

Frequently Asked Questions

Summer 2021 Operations

Guidance Subject to Change – Check dates for the latest version

This FAQ document covers operations for Summer 2021. It was created based on input from contracting entities (CEs) and Education Service Center (ESC) staff, USDA policy guidance specific to COVID-19 operations and flexibilities, and existing USDA and TDA guidance from the previous school year and summer operations.

This document is the primary source of COVID-19-related guidance for Summer 2021 operations. TDA will continue to provide more detailed guidance over the coming months. Please read each question and response carefully and thoroughly as each question covers a very specific topic; **you should not mix responses from multiple questions to arrive at an answer for any questions you may have.** Please contact your ESC with any questions.

CEs must understand and adhere to all applicable requirements of the program(s) they are operating, including the guidance set forth in this FAQ. All program requirements remain in effect unless specifically waived by USDA and as described in this FAQ. Updates to this document will be highlighted in yellow.

TABLE OF CONTENTS

OPERATIONAL FLEXIBILITY OVERVIEW

1. During Summer 2021, which Child Nutrition Programs (CNP) are allowed to operate?
2. If I am operating SSO for the summer, will I be eligible for the SFSP reimbursement rates?
3. What existing operational flexibilities will remain in effect for all CNPs operating in Summer 2021?
4. Meal Pattern - How are the meal pattern flexibilities going to change in Summer 2021?
5. Area Eligibility – What area eligibility flexibilities are available throughout Summer 2021?



TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

Fraud Hotline: 1-866-5-FRAUD-4 or 1-866-537-2834 | P.O. Box 12847 | Austin, TX 78711
 Toll Free: (877) TEX-MEAL | For the hearing impaired: (800) 735-2989 (TTY)



Food and Nutrition Division
 COVID-19

This product was funded by USDA.
 This institution is an equal opportunity provider.



Updated 7/30/2021
www.SquareMeals.org

Frequently Asked Questions

Summer 2021 Operations

6. “Traditional” Summer Waivers – Which waivers, traditionally offered to SFSP operators in previous summers, are in effect for Summer 2021?

FLEXIBILITY NOTIFICATION OR REQUEST

7. Am I required to notify TDA if I want to use any of the flexibilities for my Summer 2021 operations?
8. Do I need to notify TDA if I will not use any flexibilities during Summer 2021?
9. Operational Flexibility Opt-In – Which flexibilities require CE notification to TDA before usage? If I have already submitted an Intake Form for existing flexibilities, do I need to notify TDA again?
10. Targeted NSLP/SBP and SSO Meal Pattern Waiver Request – How does my school district request a waiver of sodium, whole grain, flavored milk, and/or vegetable sub-group requirements?
11. Milk Variety Waiver Request for NSLP/SBP and SSO – How has the process changed for requesting this waiver?
12. Age/Grade Waiver Request for NSLP/SBP and SSO – How do I request an age/grade waiver for SSO or NSLP?
13. May I still use the existing meal pattern request form to request a waiver of meal pattern components in the event of procurement, safety, staffing, or storage issues?
14. Area Eligibility Waiver Request Form – Which programs need to submit this form to operate a site in a non-eligible area?
15. Do I need to continue to complete and submit the Monthly Site and Meal Count Data Form?

PROGRAM IMPLEMENTATION FOR SUMMER 2021

16. What do I need to do to operate SFSP and SSO this summer? If I am currently operating SFSP or SSO, do I need to fill out a new application?
17. Are there additional instructions I need to know when filling out my site application for the summer?
18. Will I be treated as a returning CE if I did not participate in SFSP last summer due to COVID-19?

Frequently Asked Questions

Summer 2021 Operations

19. I was approved to operate SFSP in Summer 2021. Am I allowed to switch to SSO mid-summer in anticipation of operating SSO in SY 2021-2022?
20. During Summer 2021 and SY 2021-2022, will I only be approved to operate a closed enrolled site if there is a corresponding open site in the area?
21. During SY 2020-2021, non-school entities were required to demonstrate an unmet need to operate a summer program. Are those requirements in place for Summer 2021 operations?
22. What are the requirements for operating a closed enrolled site this summer?
23. May I operate a closed enrolled SSO or SFSP site to serve only students enrolled in academic summer school?
24. If I am currently operating a summer meals program during SY 2020-2021, may I switch to extended NSLP to provide meals only to students enrolled in academic summer school? Would I be allowed to operate SSO or SFSP at other district sites not offering summer school classes?
25. May camps use area eligibility to establish site eligibility?
26. The schools in my district have different start dates for SY 2021-2022. When is my district required to stop SFSP operations and begin SSO or NSLP?
27. Do the meals served during the current school year count toward the 30-day requirement for the Texas Summer Mandate?
28. What information will be available on the map and texting tool for summer 2021?

OPERATIONAL QUESTIONS

29. Does my site have to provide curbside meals or another method of non-congregate service?
30. What are the guidelines for parent pick-up without a child present?
31. Do the extended waivers allow bundling of multiple meals to continue?
32. May I bundle multiple days of meals to remote learners or community children while feeding hot, plated meals to students daily onsite?

Frequently Asked Questions

Summer 2021 Operations

33. If I distribute meals over multiple days, may I serve individual components in bulk during the summer?
34. May I serve meals on weekends and holidays?
35. What are the guidelines related to home delivery?
36. If I deliver meals directly to children's homes or distribute them from an approved non-congregate site, are my transportation and labor costs allowable expenses in the Child Nutrition Programs?
37. Am I allowed to offer à la carte items during SSO or SFSP meal service?
38. What are the guidelines for serving second breakfast in SSO in a non-congregate setting?
39. Am I required to complete any of the onsite monitoring forms provided by TDA now that onsite monitoring has been waived?

