

Frequently Asked Questions

Summer 2022 Operations

Guidance Subject to Change – Check dates for the latest version

This FAQ document covers operations for Summer 2022. The Texas Department of Agriculture (TDA) created the FAQs 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 guidance for Summer 2022 transitional 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 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.

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TEXAS DEPARTMENT OF AGRICULTURE
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Food and Nutrition Division
 COVID-19

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- 1. During Summer 2022, which Child Nutrition Programs (CNPs) are allowed to operate?**

During Summer 2022, the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO) are the primary CNPs available to CEs to provide meals for children. Schools may also participate in Extended National School Lunch Program (NSLP) to serve children enrolled in summer school. 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 2021-2022 ends.

- 2. If I was operating SSO during School Year (SY) 2021-2022, what is the process for transitioning my sites to standard Summer 2022 operations?**

Refer to this [Seamless Summer Option \(SSO\) Site Application Guidance for Sites Operating after Normal School Endsⁱ](#) on SquareMeals.org for instructions on how to transition sites to normal operations.

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

SFSP rates available to SSO operators during SY 2021-2022 will only be available through June 30, 2022. These rates will be available for any meals claimed under SSO in June, including sites that have transitioned from SY 2021-2022 SSO to Summer 2022 SSO operations.

Beginning July 1, 2022, standard SSO reimbursement rates will apply.

- 4. Will SSO operations be permitted in SY 2022-2023, as that will determine which Summer program I operate this Summer?**

SSO is not an available program in SY 2022-2023. Lunches and breakfasts must be served via the National School Lunch Program and School Breakfast Program in the subsequent School Year.

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5. **What are the requirements for operating a closed enrolled site this summer? May I operate a closed enrolled SSO or SFSP site to serve only students enrolled in academic summer school?**

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 “traditional” summer waiver, a CE may use area eligibility information to establish a closed enrolled site. [See below for more information about the “traditional” summer waivers.](#)
- SFSP and SSO may not operate closed enrolled sites to feed children enrolled in academic summer school.

6. **If I am currently operating a summer meals program during SY 2021-2022, 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 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.

Non-CEP SFAs wishing to use the NSLP extended option must adhere to the free, reduced-price, and paid meal benefit categories.

NOTE: If your summer school session extends beyond June 30, 2022, you must ensure that a completed NSLP application for SY 2022-2023 has been approved, since any meals claimed after June 30, 2022, will apply for the next NSLP school year.

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7. **My district is operating on an Additional Day School Year (ADSY) calendar as defined by the Texas Education Agency (TEA), and those designated ADSY days fall at the end of the school calendar. Can we continue to operate as a closed enrolled SSO site on those additional days?**

TDA will allow schools to continue to serve SSO meals on ADSY days that continue into the summer under the following conditions:

- Additional school days must fall within the beginning and ending dates of a campus' published school calendar.
- Child nutrition staff must prepare the same amount of food as they would on a normal operational day.
- Curriculum must be available to all enrolled children on these additional days.
- The district must communicate to families that attendance is expected on these days.

Campuses may **not** operate closed enrolled SSO on additional school days if any of the following are true:

- Only a sub-set of students are targeted for curriculum on the additional days.
- Additional day attendance is communicated to families as optional.
- Additional days do not fall between the beginning and end dates of a campus' published school calendar.

Schools operating targeted or optional activities on intersession days may operate CACFP At-risk on these days until the last day of school.

NOTE: Schools operating an ADSY calendar in SY 2022-2023 and beginning classes in July must claim meals under NSLP/SBP as these days are considered part of the school year.

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8. 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, 2022. 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 while schools were in session do **not** count toward the 30-day requirement. **This includes SSO meals served during June as part of an ADSY calendar [as described above](#).**

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.

9. May I serve meals on weekends and holidays?

During Summer 2022, **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.

10. 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.

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.

11. What information will be available on the Summer Meal Site Map for 2022?

Information available on the interactive map located at <https://squaremeals.org/Programs/SummerMealPrograms/SummerMealSiteMap.aspx> includes the following:

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- Site name and address;
- Site phone number;
- Meals served at the site;
- Days and times of meal service; and
- Start and end operational dates.

