

Frequently Asked Questions

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Guidance Subject to Change – Check for Latest Version

Updates since the previous posting are **highlighted**. Click on an individual question in the Table of Contents to navigate to the answer. National School Lunch and Breakfast Programs (NSLP/SBP) and Child and Adult Care Food Program (CACFP) operators should also refer to the [NSLP/SBP and CACFP FAQ documents on SquareMeals.org](#).¹

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1. My school starts in September this year. Are there any options for continuing to serve non-congregate meals between September 1 and the first day of National School Lunch Program (NSLP) meal service?

Yes. CEs may provide non-congregate summer meals in the Seamless Summer Option (SSO) until the first day of SY 2020-2021 operations. **CEs may provide** non-congregate summer meals in the Summer Food Service Program (SFSP) through **September 30, 2020** or until the beginning of SY 2020-2021, whichever is earlier.

As a reminder, SSO and SFSP may not be operated once schools are open for student instruction, which includes both in person and remote learning.

2. My school and/or facility is closed because of the COVID-19 public health emergency. What are my options for serving meals to children?

During the COVID-19 public health emergency, schools operating the National School Lunch Program (NSLP) have the option to serve meals via the SSO or SFSP. Schools offering distance or online learning may continue to operate NSLP, although this option has more limitations as described in this [FAQ document below](#).

Schools that were operating the Child and Adult Care (CACFP) At-risk Program or the NSLP Afterschool Care Program (ASCP) may continue to offer those programs as well.

All Programs may operate under modified requirements and additional flexibilities during the COVID-19 public health emergency as described in this FAQ document.

Based on the extension of the nationwide waivers granted by USDA, CEs may continue COVID “CV” feeding in SSO through the start of SY 2020-2021; SFSP is authorized to provide COVID “CV” meals through **September 30, 2020, or until the beginning of SY 2020-2021, whichever is earlier.**



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USDA's [Feeding Kids When Schools Are Closed Due to Coronavirus](#)ⁱⁱ provides information and resources for schools serving meals to children during the COVID-19 public health emergency.

3. Do I have to serve meals in a group (congregate) setting during the COVID-19 public health emergency?

No. USDA is allowing all SFSP and SSO CEs to provide meals during the COVID-19 public health emergency in a non-congregate setting. To serve meals under this waiver, CEs must have submitted an intake form to TDA describing the method of meal distribution and submitted new site applications for the non-congregate feeding sites. CEs with approved site applications may allow meals to be taken away from the site and consumed elsewhere, thereby allowing for social distancing.

Note that USDA's nationwide waiver allowing for non-congregate meal service expires for SFSP on **September 30, 2020**, or at the beginning of SY 2020-2021, whichever is earlier. SSO may continue operating under this waiver past August 31 until the official first day of SY 2020-2021.

During SY 2020-2021, only meals served during unanticipated school closures may be claimed under SSO or SFSP. Planned full or partial building closures are not considered unanticipated school closures for SY 2020-2021. During an unanticipated school closure during SY 2020-2021, SSO, **not SFSP**, is authorized to operate consistent with USDA's nationwide waivers.

4. Do the meal service time restrictions apply during the COVID-19 public health emergency?

No. TDA opted into the USDA-issued nationwide waiver that allows all CEs to waive mealtime restrictions to support streamlined access to nutritious meals. Refer to the [CACFP FAQ on SquareMeals.org](#)ⁱⁱⁱ for information on how this waiver affects CACFP operators serving non-congregate meals.

CEs must have notified TDA of their intention to use this flexibility by completing the non-congregate feeding intake form located on SquareMeals.org and by



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documenting intended modified meal service times in their site applications in TX-UNPS, subject to TDA approval.

Per the USDA, this nationwide waiver is effective for SFSP through **September 30, 2020**, or until the beginning of SY 2020-2021, whichever is earlier. SSO may continue operating under this waiver until the official first day of SY 2020-2021 and may also utilize this waiver should an unanticipated school closure occur.