CIVIL RIGHTS

40. Is the annual civil rights training requirement waived during the COVID-19 public health emergency?
41. Am I required to collect racial and ethnic data during the COVID-19 public health emergency?
42. Do I have to display the "And Justice For All..." poster at my sites established in response to the COVID-19 public health emergency?

Frequently Asked Questions

Summer 2021 Operations

OPERATIONAL FLEXIBILITY OVERVIEW

1. During Summer 2021, which Child Nutrition Programs (CNPs) are allowed to operate?

During Summer 2021, the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO) will be the primary CNPs available to CEs to provide meals for children. Schools may also participate in Extended National School Lunch Program (NSLP). Note that the Child and Adult Care Food Program (CACFP) At-risk Afterschool Program must cease operating for the duration of the summer once instruction for SY 2020-2021 ends.

2. If I am operating SSO for the summer, will I be eligible for the SFSP reimbursement rates?

Beginning July 1, 2021, all SSO operators will be reimbursed for meals at the combined SFSP reimbursement rates for rural or self-prep sites, regardless of location. Note that SFSP rates are adjusted annually for inflationary changes and become effective January 1 of each year. Therefore, the current rates valid through December 31, 2021 (\$2.4625 for breakfast, \$4.3175 for lunch, and \$1.02 for snack) will adjust upward January 1, 2022.

These reimbursements at the SFSP rates will continue throughout SY 2021-2022 and expire June 30, 2022.

3. What existing operational flexibilities will remain in effect for all CNPs operating in Summer 2021?

- **Non-congregate Meal Service** - Meals are distributed for offsite consumption. Non-congregate meals may be provided via grab-and-go or curbside pickup locations, or home delivery.
- **Alternative Meal Service Times** – In addition to allowing meal service outside of standard times, this waiver allows for distribution of multiple meals at one time.
- **Parent Pick-up of Meals with No Child Present** – Parents or legal guardians may pick up meals without their children present if they can provide adequate proof of guardianship.

Frequently Asked Questions

Summer 2021 Operations

- **Offsite Monitoring** - USDA's nationwide waiver allows monitoring activities to occur offsite to the extent practicable (e.g., through a desk audit). **Note that the monitoring requirements themselves have not been waived.** All CEs must assess the activities they normally do while onsite and document which of those activities are not possible as a desk audit.

Except for the offsite monitoring waiver, which expires 30 days after the declared end of the COVID-19 public health emergency, the above flexibilities expire **June 30, 2022** for NSLP/SBP and SSO. For SFSP, these flexibilities expire **September 30, 2021, or the beginning of SY 2021-2022**, whichever is earlier. Note that TDA expects summer operators to use the meal service flexibility waivers only for the duration and extent that they are needed.

[See below for more information on how to opt into these flexibilities.](#)

4. **Meal Pattern - How are the meal pattern flexibilities going to change in Summer 2021?**

- **NSLP/SBP and SSO targeted meal pattern flexibilities** – Beginning July 1, 2021, through June 30, 2022, School Food Authorities (SFAs) may request waivers for [whole grains, sodium, flavored milk, vegetable sub-groups, milk variety](#), and [age/grade requirements](#). Waivers will be reviewed and approved on a case-by-case basis. Click the links above for more detailed information.
- **Existing meal pattern flexibilities** – The existing meal pattern waiver that has allowed for the periodic waiver of **any meal component** in cases of procurement, safety, staffing, or storage concerns will no longer be available for **all programs** after **June 30, 2021**. This means all SFSP operators must adhere to the SFSP meal pattern without any flexibilities beginning **July 1, 2021**.

5. **Area Eligibility – What area eligibility flexibilities are available throughout Summer 2021?**

- **SSO** - Effective the beginning of Summer 2021, SSO operators are granted statewide approval to operate open and closed enrolled sites without having to comply with the standard area eligibility requirements. **Submittal of an Area Eligibility Request form is not required.** This flexibility will continue through

Frequently Asked Questions

Summer 2021 Operations

June 30, 2022, and applies to those SFAs that elect to operate SSO instead of NSLP/SBP during SY 2021-2022.

- **SFSP** - If an SFSP CE wants to operate an **open site** that is not area eligible, but with a significant low-income population, the CE may apply for approval to operate an **open** site that targets that high-need population. CEs with area eligibility waiver requests that were previously approved for SY 2020-2021 are not required to resubmit this form for **those sites** if they remain **open** to the community during summer 2021 operations. Requests would be required for any additional sites not previously operated with an approved waiver request. Waivers granted will remain in effect through **September 30, 2021, or the start of SY 2021-2022**, whichever occurs first. [Click here for more information about submitting an area eligibility waiver request.](#)

6. **“Traditional” Summer Waivers – Which waivers, traditionally offered to SFSP operators in previous summers, are in effect for Summer 2021?**

- **Closed Enrolled Sites May Use Area Eligibility to Establish Site Eligibility** – In addition to establishing site eligibility based on individual income eligibility requirements (a roster in which 50% of the children qualify for free or reduced-price meals), closed enrolled SFSP sites may be approved to operate if located in an eligible area as determined by school or census data. Note, however, that area eligibility waivers [as described below](#) will not be granted to closed enrolled SFSP sites.
- **First Week Site Visits for SFSP** - USDA waived the first-week site visit requirement for SFSP operators in good standing that have operated successfully in the previous year and for CEs that successfully participate in the CACFP or NSLP. Note that TDA considers a returning CE or/site to have operated successfully during the previous year if it does not owe a debt to TDA, does not have funds on hold, or is not in serious deficiency.
- **Allowance of Non-school Entities to Operate Offer Versus Serve (OVS) in SFSP** - CEs may elect to use OVS when providing non-congregate meal service in SSO or SFSP during the COVID-19 public health emergency. OVS does not circumvent meal pattern requirements or eliminate specific components. Production records must demonstrate that all required components were offered to all students.