Summer 2022 downloadable outreach and promotional materials may be found on [TDA's SquareMeals.org website](https://www.squaremeals.org).ⁱⁱ

12. The schools in my district have different start dates for SY 2022-2023. When is my district required to stop SFSP operations and begin NSLP?

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

AREA ELIGIBILITY

13. Are there any area eligibility waivers available in Summer 2022?

No. Area eligibility waivers are not available in Summer 2022. All summer sites must determine area eligibility via school data or census date.

14. If my school operated SSO in Summer 2021-2022 and did not process applications, how is school data used to establish area eligibility for Summer 2022 and School Year 2022-2023?

Given that many schools did not process applications in SY 2021-2022 and thus do not have accurate free/reduced-price data on hand, area eligibility for non-CEP schools operating SSO in SY 2021-2022 is based on 50% or greater free/reduced claiming percentages from **February 2020**. However, summer sites establishing new eligibility based on February 2020 data may only use this determination **through Summer 2024**.

Note that CEP schools, even those operating SSO in SY 2021-2022, will use the standard method for determining area eligibility for Summer 2022, which is based on

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having an Independent Student Percentage (ISP) of 31.25 or greater. Determination based on this ISP data is valid for the standard five years.

Finally, non-CEP schools that operated NSLP in SY 2021-2022 should have processed applications in accordance with regulations. Therefore, area eligibility is determined by a 50% or greater free/reduced-price claims rate from October 2021, and this determination is valid for five years.

TDA has recently updated its School Data – Area Eligibility Report to indicate the data source used to derive each listed school's area eligibility.

15. If a school that operated SSO in SY 2021-2022 is not listed on the School Data – Area Eligibility Report, are there any additional flexibilities available for determining area eligibility?

Yes, **for Summer 2022 and SY 2022-2023 only**, non-CEP schools may use ISP data to determine area eligibility as follows:

- The school must have reported an ISP of 31.25 or greater on their most recent CEP data report submitted in March **2022**; and
- Area eligibility established using the ISP data of a non-CEP school is only valid for Summer 2022 and SY 2022-2023.

NOTE: This flexibility is only available to existing schools that operated SSO in SY 2021-2022. New non-CEP schools may not use CEP data to establish area eligibility.

16. 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.

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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.

WAIVERS AND FLEXIBILITIES

17. Are the waivers that were traditionally offered to SFSP operators in summer prior to the pandemic in effect for Summer 2022?

Yes, TDA was granted approval to offer the four waivers that have been traditionally available to SFSP and SSO (as applicable) operators:

- **Meal Service Times** - The following requirements related to time restrictions for meal service requirements have been waived:
 - Three hours must elapse between the start of one meal service and the start of another meal service, including snacks.
 - Four hours must elapse between the start of lunch and the start of supper when no snack is served in between.
 - The supper meal service must not begin later than 7 p.m. unless TDA waives the requirement due to extenuating circumstances. With the exception of residential camps, supper must not extend beyond 8 p.m.
 - The duration of the meal service is two hours for lunch or supper and one hour for breakfast or snacks.

This waiver’s implementation in Summer 2022 is more restrictive than in the previous two years under the Nationwide Meal Service Times waiver. For example, breakfast and lunch cannot be served at the exact same time. While doing so helped facilitate meal bundling during the pandemic, it is not feasible to serve two full meals at the same time in a congregate setting. **However**, in the event a non-congregate waiver is required due to a specific COVID-19-related incident ([see below for more information](#)), meal bundling will be allowed if the CE notifies TDA of its intent in its waiver request.

- **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-

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price meals), closed enrolled SFSP and SSO sites may be approved to operate if located in an eligible area as determined by school or census data.

- **First Week Site Visits for SFSP** – TDA has 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** – Both school and non-school sites may elect to serve OVS under the SFSP meal pattern in accordance with specific SFSP OVS requirements. Refer to the [Summer Waivers](#)ⁱⁱⁱ page on SquareMeals.org for information on these requirements. Note that OVS does not circumvent meal pattern requirements or eliminate specific components. Production records must demonstrate that all required components were offered to all students.