The COVID-19 nationwide meal time restriction waiver is located on [USDA's FNS Coronavirus webpage](#).^{iv}

5. Are meal pattern requirements waived during summer operations as a response to the COVID-19 public health emergency?

TDA opted into the USDA-issued nationwide waiver that allows State Agencies to waive meal pattern requirements on a justified and targeted basis during the COVID-19 public health emergency.

TDA has developed a [COVID-19 Meal Pattern Flexibilities Intake Form^v](#) for CEs to request this waiver. CEs should complete and submit this Intake Form **only after** the CE has actively attempted to purchase the necessary items to comply with the meal pattern requirements. The date range entered on the Intake Form must align with a reasonable procurement cycle or delivery schedule. The ending date entered will be the day before your next scheduled shopping trip or date of next food delivery. **If in the next cycle that item or a different item is still unavailable, a new form must be submitted.**

If the waiver is granted, the CE should continue to attempt to procure the item from alternative sources and notify TDA if the waiver is no longer needed. CEs must track the number of meals served that do not meet the meal pattern and will be required to document all meal component substitutions and any efforts to procure the missing component.

Requests will be analyzed on a case-by-case basis to determine if individual CEs are experiencing a disruption to the availability of food products resulting from the impacts of COVID-19. Approval will be limited to affected sites and/or geographic



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areas where CEs operate. CEs approved for this waiver must comply with the instructions provided by TDA.

TDA expects and strongly encourages CEs to maintain and meet the nutrition standards for each Program to the greatest extent possible. TDA stands ready to provide technical assistance and to offer alternatives to help CEs meet meal patterns.

As a reminder, Federal procurement regulations at 2 CFR 200.320(f) allow procurement by noncompetitive proposals when there is a public emergency. More information about [emergency procurement is provided below](#).

For additional information on the meal pattern waiver including documentation, please refer to the [Meal Pattern Waiver Reference Guide for COVID-19](#)^{vi} on SquareMeals for examples of documentation.

Per the USDA, this nationwide waiver is effective for SFSP through **September 30, 2020**, or until the beginning of SY 2020-2021, whichever is earlier. SSO may continue to request this flexibility until the official first day of SY 2020-2021.

The COVID-19 nationwide meal pattern requirement waiver is located on [USDA's FNS Coronavirus webpage](#).^{vii}

6. Where can I find information about Pandemic-EBT (P-EBT)?

USDA approved Texas to provide more than \$1 billion in pandemic food benefits to families with children that have temporarily lost access to free or reduced-price school meals. P-EBT will be administered in Texas by the Texas Health and Human Services Commission (HHSC), Texas Education Agency (TEA), and TDA. Additional information on P-EBT in Texas is available on the [HHSC Coronavirus webpage](#).^{viii}

Additional information on P-EBT can be found [below](#).



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7. A family called asking about the status of their P-EBT benefit card. What can I do?

Families should typically expect their P-EBT benefit after ten (10) days. Families can check the status of their application by calling HHSC at 833-613-6220.

School staff may speak to families who have applications that have been pending longer than ten days. In this instance, the application may not have been automatically verified as an eligible recipient, and additional verification processes are required. If school staff can validate that the inquiring family is an eligible recipient, information can be provided to the district's PEIMS coordinator to facilitate the eligibility verification process.

8. Who is authorizing the waiver of regulations and what other regulations have been waived?

USDA has issued the following nationwide waivers pertaining to the COVID-19 public health emergency:

- COVID-19: [Child Nutrition Response #6](#)—Community Eligibility Provision (CEP) Deadlines
- COVID-19: [Child Nutrition Response #12](#)—60 Day Reporting Requirements for January and February 2020 (claims for reimbursement deadline extension)
- COVID-19: [Child Nutrition Response #14](#)—Closed Enrolled Site Eligibility (SFSP/SSO)
- COVID-19: [Child Nutrition Response #15](#)—First Week Site Visits (SFSP)
- COVID-19: [Child Nutrition Response #16](#)—Offer versus Service (SFSP)
- COVID-19: [Child Nutrition Response #17](#)—Meal Service Time Restrictions (SFSP/SSO) (effective July 1, 2020 – September 30, 2020)
- COVID-19: [Child Nutrition Response #18](#)—Deadline for Local School Wellness Triennial Assessments