Frequently Asked Questions

Summer 2021 Operations

FLEXIBILITY NOTIFICATION OR REQUEST

7. Am I required to notify TDA if I want to use any of the flexibilities for my Summer 2021 operations?

Yes. CEs will need to go to [SquareMeals.org](https://squaremeals.org) to either opt into specific flexibilities or submit specific requests. Each form will be discussed in more detail in this section.ⁱ

8. Do I need to notify TDA if I will not use any flexibilities during Summer 2021?

Yes. To establish an accurate compliance profile for TDA's Administrative Reviews, **all CEs operating during Summer 2021** must indicate their intentions to either use or not use the available flexibilities. CEs that do not plan to use any waivers will indicate this in the [Declare or Decline COVID-19 Meal Service Waiver Options formⁱⁱ](#) located on SquareMeals.org. Instructions for completing the form can be found here.

9. Operational Flexibility Opt-In – Which flexibilities require CE notification to TDA before usage? If I have already submitted an Intake Form for existing flexibilities, do I need to notify TDA again?

Regardless of any previous intake forms you may have submitted for SY 2020-2021, **all CEs operating in Summer 2021 must notify TDA of their intent to use the following waivers**, as applicable:

- Non-congregate Meal Service
- Alternative Meal Times
- No Child Present, Parent Pick-Up
- Offsite Monitoring

TDA has posted a new form, the [Declare or Decline COVID-19 Meal Service Waiver Options formⁱⁱⁱ](#), where all CEs must indicate which flexibilities they intend to use. While approval is not required to use these flexibilities, all CEs will be required to answer a short series of multiple-choice questions to provide data, if known, about the intended implementation of these flexibilities.

Frequently Asked Questions

Summer 2021 Operations

As with previous versions of this Intake Form:

- Only CE-level information is required. If **any** of the CE's sites are using **any** of the above flexibilities, the CE must complete this form. Note that CEs must also indicate via this form if they intend not to use any flexibilities.
- CEs must submit this form any time flexibility usage changes. If at any point a CE is no longer using a particular flexibility or chooses to implement a flexibility at **any** of its sites, the CE must notify TDA so the CE's compliance profile may be updated.

10. **Targeted NSLP/SBP and SSO Meal Pattern Waiver Request** – How does my school district request a waiver of sodium, whole grain, flavored milk, and/or vegetable sub-group requirements?

At the beginning of SY 2020-2021, SFAs that could not meet the reinstated meal pattern requirements for sodium, whole grains, and flavored milk were granted a grace period of one year to implement these requirements under the existing meal pattern waiver. Beginning July 1, 2021, CEs operating SSO in Summer 2021 must submit a waiver request to TDA if they cannot meet any of the following requirements:

- Target 2 specifications for sodium
- All grains offered are whole grain-rich
- Preschoolers receive at least one whole grain-rich serving per day

NOTE: The current flexibility allowing for low-fat flavored milk is still in effect through September 30, 2021, but a waiver of flavored milk requirements will be required after September 30 for any SFAs continuing to operate SSO into SY 2021-2022.

Additionally, CEs may submit a waiver request if they are unable to offer a variety of vegetables from the vegetable subgroups.

These new request options are now available via the [COVID-19 Targeted Meal Pattern Flexibility Options Form](#)^{iv} located on SquareMeals.org.

While waiver requests of sodium targets will be approved without requiring justification through June 30, 2022, all other meal pattern waivers listed above will require substantial justification prior to approval. Waiver requests must be submitted within 30 days of the requested start date and will only be granted for 30 days at a time.

Frequently Asked Questions

Summer 2021 Operations

11. Milk Variety Waiver Request for NSLP/SBP and SSO – How has the process changed for requesting this waiver?

Per recent USDA guidance, TDA must process milk variety waiver requests on a case-by-case basis. CEs may submit these requests via the [COVID-19 Targeted Meal Pattern Flexibility Options Form](#)^v beginning July 1, 2021. Waiver requests must be submitted within 30 days of the requested start date and will only be granted for 30 days at a time.

12. Age/Grade Waiver Request for NSLP/SBP and SSO – How do I request an age/grade waiver for SSO or NSLP?

Age/grade requirements in NSLP and SSO may be waived **by the site** if the CE is experiencing challenges implementing the age/grade group requirements due to student safety and access concerns.

The process for requesting an age/grade waiver is the same as in SY 2020-2021. CEs may request this flexibility by selecting the “Age/Grade Group Meal Pattern Waiver (NSLP/SBP and SSO Only)” in the [COVID-19 Targeted Meal Pattern Flexibility Options Form](#)^{vi} and completing the required information. Approvals will be granted through June 30, 2022.