18. Are non-congregate, meal service time, and parent pick-up flexibilities available to SFSP/SSO operators in Summer 2022?

Meal service time waivers are available to SFSP and SSO operators as part of an approved suite of “traditional” summer waivers that have been available in prior summers. Refer [above](#) to more information on these traditional summer waivers.

Non-congregate service and no child present/parent pick-up flexibilities are **not** immediately available to operators once traditional Summer 2022 operations begin, and **all operators of these programs should prepare to serve congregate meals according to standard regulations** as described in the SFSP Administrative Guidance for Sponsors Handbook (AGS), TDA’s SFSP Supplemental Handbook, and the Code of Federal Regulations, Title 7, Section 225.

However, TDA may provide these flexibilities as needed to mitigate COVID-19 outbreaks at or near particular sites.

Approval for non-congregate and parent pick-up waivers will be provided if the CE can meet the following requirements:

- The CE must submit the [SFSP/SSO - Summer 2022 Non-congregate and Parent Pick-up Request Form](#).^{iv}

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- Requests must include a start and end date for the waiver. A retroactive start date may be entered.
- Within the form, the CE must provide justification that one of the following COVID-related circumstances is in effect around the site area:
 - An increase in transmission of COVID-19 in the area. For example, CEs may provide links to county health bulletins and warnings.
 - Justification of non-congregate service based on child nutrition staffing issues caused by a COVID-19 outbreak. **NOTE:** Waivers may not be used for routine absences or staff vacancies.
- Requesters must provide a plan of how non-congregate meals will be served according to the regulations of the applicable program and a plan for how the waiver will be implemented.
- CEs approved for this waiver may only use these waivers for the timeframe requested up to a maximum of 30 days. The CE may resubmit a request after 30 days, but TDA may request more information before approving a second waiver.
- Any meals served under a waiver not approved may be disallowed.

19. Will the demonstration project allowing non-congregate feeding in extreme heat or weather be implemented this summer?

While USDA has not continued the demonstration project, they are allowing states to request the discretion to issue non-congregate waivers on a case-by-case basis for sites experiencing extreme heat or other extreme weather conditions. TDA is requesting this discretion from USDA; if approved, TDA will post an online form in which CEs can present proof of an extreme weather event and the dates and times that non-congregate meals were served. **NOTE:** If implemented, this waiver should only be used as intended to serve meals during an extreme heat/weather event. For use of non-congregate feeding due to COVID-19, [refer to the above question](#).

Sites should not use this waiver until USDA has approved TDA's waiver request. Please check SquareMeals.org and this FAQ for updates.

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20. If approved for a non-congregate waiver, may I bundle multiple meals?

Yes. If operating under both the meal service time waiver and the non-congregate feeding waiver (only available if experiencing a specific COVID-19-related incident), CEs may distribute multiple meals at one time 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: Operators must not distribute meals intended for days past the date of the approved waiver.

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.

21. If approved for a non-congregate waiver as a result of a COVID-19-related incident, may I serve individual components in bulk during the summer?

Yes. Distribution of bulk food items for multiple meal distribution is allowed for CEs approved for non-congregate feeding and meal service time waivers. Operators must ensure that bulk distribution of food components makes sense for the timeframe the waiver was approved; for example, bulk distribution should not be used to distribute one or two days' worth of meals.

Bulk food item distribution must ensure that like food items are stored together and that food items can easily be assembled into a meal that requires only warming to be eaten. **Note that pre-plated, unitized meals are not bulk packaged food.**

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

- Package includes a menu describing food items and portion sizes for each meal to be served with simple assembly directions for the meal.

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- 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 only 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:

- 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.

22. What are the guidelines related to home delivery?

If approved to operate under a non-congregate waiver due to a COVID-19-related outbreak, 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.

Meals must only be delivered to children within the eligible area of the site location. If operating a closed enrolled SFSP/SSO home delivery site that is not in an eligible area, 50% of the children being served at that site must be certified as eligible for free or reduced-price meals.