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- COVID-19: [Child Nutrition Response #19](#)—Food Service Management Contract Duration
- COVID-19: [Child Nutrition Response #21](#)—Extension of Unanticipated School Closure through June 30, 2020
- COVID-19: [Child Nutrition Response #22](#)—Extension of Non-congregate Meal Service
- COVID-19: [Child Nutrition Response #23](#)—Extension of Flexibility of Meal Service Times (NSLP/SBP/CACFP)
- COVID-19: [Child Nutrition Response #25](#)— Extension of Parent/Guardian Pick Up Meals for Children
- COVID-19: [Child Nutrition Response #32](#)—Extension of Area Eligibility Waivers through August 31, 2020
- COVID-19: [Child Nutrition Response #33](#)—Extension of Non-congregate Meal Service (NSLP, SBP, and CACFP)
- COVID-19: [Child Nutrition Response #35](#)— Extension of Parent/Guardian Pick Up Meals for Children
- COVID-19: [Child Nutrition Response #36](#)—Extension of Meal Pattern Flexibilities through July 31, 2020 for SFSP and June 30, 2021 for NSLP, SBP, SSO, and CACFP (Extension #4)
- COVID-19: [Child Nutrition Response #37](#)—Offer Versus Serve (OVS) for Senior High Schools in NSLP for School Year 2020-2021
- COVID-19: [Child Nutrition Response #38](#)—Meal Pattern Flexibilities (extended through August 31, 2020) (Extension #5)
- COVID-19: [Child Nutrition Response #41](#)—Extension of Onsite Monitoring Requirements in School Meals Programs
- COVID-19: [Child Nutrition Response #42](#)—Extension of Onsite Monitoring Requirements for SFSP Sponsors



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- COVID-19: Child Nutrition Response #44—Extension Non-Congregate Feeding in SFSP (Extension #3)
- COVID-19: Child Nutrition Response #45— Meal Pattern Flexibilities in the SFSP (extended through September 30, 2020) (Extension #6)
- COVID-19: Child Nutrition Response #46—Extension of Area Eligibility Waivers through September 30, 2020
- COVID-19: Child Nutrition Response #47— Extension of Parent/Guardian Pick Up Meals for Children (Extension #3)

TDA has notified USDA that the agency will implement the above waivers to increase flexibility in operating the Child Nutrition Programs. TDA will continue to add to this list as waivers are issued. Additionally, any waivers that are approved for Texas only will be addressed in this FAQ, as applicable.

TDA will provide additional guidance on the implementation of these waivers, as applicable, in this FAQ document and on [TDA's SquareMeal.org Coronavirus webpage](https://www.squaremeals.org/coronavirus). Note that unless waived, all other requirements in the Child Nutrition Programs remain in place and still apply.



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9. How do I get approved to operate SSO or SFSP in response to the COVID-19 public health emergency?

Seamless Summer Option:

TDA recommends and encourages SFAs to operate the SSO during school closures in response to the COVID-19 public health emergency.

Detailed application guidance is posted to the SSO Dashboard in TX-UNPS.

- Schools may get guidance on how fill out the application by emailing: NSLP-SBP.BOps@TexasAgriculture.gov
- SSO policy guidance may be found in Section 12 of the [Administrator's Reference Manual \(ARM\)](#).^{ix}

An SSO site using [the COVID-19 flexibilities listed below](#) must use the “CV” naming convention. CEs planning to operate under standard regulations, including adherence to congregate feeding and standard meal times, do not need the “CV” naming convention – the site name would be entered as normal.

Summer Food Service Program:

SFSP CEs must have an approved application packet before providing COVID-19 meal service. Meals served prior to site application approval are not eligible for reimbursement, and COVID-19 site applications submitted with meal start dates that have already occurred will not be approved.