13. **May I still use the existing meal pattern request form to request a waiver of meal pattern components in the event of procurement, safety, staffing, or storage issues?**

No. The form that allowed CEs to request a meal pattern waiver based on procurement/supply chain disruptions, lack of storage space, lack of adequate staffing, and/or meal service container/packaging shortages **expired on June 30, 2021**. CEs must use the more targeted form referenced in the above questions. **NOTE:** Only SSO operators may request a meal pattern waiver after July 1, 2021.

14. Area Eligibility Waiver Request Form – Which programs need to submit this form to operate a site in a non-eligible area?

As mentioned above, **in Summer 2021 SSO CEs are not required to submit an Area Eligibility Request Form**. If all other eligibility requirements for a site are met, an SSO site can be approved to operate regardless of location.

Frequently Asked Questions

Summer 2021 Operations

However, for **SFSP sites** that are not area eligible, but with a significant low-income population, the CE may apply for approval to operate an **open** site that targets that high need population during the COVID-19 public health emergency by submitting the [Area Eligibility Waiver Intake Form](#). The Intake Form must include the following information about each site:

- The name of the site which will operate under the area eligibility waiver;
- The current free and reduced-price percentage;
- County where the site is located; and
- The reasons a closed enrolled site is not practical to address the needs of the site.

Please note that CEs may only claim meals for reimbursement under this waiver once their COVID-19 site application has been submitted and approved on a case-by-case basis.

SFSP CEs with area eligibility waiver requests that were previously approved for SY 2020-2021 are not required to resubmit this form for those sites if they remain **open** to the community during summer 2021 operations. However, if an SFSP CE with a previously approved waiver wants to operate new open sites under the waiver, it must submit the Area Eligibility Intake Form for those sites. Waivers granted will remain in effect through September 30, 2021 or the start of SY 2021-2022, whichever occurs first.

Note that for summer 2021 operations, area eligibility waivers **will not** be granted for SFSP closed enrolled sites. CEs that want to operate a closed enrolled site must follow the standard eligibility requirements.

15. Do I need to continue to complete and submit the Monthly Site and Meal Count Data Form?

No. TDA has removed this form from SquareMeals.org. TDA is evaluating whether site level data will be required in the future and if so, a new streamlined form will be provided.

Frequently Asked Questions

Summer 2021 Operations

PROGRAM IMPLEMENTATION FOR SUMMER 2021

16. What do I need to do to operate SFSP and SSO this summer? If I am currently operating SFSP or SSO, do I need to fill out a new application?

CEs currently operating **open** SFSP or SSO sites during SY 2020-2021 may continue to operate those sites without a new application. However, **the site application must be updated to reflect new meal service information including dates, times, average daily participation, and meal service types.**

If a CE wants to switch a currently operating site from closed enrolled to open (or vice versa), it **must** submit a new site application for review and approval. Note that CEs must confirm that all sites must follow the SFSP or SSO site eligibility requirements for open, restricted open, closed enrolled, and camps during the summer break.

CEs operating SFSP or NSLP that wish to switch to SSO at the beginning of the summer must indicate their intentions within their **2020-2021 NSLP Application Packets.**

CEs that wish to apply for SFSP must apply via TX-UNPS in accordance with TDA's application guidance posted on SquareMeals.org and the applicable TX-UNPS Program Dashboard.

17. Are there additional instructions I need to know when filling out my site application for the summer?

Sites serving non-congregate meals under a summer meals program must have a "CV" naming designation within the site application.

- Site names must start with **CVHD** for sites using home delivery and **CVGG** for sites utilizing a grab-and-go method, followed by the **Site Name**:
 - For example: CVGG Smith El. This means that Smith Elementary is distributing meals using grab-and-go.
- Sites operating a bus route with multiple stops serving non-congregate meals to children directly at those stops can submit a single CVGG site, with the site address corresponding with the address where the meals are prepared or the intersection of the first stop. If operating SFSP, all stops on the route must be in an eligible area unless an area eligibility waiver has been granted to that site.

Frequently Asked Questions

Summer 2021 Operations

NOTE: CVGG bus routes are not the same as traditional mobile sites offering **congregate** meal service at a select few stops. Traditional mobile sites offering congregate service must adhere to normal application requirements, including that each stop on the mobile route requires its own site application.

- SSO and SFSP sites may operate joint congregate and non-congregate meal service; in these cases, CEs are not required to submit separate site applications for the congregate and non-congregate service. Instead, CEs should submit one site application using the appropriate non-congregate CV site designation (“CVGG” or “CVHD”) in their application, as applicable. [See below for more guidelines related to joint congregate and non-congregate feeding.](#)
- If a CE is operating both “CVGG” and “CVHD” from the same site, the CE must submit two separate site applications for each type of non-congregate meal service.

CEs planning to operate under standard regulations, including adherence to congregate feeding and standard meal times, do not need to use the “CV” naming convention – the site name is entered as normal.

Please check the Program Dashboard in TX-UNPS as additional application guidance will be posted there.

Schools may get guidance on how to fill out the SSO application by emailing: NSLP-SBP.BOps@TexasAgriculture.gov.

SSO policy guidance may be found in Section 11, *Summer Meals*, of the [Administrator’s Reference Manual \(ARM\)](#).^{vii} SFSP policy guidance may be found on SquareMeals.org.^{viii}

18. Will I be treated as a returning CE if I did not participate in SFSP last summer due to COVID-19?

Yes. CEs that did not operate SFSP in Fiscal Year (FY) 2020 due to COVID-19 but operated in FY 2019 and were in good standing will be allowed to follow the application requirements for returning CEs. In addition, the pre-approval visits of SFSP CEs that did not participate in FY 2020 due to COVID-19 but participated in FY 2019 are waived. These flexibilities only apply to CEs that participated in FY 2019 and are not extended to otherwise “new” SFSP applicants.