Meals may only be delivered during the timeframe of the approved waiver.

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23. 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 allowable costs. Delivery costs could also be paid with non-program funds, such as private donations.

24. If approved for a parent pick-up waiver in the event of a COVID-19-related incident, what are the guidelines for proper implementation?

Per TDA-established guidelines, when a parent or legal guardian arrives to pick up a meal without a child at a site, 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 a school 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.

25. Are offsite monitoring waivers available for SFSP/SSO operators in Summer 2022?

SFSP and SSO operators have been approved to utilize offsite monitoring in the event of a COVID-19-related issue.

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To utilize this waiver, SSO/SFSP operators must notify TDA via the [Summer 2022 Offsite Monitoring Waiver Request Form](#)^v located on the SquareMeals.org Intake Forms page located at:

<https://squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities/IntakeForms.aspx>. The CE must meet the following requirements:

- Requests must include a start and end date for the waiver. A retroactive start date may be entered.
- To qualify for waiver usage, CEs must document at least one of the following:
 - An increase in transmission of COVID-19 in the area. For example, CEs may provide links to county health bulletins and warnings.
 - Justification that offsite monitoring is required due to a specific COVID-19 outbreak occurring during the scheduled review.
- CEs approved for this waiver may only use these waivers for the timeframe requested up to a maximum of 30 days. The CE may resubmit a request after 30 days, but TDA may request more information before approving a second waiver.
- Requesters must document within this request how offsite monitoring will remain in compliance with the regulations of the applicable program, along with a plan for how the waiver will be implemented.

26. Will any meal pattern flexibilities be available in Summer 2022?

There are no nationwide meal pattern flexibilities available in Summer 2022, and USDA does not have the authority to provide TDA with any state discretion to apply meal pattern waivers.

27. How do I request an age/grade waiver for SSO?

Age/grade requirements in 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, previously requested as part of a meal pattern request in Summers 2021 and 2020, has changed as follows:

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- Log into TX-UNPS, select the School Nutrition Programs Module, select Applications, and finally select Download Forms.
- Select SNP-000 from the Download Forms menu.
- From the NSLP/SBP Exemptions and Waivers portal, select Seamless Summer Option Age/Grade Group Meal Pattern Portion Size.
- Complete the Age/Grade Waiver form, listing the sites affected, the most common age/grade attending the site, and justification for why a waiver is required.
- An authorized representative of the CE operating the SSO must attest to the information provided in the waiver by signing the last page of the form.
- Once submitted, TDA will process the waiver and contact the CE to request any additional information needed. TDA will notify the CE of the approval or disapproval of SSO Age/Grade waivers for each site via email.

28. I did not complete the triennial assessment of the Local Wellness Policies last summer. Has USDA extended the deadline again for completion?

Yes. TDA was given the discretion to allow NSLP/SBP CEs to complete their first triennial Local Wellness Policy assessment by **June 30, 2023**. CEs electing to use the new deadline must inform TDA via the [Notification to Extend First Local Wellness Policy \(LWP\) Triennial Assessment form](#)^{vi} located on the [SquareMeals.org Intake Forms page](#).^{vii} CEs electing to use the June 30, 2023, deadline would need to complete a second triennial assessment by June 30, 2026.

Operators that are prepared to complete their triennial assessment by the extended date of June 30, 2022 are encouraged to do so.

CIVIL RIGHTS

29. 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. Summer operators must, once per summer, attempt to gather the race and ethnicity of individual participants attending summer sites.

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30. Can I use visual observation to determine a participant's race or ethnicity?

No. Effective May 17, 2021, federal policy prohibits visual observation as an allowable practice for gathering this data; the preferred method is self-identification and self-reporting. A best practice for this includes obtaining the information from parents or guardians.

31. If a child picks up a meal without a parent or guardian present, must I verbally ask the child to self-identify his or her race and ethnicity? What if a child participant is too young to understand the purpose or nature of the question?

While requesting data verbally is allowable, TDA understands that requesting information verbally may be uncomfortable for staff and for participants. Respect for individual dignity should guide the processes and methods for collecting data on race and ethnicity.

