two of the five components for a reimbursable snack. Only one of the two components may be a beverage.

² Larger portion sizes than specified may need to be served to children aged 13 through 18 to meet their nutritional needs.

³ Must be unflavored whole milk for children aged one. Must be unflavored lowfat (1 percent) or unflavored fat-free (skim) milk for children aged two through five. Must be unflavored or flavored lowfat (1 percent) or fat-free (skim) milk for children aged six and older. **Flavored milk can only have 10 grams of added sugar per 8 oz.**

⁴ Alternate protein products must meet the requirements in Appendix A to Part 226.

⁵ Yogurt must contain no more than **12 grams of added sugar** per 6 ounces.

⁶ Pasteurized full-strength juice may only be used to meet the vegetable or fruit requirement at one meal, including snack, per day.

⁷ At least one serving per day, across all eating occasions, must be whole grain-rich. Grain-based desserts do not count toward meeting the Grains requirement.

⁸ Breakfast cereals must contain no more than 6 grams of **added** sugar per dry ounce (no more than 21.2 grams sucrose and other sugars per 100 grams of dry cereal).

⁹ The minimum serving size specified in this section for ready-to-eat breakfast cereals must be served.



USDA MEMOS FOR CAFETERIA STAFF SECTION

Accommodating Disabilities	SP-26-2017
Final Rule Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium	SP-04-2022
Fluid Milk Requirements for School Meals	SP-01-2025
Guidance for Accepting Processed Product Documentation for Meal Pattern Requirements	SP-05-2025
Offer vs Serve Guidance	SP-41-2015
Requirement to Accept Medical Statements from Registered Dietitians for Schools	SP-07-2025
Salad Bars in Schools	SP 41-2019
Smart Snack Q & A	SP 23-2014 (v.3)
Substitution of Vegetables for Fruit Flexibility in the School Breakfast Program: Questions and Answers for Program Operators	SP-02-2024
Substituting Vegetables for Grains in American Samoa, Guam, Hawaii, Puerto Rico, the U.S. Virgin Islands, and Tribal Communities	SP-03-2025
Wellness Policy	SP-24-2017

ONLINE RESOURCE PAGE

Breakfast Planning Menu Tools and User Guide	https://www.fns.usda.gov/sbp/menu-planning
Child Nutrition Forms (Other Documents)	https://cnp.sde.ok.gov/oknslp/PrintDocuments.aspx
Commodities (USDA Foods)	https://www.fns.usda.gov.usda-fis
Commodity Product Information Sheets	• https://www.fns.usda.gov/sfsp/best-practices-meal-service • https://oklahoma.gov/okdhs/services/cd/commoditydistribution.html
Final Rule Meal Patterns for FY2026	https://www.fns.usda.gov/cn/fr-042524
Food Allergy Network	http://www.foodallergy.org/
Food-Buying Guide	https://foodbuyingguide.fns.usda.gov/
Menu Planner for Schools Guide	https://fns-prod.azureedge.us/sites/default/files/resource-files/menuplanner.pdf
MyPlate	• http://teamnutrition.usda.gov • https://www.myplate.gov/
Nutrition Standards for School Meals	https://www.fns.usda.gov/schoolmeals/nutrition-standards
Nutrient Analysis Protocols	https://www.fns.usda.gov/tn/Nutrient-Analysis-Protocols-Manual
Nutrition Resources	http://www.fns.usda.gov/tn/team-nutrition
Offer vs Serve Resource	https://www.fns.usda.gov/tn/nsfp/offer-versus-serve-posters
Team Nutrition Resources for Schools	https://www.fns.usda.gov/tn/school
Timeline of Implementation	https://www.fns.usda.gov/cn/school-nutrition-standards-updates/implementation-timeline-school-meals
Reducing Sugar in Breakfast Meals Guide	https://fns-prod.azureedge.us/sites/default/files/resource-files/reducingadded sugarsbrkfst.pdf
Smart Snacks Calculator	https://foodplanner.healthiergeneration.org/calculator/
USDA—Food and Nutrition Services (FNS)	http://www.fns.usda.gov/
USDA Recipes	• https://theicn.org/cnrb/ • https://healthyschoolrecipes.com
Vegetable Subgroups	• https://www.myplate.gov/eat-healthy/vegetables

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