Frequently Asked Questions

Summer 2021 Operations

19. I was approved to operate SFSP in Summer 2021. Am I allowed to switch to SSO mid-summer in anticipation of operating SSO in SY 2021-2022?

No. SFAs should plan to operate a single summer nutrition program while school is out for the summer.

20. During Summer 2021 and SY 2021-2022, will I only be approved to operate a closed enrolled site if there is a corresponding open site in the area?

No. That requirement applies to schools that switched from NSLP/SBP to SFSP or SSO during SY 2020-2021. Once school ends, CEs may operate sites as open, open restricted, closed enrolled, etc. **per standard SFSP and SSO site eligibility requirements.** Note that SSO open and closed enrolled sites are not subject to area eligibility requirements starting the beginning of Summer 2021, but SFSP sites are subject to all area eligibility requirements [unless operating under an area eligibility waiver as described above.](#)

21. During SY 2020-2021, non-school entities were required to demonstrate an unmet need to operate a summer program. Are those requirements in place for Summer 2021 operations?

No. Summer feeding site applications will be reviewed based on standard SFSP and SSO eligibility and proximity requirements.

22. What are the requirements for operating a closed enrolled site this summer?

The site eligibility requirements for SSO and SFSP sites must be applied as follows:

- Closed enrolled SFSP sites can establish eligibility based on the income of the individual children; at least 50 percent of the enrolled children at the site must be eligible for free or reduced-price school meals. Alternatively, per the extended nationwide waiver, a CE may use area eligibility information to establish a closed enrolled site.
- SSO sites that are targeting an identified group of children through age 18 who are participating in a specific program or activity may operate in **any** location, regardless of area eligibility, per the recent nationwide flexibilities.

Frequently Asked Questions

Summer 2021 Operations

23. May I operate a closed enrolled SSO or SFSP site to serve only students enrolled in academic summer school?

On July 14, 2021, USDA approved TDA's waiver request to allow SFSP and SSO closed enrolled sites to serve academic summer schools only. However, schools that previously implemented alternate operations to feed summer school children in accordance with guidance in this FAQ (for example, operating an open site) are encouraged to maintain those operations throughout the summer.

Central, open sites in the district that have been distributing meals to summer school students at other campuses within the district may continue to do so, but note that this distribution model applies **only** to meals served to summer school students. Meals **cannot** be delivered to another distribution site that serves children not in summer school unless that receiving site has an approved site application. CEs operating under this distribution model must ensure that they have documentation that details this distribution method.

24. If I am currently operating a summer meals program during SY 2020-2021, may I switch to extended NSLP to provide meals only to students enrolled in academic summer school? Would I be allowed to operate SSO or SFSP at other district sites not offering summer school classes?

Yes. SFAs currently operating SSO or SFSP may switch to “extended” NSLP to provide meals to students enrolled in academic summer school. An SFA that wishes to use this option for its summer school students may operate SSO or SFSP at other district sites consistent with the requirements for those programs. SFAs that wish to switch must apply via TX-UNPS to TDA for review and approval per established procedures.

SFAs wishing to use the NSLP extended option must adhere to the free, reduced-price, and paid meal benefit categories. For CEs who did not serve NSLP meals a full 30 days at the beginning of SY 2020-2021, you may use any of the remaining 30-day eligibility carryover available to you for Summer 2021 as you determine the eligibility of your summer school students.

NOTE: If your summer school session extends beyond June 30, 2021, you must ensure that a completed NSLP application for SY 2021-2022 has been approved, since any meals claimed after June 30, 2021, will apply for the next NSLP school year. However, note that the 30-day eligibility carryover will not begin for SY 2021-2022 until the first day of meal service for the academic school year.

Frequently Asked Questions

Summer 2021 Operations

25. May camps use area eligibility to establish site eligibility?

No. Camps, as defined by SFSP regulation and SSO guidance, may not use area eligibility to establish site eligibility; they must collect and maintain individual household applications and are reimbursed **only for those enrolled children who meet the free or reduced-price eligibility standards.**

Camps are defined as residential summer camps and nonresidential day camps that offer a regularly scheduled food service as part of an organized program for **enrolled** children. Nonresidential camp sites must offer a continuous schedule of organized cultural or recreational programs for enrolled children between meal services.

NOTE: Sites promoting themselves as “camps” that are offering non-credit educational activities to any children who wish to participate will not be given the “camp” designation as defined by regulation if there is no enrollment roster being maintained.

26. The schools in my district have different start dates for SY 2021-2022. When is my district required to stop SFSP operations and begin SSO or NSLP?

For districts with different school start dates, they are required to switch to either NSLP or SSO on the earliest date a school in the district begins instruction. TDA will evaluate the options for non-SFAs operating in districts with different instructional start dates.

27. Do the meals served during the current school year count toward the 30-day requirement for the Texas Summer Mandate?

No. Texas school districts that are mandated to offer a summer meals program under the Texas Agriculture Code must operate if they did not submit a waiver request to TDA by January 31, 2021. Schools that did not seek a waiver before the January 31st deadline must offer a Summer Meals Program for at least 30 calendar days this summer. **The 30-day requirement must occur during the time schools are normally recessed for the summer;** therefore, meals served under SSO/SFSP while schools were in session due do **not** count toward the 30-day requirement.