Follow these steps to get started operating SFSP meal sites during the COVID-19 public health emergency:

- Create new sites for the disaster feeding.
 - Disaster feeding sites must start with **CVHD** for home delivery and **CVGG** for grab-and-go followed by the **Site Name**



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- For example: CVGG Smith El. This means that Smith Elementary is distributing meals using grab-and-go.
- Complete the entire application and submit in TX-UNPS.

An SFSP site using [the COVID-19 flexibilities listed below](#) must use the “CV” naming convention. CEs planning to operate under standard regulations, including adherence to congregate feeding and standard meal times, do not need the “CV” naming convention – the site name would be entered as normal.

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

SFSP policy guidance may be found on [SquareMeals.org](https://www.squaremeals.org).

Non-Congregate Meal Service Intake Form:

Additionally, **before any meals can be claimed for a “CV” site**, all SFSP and SSO CEs operating a “CV” site as described above must complete the applicable Non-Congregate Meal Service Intake Form. This form will indicate the method of non-congregate service the site will utilize (for example, grab-and-go) as well as distribution method (for example, multiple meals at one time).

- For schools operating “CV” SSO or SFSP sites, [access the Intake Form here](#).
- For Private Non-Profits operating “CV” SFSP sites, [access the Intake Form here](#).

Sites using the COVID-19 flexibilities [listed below](#) must use the “CV” naming convention. Waivers requiring the submission of an Intake Form are also [listed below](#).



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10. What waivers require a COVID-19 “CV” designation as part of the site name?

CEs must use the COVID-19 “CV” site designation if using one or more of the following waivers during the COVID-19 public health emergency:

- Non-congregate Meal Service
- Parent/Guardian Pick Up Meals for Children
- Area eligibility for open SSO/SFSP sites

11. For any waivers that do not require a “CV” site designation and/or do not have an associated Intake Form as described above, how do I notify TDA that my site is opting in?

Please document any waivers that you are using and any associated data (for example, the number of site reviews conducted via desk audit as allowed by the nationwide monitoring waivers). TDA will be issuing a tool to collect the additional information necessary for USDA reporting of all waiver usage soon. CEs will be required to complete the information request so that TDA can comply with USDA requirements.

12. I am not currently operating SSO or SFSP. What is the deadline to submit applications to participate in SSO or SFSP for PY2020?

USDA issued a nationwide waiver of the federal regulatory deadline to submit applications to participate in SSO or SFSP for PY2020.

However, an approved application is required to claim meals. CEs may serve prior to application approval but may not claim those meals for reimbursement. The time to review applications varies depending on several factors, including whether the application is from a new or renewing CE and the completeness and accuracy of the submission. TDA is expediting applications for CEs in good standing. An application for a **new CE** usually takes 30 days or longer to review and approve because of additional requirements such as visits prior to approval. For example, if an applicant submits an application on June 1, 2020, they may not be able to claim meals for reimbursement until July. Therefore, TDA



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recommends that anyone wishing to apply to participate in SSO or SFSP for summer 2020 submit an application no later than June 30, 2020.

13. What if I have an approved application to operate “traditional” SFSP or SSO sites this summer?

CEs who are approved to operate “traditional” SFSP/SSO congregate feeding but **do not intend to operate** should go into TX-UNPS and close those sites. (**NOTE:** Do not delete the sites if you intend to operate congregate feeding at those sites next year.)

If you **intend to operate** “traditional” summer sites under standard regulations without any COVID-19 flexibilities, you must email SFSP.Bops@TexasAgriculture.gov with the site name and ID to attest that the site will operate this summer. After May 22, 2020, all non-CV sites in TX-UNPS will automatically be closed if TDA has not received an intent to operate those sites.

If you forgot to inform TDA by May 22 that a non-CV site is operating, and now the site has been closed in TX-UNPS, email SFSP.Bops@TexasAgriculture.gov and request the site be reopened. Please note, this may take a few business days to complete and may result in delayed claim processing.