Additionally, TDA discourages asking a child to self-identify their race and ethnicity, as this practice may confuse young children. Obtaining data from parents or guardians is the preferred method of data collection, as parents or guardians can provide accurate information. If a parent or guardian is not present at the time of meal pick-up, or if the parent chooses not to identify, their response may be marked "unknown." For that reason, TDA does not expect that the number of respondents will equal the number of children at a meal service site. However, TDA expects program operators to continue to try to capture the data.

32. What parameters has USDA established for collecting data from parents or guardians?

Parents and guardians may be asked to identify the racial or ethnic group of the participating child/student only after it has been explained to them the following:

- Providing the information is to ensure compliance with USDA nondiscrimination requirements only
- Failure to report the information will not affect the participant's eligibility for meals.

Program operators of sites that do not require enrollment should choose data collection methods that are easy for adult participants or parents and guardians to use. For this

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requirement, parents and guardians of children attending non-enrolled sites are not required to provide the participant's name. Parents and guardians must not be required to fill out a free or reduced-price meal application for a non-enrolled program.

33. Is there a grace period during which program operators that have used visual identification in the past can develop other data collection methods?

Yes. While the requirement to end the practice of visual identification was effective as of May 17, 2021, USDA is providing a grace period through December 31, 2022, for summer operators to develop other data collection methods, such as utilizing data from alternative sources in which the respondent has self-identified race or ethnicity, including school databases.

During the grace period, program operators will not receive a finding of non-compliance during reviews; however, it will be noted as an observation and may become a finding if alternative means are not implemented before the end of the established grace period. By January 1, 2023, program operators must have alternative means to capture the data, or they may be issued a finding of noncompliance on their next review.

TDA is developing a new resource to assist program operators in capturing racial and ethnic data to the best extent possible. Please continue to check to the [Summer Meals Administration and Forms page](#)^{viii} on SquareMeals.org for this new resource. This FAQ will also be updated with a link to the new resource once it goes public.

34. In absence of good participant data, may I report aggregate racial/ethnic data on potential participants?

During the grace period that expires December 31, 2022, program operators may report aggregate data on potential participants as they develop resources to acquire individual participant data. After the grace period ends, program operators may only report aggregate data if they have attempted to obtain individual participant data but were unable to do so. Aggregate data must be specific to the service area of the meal service site.

Examples of sources of aggregate data include:

- Use the Census' American Community Survey at <https://www.census.gov/programs-surveys/acs/> to obtain localized aggregate data on the population to be served.

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- Use racial and ethnic data obtained from the National Center for Education Statistics Common Core of Data database at <https://nces.ed.gov/ccd/schoolsearch/> to search the specific school on the population to be served.
- Use aggregate school enrollment data to obtain localized data on the population to be served for sites that are operated at the same school or at a site in the attendance area served by a school.

35. May sites that do not require enrollment, and are operated by a school sponsor, utilize school enrollment data to obtain racial or ethnic data for individual children?

Yes. Non-enrolled sites operated by a school sponsor may use school enrollment data to obtain the racial or ethnic data for individual children.

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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;
- (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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ⁱ <https://squaremeals.org/LinkClick.aspx?fileticket=XfTsK6WQa-4%3d&portalid=8>

ⁱⁱ <https://squaremeals.org/Programs/SummerMealPrograms/Resources.aspx>

ⁱⁱⁱ <https://squaremeals.org/Programs/SummerMealPrograms/Waivers.aspx>

^{iv} <https://app.smartsheet.com/b/publish?EQBCT=f1c1546f15ca471b88b0ffd7b94010d2>

^v <https://app.smartsheet.com/b/publish?EQBCT=14d55a04af064dd9875bf3c6791b0eb1>

^{vi} <https://app.smartsheet.com/b/publish?EQBCT=52055cb8e8384cf6b32b5bf0d71105db>

^{vii} <https://squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities/IntakeForms.aspx>

^{viii} <https://squaremeals.org/Programs/SummerMealPrograms/AdministrationForms.aspx>