Note that the 30 days of operations may include a reasonable number of days to set up and close operations and may include meals served on the weekend.

Frequently Asked Questions

Summer 2021 Operations

28. What information will be available on the map and texting tool for summer 2021?

TDA will make the following information available on the map and texting tool for summer 2021 operations:

- Site name and address;
- Site phone number; and
 - For SSO sites, the Site Contact phone number will be shared.
 - For SFSP sites, the Site Supervisor's phone number will be shared.
- Start and end operational dates.

All open sites (both congregate and “CVGG”) will be shared on TDA’s summerfood.org map and the “No Kid Hungry Texting Tool.”

Map and texting tool users will be asked to contact the site for information about meal distribution times and options. During summer 2021 operations, TDA will not provide site days and times because of the many operational options and mealtime flexibilities available to CEs. CEs must promote and advertise their summer meal operations to the community and be prepared to provide information to callers.

Summer 2021 downloadable outreach and promotional materials may be found on [TDA's SquareMeals.org website](#).^{ix}

Frequently Asked Questions

Summer 2021 Operations

OPERATIONAL QUESTIONS

29. Does my site have to provide curbside meals or another method of non-congregate service?

No. CEs are not required to provide non-congregate meals. CEs may determine their local needs and whether to opt into any of the available nationwide waivers for SFSP or SSO meal service this summer or in SY 2021-2022.

30. What are the guidelines for parent pick-up without a child present?

Per TDA-established guidelines, when a parent or legal guardian arrives to pick up a meal without a child at a school, the parent or guardian must show proof of guardianship. Preferred methods of proof of guardianship include:

- Official Letter/email from a school listing the children enrolled at the campus
- Student ID cards
- Individual student report cards
- Attendance record from parent portal of the school website
- Birth certificate
- Official letter/email from facility or school listing children enrolled
- Other official ID cards (for example, IDs issued by a child care facility)

Operators should establish procedures to facilitate this process. For example, once enrollment and proof of guardianship are verified, the CE could issue the parent/guardian a placard or rearview mirror hanger showing the number of meals to be picked up. Sites must display the appropriate Duplicate Meals Poster ([NSLP version](#)^x or [SFSP/SSO version](#)^{xi}) that explains the prohibition of receiving duplicate meals. To obtain a Duplicate Meals Poster, refer to the [TDA's SquareMeals.org Coronavirus webpage](https://www.squaremeals.org/coronavirus).^{xii}

CEs must notify TDA whether they will utilize this waiver [per the guidance in this FAQ](#).

While this waiver is effective through **June 30, 2022**, for all Programs authorized to operate during that period, CEs must cease using the waiver once there is no longer a need.

Frequently Asked Questions

Summer 2021 Operations

31. Do the extended waivers allow bundling of multiple meals to continue?

Yes. If operating under both the meal service time waiver and the non-congregate feeding waiver, CEs may distribute multiple meals at one time to children or their parent/legal guardian as long as the CE adheres to the daily maximum number of meals allowed. **CEs distributing meals for multiple days may not provide meals for more than one operational week at a time.** SSO and SFSP operators that have been approved to operate on weekends may distribute up to seven days of meals at one time.

NOTE: Weekend and holiday service is not permitted for SSO once SY 2021-2022 begins.

CEs choosing this method of distribution must adjust the number of days per week it operates accordingly. For example, an open site wishing to serve three days of meals on one day and four meals on another to account for a full week could have the following schedule:

- On Monday, the site would distribute meals for Monday, Tuesday, and Wednesday (the site must not distribute meals on Tuesday and Wednesday)
- On Thursday, the CE would distribute meals for Thursday through Sunday (the site must not distribute meals Friday-Sunday).

Any multiple meal distribution plan must ensure that duplicate meals are not served to any child for any day meals are provided. Sites **must** display the [Duplicate Meals Poster](#) that explains the prohibition of receiving duplicate meals. To obtain a Duplicate Meals Poster, refer to the [TDA's SquareMeals.org Coronavirus webpage](#).¹

USDA posted two documents on its website related to serving multiple meals: [Seamless Summer Option: Providing Multiple Meals at a Time During the COVID-19 Pandemic](#)¹ and [Summer Food Service Program: Providing Multiple Meals at a Time During the COVID-19 Pandemic](#)¹.

Frequently Asked Questions

Summer 2021 Operations

32. May I bundle multiple days of meals to remote learners or community children while feeding hot, plated meals to students daily onsite?

Yes, a site may operate two points of service under one site application – one service designated for bundled, non-congregate meals and one for congregate feeding. The meals served at each point of service can be from a different menu as long as all meal pattern requirements are met. Onsite students may be served daily while community children can receive multiple days of meals [per the parameters described above](#). It is important to remember:

- All children served at the site have the same access to the same **number** and **type** of meals within a given week.
- Site applications must reflect the days meals are to be claimed and the complete timeframe of meal service per day. Meal service for both breakfast and lunch should reflect the same timeframe. For example, if onsite meals are served from 7 a.m. to 8 a.m. and 12 p.m. to 1 p.m., and non-congregate meals are distributed from 10 a.m. to 11 a.m., the time of service documented for both breakfast and lunch in the site application will reflect a range of 7 a.m. – 1 p.m.
- In their outreach and promotion, CEs must clearly identify when the non-congregate meal service occurs each week.
- All sites are expected to maintain documented procedures that detail their meal distribution plans, including meal service times for congregate meals and methods to prevent duplicative meal service. Food production documentation for separate menus and points of service must also be maintained per regulations. Sites that fail to maintain this documentation may receive a finding in an Administrative Review.
- Sites operating a joint congregate and non-congregate service at the same location are not required to submit a single site application. If for any reason the logistical differences between the two services are too complicated to document in the site application as described above, schools may submit a CV site application for non-congregate service and a non-CV site application for traditional onsite meal service.