14. May I continue to operate a “CV” SSO or “CV” SFSP site instead of starting NSLP operations at the onset of the new school year?

No. SFSP and SSO may not be operated once the school session resumes for SY 2020-2021. The purpose of the summer meals programs is to provide meals to low-income children during unanticipated school closures and when schools are closed for the summer. Once school is back in session, children will have access to nutritious meals provided through the NSLP/SBP.



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15. Am I allowed to operate SSO or SFSP at a school site?

Yes. USDA has allowed TDA to approve SSO and SFSP CEs, in good standing to provide meals during an unanticipated school closure due to the COVID-19 public health emergency **at both school and non-school sites**.

16. If my school is closed, where do I serve the meals?

CEs may determine the best distribution method to meet their community needs. Some possible suggestions include home delivery of meals (requires advance additional action by CEs including written consent and confidentiality protection), Grab-and-Go at select locations, curbside pickup, mobile feeding, etc.

Curbside/Grab-and-Go Service

- The CE provides the meal at the Curbside/Grab-and-Go site. Students may consume the meal offsite.
- The CE must notify households about the time of the meal service and the Curbside/Grab-and-Go site locations.
- Curbside/Grab-and-Go locations must be recorded as “CV” serving sites in TX-UNPS. [Additional guidance on how to name these sites is provided above.](#)

Mobile Pickup

- The CE provides meals at the mobile pickup site (as described in the [Administrator's Reference Manual](#)^k (ARM), Section 12, Seamless Summer Operation, [USDA Administrative Guide for SFSP Sponsors](#),^{xi} and [TDA's SFSP Supplemental Handbook](#)^{xii}). Children leave the site and consume the meal offsite.
- The CE must notify households about the time of the meal service and mobile pickup locations.
- [Additional guidance on how to name these sites is provided above.](#)



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- The CE delivers reimbursable meals to the homes of children.
- Home delivery requires advanced consent and a system to maintain confidentiality.
- The site must be closed enrolled, and the siblings of eligible students may be included on the enrollment roster used for the home delivery method.
- The preparation site must be recorded as the serving site in TX-UNPS when the CE uses this method.
- To implement a home delivery meal service method, CEs must use the guidance provided in FAQs below under “[Home Deliveries](#).”

17. If the school qualifies the site as area eligible by a school’s attendance zone, would all other schools that are feeder schools in the qualifying site’s attendance feeder pattern also be eligible?

Yes. If one school in the feeder pattern is area eligible than any school in the feeder pattern is area eligible. See [Administrator’s Reference Manual \(ARM\)](#),^{xiii} Section 12, *Seamless Summer Operation*, for more detailed guidance on area eligibility.

18. If a site is not area eligible, can meals still be served and claimed under SSO/SFSP?

Open Site

If a CE has a site that is not area eligible, but with a high 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. In order to operate an open site under the area eligibility waiver, the CE must complete the [SFSP/SSO COVID-19 Area Eligibility Intake Form](#).^{xiv} The Intake Form must include the following information about each site: (1) the name of the site which will operate under the area eligibility waiver; (2) the current free and reduced-price



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percentage; (3) county where the site is located; and (4) 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.

CEs approved for this waiver may only operate through **September 30, 2020**, when this nationwide waiver expires, or until the beginning of SY 2020-2021, whichever is earlier.

Closed Enrolled Site

If a site is not area eligible, schools may elect to operate SSO or SFSP as a **closed enrolled site**. At a closed enrolled site, all participants may be claimed for free if at least 50% of all participants on the site's roster are eligible to receive free or reduced-price meals. It is the responsibility of the school to confirm the eligibility of each participating child. NOTE: The siblings of eligible students may be included on the enrollment roster even if they normally attend a different school campus.

Participants that are not on the site roster may be served, but their meals cannot be claimed for reimbursement. To reduce non-reimbursable meal service at a closed enrolled site, TDA suggests sending correspondence to the families of the targeted children with guidance that only children from that household should show up to receive a meal. This approach also ensures that eligible households are not overtly identified.