Frequently Asked Questions

Summer 2021 Operations

33. If I distribute meals over multiple days, may I serve individual components in bulk during the summer?

Yes. Bulk food items for multiple meal distribution are a COVID-19 flexibility allowed under the USDA nationwide waivers for non-congregate feeding, meal service times, and no child present (parent/guardian pick up), if applicable. Bulk food item distribution is a strategy for packaging multiple meals so that like food items are stored together, yet the food items are easily assembled into a meal and require no more than warming to be eaten. **Note that pre-plated, unitized meals are not bulk packaged food.**

To implement bulk food item distribution, CEs must receive approval from TDA before beginning this distribution. CEs should complete the new [Declare or Decline COVID-19 Meal Service Waiver Options form](#) to access the approval form for bulk distribution.

Qualities of an **effective** bulk distribution strategy include the following:

- Package includes a menu describing food items and portion sizes for each meal to be served with simple assembly directions for the meal.
- Students must be provided information that identifies the items that when bundled together meet the requirements of a reimbursable meal.
- Package includes labeled food items requiring no more than adding water and warming to be served. Microwaving prepared food with room temperature water is acceptable.
- Extra food items are separated and labeled as not part of the reimbursable meal.
- The distribution method meets all applicable food safety regulations.

Unacceptable qualities of a bulk distribution strategy include the following:

- Food items require mixing ingredients for the food item to be edible.
- Food items require chopping, baking, frying, boiling, or roasting to prepare items for serving.
- Raw or partially cooked food items that must be cooked before serving (i.e., raw meat is always unacceptable; raw pre-cut carrots are acceptable).
- Food items held at a temperature or method that is unsafe or prohibited by food safety regulations.

Food production records must be completed for each day that meals are intended to be consumed.

Frequently Asked Questions

Summer 2021 Operations

34. May I serve meals on weekends and holidays?

During Summer 2021, **SSO and SFSP** operators may submit claims for meals served on a holiday or during the weekend if that site is approved to operate during those times. To claim meals for reimbursements, CEs must update their site application in TX-UNPS to reflect the days they plan to serve meals.

Note that SSO must cease serving weekend and holiday meals once SY 2021-2022 begins:

- If your site application indicates summer weekend service and you plan to continue operating SSO once SY 2021-2022 begins sometime in August, you do not have to update your site application for August. **However, once the school year begins, all weekend service in August must cease.**
- If your current SSO application shows weekend meals checked for September **and you are not operating summer service at all in September, you must** update your application to uncheck weekend service.

35. What are the guidelines related to home delivery?

CEs may deliver meals to children's homes, but they must receive consent from each household and ensure that the meals are delivered directly to those individual residences. CEs must have a mechanism for validating the number of children at an individual residence to ensure that no duplicate meals are distributed or that no ineligible participants receive a meal. As long as the CE has obtained the household's written consent to deliver meals and has verified the current address, the child does not need to be present at the time of delivery. If the meals are shelf-stable, no one needs to be present if the address has been verified. Please consider State and local food safety requirements and best practices.

Note that while SSO CEs may operate a home delivery site without regard to area eligibility, SFSP operators must adhere to area eligibility guidelines, meaning that meals must only be delivered to children within that eligible area unless an area eligibility waiver has been granted by TDA. If operating a closed enrolled SFSP home delivery site that is not in an eligible area, 50% of the children being served via that site must be certified as eligible for free or reduced-price meals.

NOTE: A bus route that delivers to children at the curb is not an HD site. It should be designated as a CVGG site.

Frequently Asked Questions

Summer 2021 Operations

36. If I deliver meals directly to children's homes or distribute them from an approved non-congregate site, are my transportation and labor costs allowable expenses in the Child Nutrition Programs?

Yes. Transportation costs related to the delivery of meals are allowable under these circumstances. Transportation costs include labor, equipment, and supplies that are reasonable, necessary, and allocable. CEs must use the actual cost or a mileage rate (allowance) to account for allowable transportation costs.

Note that there is no additional reimbursement for home delivery or mobile meal delivery, but related expenses, such as postage and delivery service fees, would be considered allowable costs. Delivery costs could also be paid with non-program funds such as private donations.

37. Am I allowed to offer á la carte items during SSO or SFSP meal service?

Yes. The sale of á la carte items is permitted during **congregate and non-congregate meal service** for SSO or SFSP meal service. SFAs operating SSO on the school campus **must adhere to the Competitive Food Nutrition Standards** (also called Smart Snacks) when selling á la carte items.

Sites offering á la carte items should have established COVID-19 public health and safety practices and precautions in place, including social distancing and enhanced sanitation protocols to mitigate risks to program participants and those associated with payment handling.

Note: A la carte sales are not encouraged during summer meal service. Children should be encouraged to participate in the meal service being offered before they pay for a la carte items.