EXAMPLE: If a school is not area eligible but there exists an identified pocket of lower-income housing in the area, such as a Section-8 apartment complex with known eligible students, the school may operate a closed enrolled site at the apartment complex. By utilizing a roster that only includes those resident students, the school can effectively restrict site access and thereby qualify the site as closed enrolled.

Note that at each meal service, a meal count and a list of students served must be documented. Following each meal service, the meal count and student list



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should be validated to identify which "enrolled" students received meals and which students received a non-reimbursable meal.

For schools that plan home delivery of meals as part of a closed enrolled site, please refer to the FAQs under "[Home Delivery](#)."

TDA encourages private nonprofits operating SFSP and using the non-congregate waiver to operate as an open site. At this time, TDA anticipates that only SFAs operating SSO or SFSP will be able to successfully operate as a closed enrolled site because they are better positioned to target low-income children qualifying for free or reduced priced meals without overtly identifying the households.

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

No. If a CE operates the SFSP or SSO at a site providing summer school sessions, the CE must ensure the site is open to **both** the children enrolled in the summer school and to **all** children residing in the area served by the site. If a CE operating a "CVGG" site has a system to ensure separate and distinct populations, another option may be available, but that option would require the site to be open to the community in some capacity daily.

TDA has requested a waiver from USDA of the requirement that summer school cannot be a closed enrolled site, which would allow school sites to operate a closed enrolled site for summer school students while allowing multi-day grab-and-go at a separate open site at the school.

20. May camps use the closed enrolled nationwide waiver to establish site eligibility?

No. Camps, as defined by SFSP regulation, 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.



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Camps are defined as residential summer camps and nonresidential day camps that offer a regularly scheduled food serve 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.

21. Can I operate a mobile site?

Yes. The same guidance for operating a mobile site during regular summer operation applies during the COVID-19 public health emergency.

22. What steps do I need to take to add, remove, or relocate a meal pickup site?

CEs must update their site applications in TX-UNPS with any site changes, including adding new sites or closing sites.

23. I am approved to participate in the Emergency Meals-To-You program. May I also participate in one of the Child Nutrition Programs to reach more children in my community?

CEs that are approved to participate in the Emergency Meals-To-You program through the Baylor Collaborative on Hunger and Poverty may also operate a Child Nutrition Program (CNP) such as SSO, SFSP, or CACFP At-risk to reach more children in their community. However, CEs participating in another CNP must not serve duplicate meals to the same children. For example, CEs must ensure that a child receiving lunch through the Meals-To-You program is not also receiving a lunch through SFSP or SSO.

Additional information on the Meals-To-You program is available on [TDA's SquareMeals.org Coronavirus webpage](#).^{xv}



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24. Where can I find sites in my area that are providing meals to children?

An easy-to-use meal site locator is available on [TDA's SquareMeals website](#). You may also text **FOODTX** or **COMIDA** to 877-877 to receive a text with the three closest meal sites to your location.

These tools may be used to help families find meal sites during the COVID-19 public health emergency. Information about the meal site location and texting tool is found on [SquareMeals on the Public Resources tab](#).^{xvi}

A meal site locator is also available on the Texas Education Agency (TEA) website and on TXSchools.gov. This information will be displayed on a searchable map at:

- <https://tea.texas.gov/>
- <https://txschools.gov/>



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25. Do CEs need to provide SFSP training prior to the start of meal service?

During this emergency, experienced SFSP operators are not required to receive SFSP training prior to the start of SFSP meal service. However, CEs must ensure that all staff have the training needed to perform the activities assigned. New SFSP operators, including districts, must ensure that staff receive SFSP training as required by regulation.

26. Do my volunteers have to have a food handler's certification? Am I held to the same temperature restrictions on food items when doing home delivery of meals? Where can I find information about applicable health and safety requirements?

In Texas, local health, safety, and sanitation standards may vary depending on where a site is located and how the site is operating. To assist CEs in identifying their local health department, an interactive map may be found on the www.squaremeals.org website under [Summer Feeding Program Food Safety](#).^{xvii}

CEs must continue to ensure the safety of meals served. If possible, CEs should consider whether shelf-stable items may be used when utilizing curbside or home delivery methods.