38. What are the guidelines for serving second breakfast in SSO in a non-congregate setting?

Second breakfast regulations for SSO were designed for implementation in a congregate setting for situations when a child onsite requests a second breakfast **after** eating the first breakfast **and** the site has reasonably determined that there will be excess breakfasts available at the end of service. Second breakfasts served under these parameters may be claimed for reimbursement. Sites may not prepare excess

Frequently Asked Questions

Summer 2021 Operations

breakfasts in anticipation of serving second breakfast and will have those meals disallowed if it is determined that is what is happening.

In a non-congregate setting, where meals are taken offsite for consumption, the parameters described above for serving second breakfast will be difficult to meet in most instances. Because an operator must plan for and prepare one breakfast meal per child, operators should not prepare meal bundles that contain a second breakfast. Additionally, a second breakfast cannot be provided on request for most of the meal service to ensure there are enough meals for all children.

However, given that fluctuation in attendance at breakfast can make it difficult to precisely estimate the number of meals needed, if near the end of non-congregate service it is clear that there will be excess breakfasts left over, operators may distribute a second breakfast on request to children and/or parents guardians picking up non-congregate meals. If second breakfasts are served, the CE must count and record these meals separately on daily meal count forms.

39. Am I required to complete any of the onsite monitoring forms provided by TDA now that onsite monitoring has been waived?

While the requirement that reviews be conducted onsite has been waived by USDA, the monitoring requirements themselves, as described in the TDA-developed onsite monitoring form, have **not** been waived. **All CEs** must, to the maximum extent practicable, continue monitoring activities of operations **offsite** (e.g., through a desk audit) and document those activities. In addition, CEs may conduct pre-operational visits remotely.

CEs can continue to use the applicable TDA-developed onsite monitoring forms **or a similar tool** to document observations conducted offsite. If any requirements cannot be completed via an offsite review, the CE **must document** the reasons why.

CEs must thoroughly document the desk audit, including, but not limited to:

- When it was conducted.
- Who the CE interacted with at the site.
- What technical assistance was provided.
- Those areas of the review that could not be completed as part of the desk audit.

Frequently Asked Questions

Summer 2021 Operations

To the extent possible, CEs should incorporate technology as part of the desk audit, including video, photographs, and teleconferencing. Many of these technologies are widely available and free.

CIVIL RIGHTS

40. Is the annual civil rights training requirement waived during the COVID-19 public health emergency?

No. The annual civil rights training requirement is **not** waived during the COVID-19 public health emergency given the potential impact it may have on individuals seeking program benefits. This annual training requirement applies to any CE staff member who has a role in processing the eligibility for household meal applications, interacts with participants about program eligibility, or provides services related to the operation or management of the program.

Note that civil rights training is not limited to school nutrition staff. The training must be completed by teachers who perform operational tasks related to the meal service such as handing out or serving meals to students, counting meals, or providing meal accommodations.

If the teacher is not involved in any operational aspects of meal service in the classroom, it is recommended that they are familiar with civil rights requirements and concepts; however, the annual training is not required.

The annual civil rights training is available on [SquareMeals.org](https://www.squaremeals.org).^{xiii}

41. Am I required to collect racial and ethnic data during the COVID-19 public health emergency?

Yes. The requirements related to the collection of racial and ethnic data are not waived in response to the COVID-19 public health emergency. However, TDA recognizes the challenges that arise in collecting this data while operating under COVID-19 flexibilities. Recent federal policy changes prohibit visual observation as an allowable practice for gathering this data; the preferred method is self-identification and self-reporting. With parents potentially picking up meals without their children present or via drive-thru grab-and-go, along with other social distancing protocols in place, TDA understands that

Frequently Asked Questions

Summer 2021 Operations

gathering accurate data in every instance may not be feasible. CEs must document their efforts to collect this data.

42. Do I have to display the “And Justice For All…” poster at my sites established in response to the COVID-19 public health emergency?

Yes. The “And Justice For All…” (AJFA) posters must be displayed in prominent locations throughout the school, such as bulletin boards in the main building entrance, the school office, or another area frequently visited by parents and children. Schools may copy posters and put one in each classroom; however, that is not required.

For non-congregate meal service, it is acceptable to attach a poster to a table, kiosk, cooler, or on the side of a bus while distributing meals. The AJFA poster does **not** need to be displayed on vehicles making door-to-door deliveries.

7/30/2021 11:48:38 AM

Frequently Asked Questions

Summer 2021 Operations

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Frequently Asked Questions

Summer 2021 Operations

ⁱ <https://squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities.aspx>

ⁱⁱ <https://form.jotform.com/211223411637040>

ⁱⁱⁱ <https://form.jotform.com/211223411637040>

^{iv} <https://form.jotform.com/211664219115147>

^v <https://form.jotform.com/211664219115147>

^{vi} <https://form.jotform.com/211664219115147>

^{vii} <http://www.squaremeals.org/Programs/NationalSchoolLunchProgram/NSLPPolicy&ARM.aspx>

^{viii}

<https://squaremeals.org/Programs/SummerFeedingPrograms/SummerFeedingPolicy&Handbooks.aspx>

^{ix} <https://squaremeals.org/Programs/SummerMealPrograms/Resources.aspx>

^x

https://squaremeals.org/Portals/8/files/H1N1/Coronavirus/Duplicate%20Meal%20Poster_Not%20Permitted_All.pdf

^{xi}

https://squaremeals.org/Portals/8/files/H1N1/Coronavirus/Duplicate%20Meal%20Poster_Not%20Permitted_SFSP.pdf

^{xii}

<http://squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities/CACFPResources.aspx>

^{xiii} <https://squaremeals.org/FandNResources/Training/OnlineEducationandSelfStudy.aspx>