It is the responsibility of the CEs and sites to contact their local health department to ensure that the latest requirements and standards are implemented.



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27. Who may receive a meal?

For NSLP/SBP and SSO:

- Children ages 18 years and younger and
- The student continues to be enrolled at the school, is past the age of 18 but is under the age of 21, and is identified as mentally or physically disabled through a special education program or the *29 U.S.C § 70, Section 504, Rehabilitation Act of 1973*. If this is the case, the student is eligible through age 21.

For SFSP:

- Children ages 18 years and younger and
- The person continues to be enrolled in school and is identified as mentally or physically disabled through a special education program or the *29 U.S.C § 70, Section 504, Rehabilitation Act of 1973*. If this is the case, the person is eligible through age 21.

Meals served to adults are not reimbursable by USDA; however, the cost of meals served free to adults working directly with the meal service at the site as either volunteers or paid employees is an allowable cost to the program.

CACFP operators should refer to CACFP FAQs posted on the [SquareMeals Coronavirus webpage](#).^{xviii}

28. What guidelines must I follow to allow parents or guardians to pick up meals when their children or adult participants are not present?

During the COVID-19 public health emergency, parents or guardians participating in the Child Nutrition Programs may need to pick up meals for participants in their guardianship who are not present. TDA has established guidelines for the implementation USDA's nationwide parent/guardian meal pickup waiver as follows:



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Regardless of the Program, when a parent or guardian arrives to pick up a meal without a child, they will need to present one of the following items:

- Official Letter/email from school listing children enrolled
- Individual student report cards
- Attendance record from parent portal of school website
- Birth certificate for children not in school
- Student ID cards

At SSO/SFSP Closed Enrolled Sites, CACFP Child Care Centers or Day Care Homes, or sites operating NSLP/SBP, in addition to providing proof of having a child as described above, parents picking up meals without their children present may only pick up meals for children enrolled at the site. Any meal provided to a parent for a child not enrolled at one of the above sites may not be claimed for reimbursement.

NOTE: Any meal served to a parent or guardian without a participant present **must** be documented. Meals provided to parents or guardians without proper documentation may not be reimbursed with federal funds.

To maintain Program integrity, sites must inform parents/guardians that participants may not receive the same meals from another federally supported feeding site. 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](#).^{xix}

CEs must notify TDA of their intent to use this waiver by submitting the [COVID-19 No Child Present Flexibility Intake Form](#).^{xx} Additionally, CEs intending to allow parents or guardians to pick up FFVP food items must also submit the [COVID-19 FFVP No Child Present Flexibility Intake Form](#).^{xxi} **NOTE:** Even if you have already been distributing FFVP foods to parents without children, please submit the FFVP Intake Form.

Per the USDA, this nationwide waiver is effective for SFSP through **September 30, 2020**, or until the beginning of SY 2020-2021, whichever is earlier. SSO may continue to operate under this waiver until the official first day of SY 2020-2021. [Additional information on FFVP is provided below.](#)



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TDA has posted additional information on its [Coronavirus webpage on SquareMeals.org](#).^{xxii} In addition, USDA posted [Best Practices for Parent Pick Up of Meals and Snacks](#)^{xxiii} on its webpage.

The COVID-19 nationwide parent/guardian meal pickup waiver is located on [USDA's FNS Coronavirus webpage](#).^{xxiv}

CACFP operators should refer to CACFP FAQs posted on the [SquareMeals Coronavirus webpage](#).^{xxv}

29. Is the process for requesting an Age/Grade waiver in SSO the same for COVID-19 sites?

TDA streamlined the process to request the SSO Age/Grade waiver as part of the [School COVID-19 Intake Form](#) process for SSO. The exemption form located in TX-UNPS is not required under the COVID-19 flexibilities. If a CE plans to implement an Age/Grade group waiver, the CE will indicate its intent on the Intake Form that is used to indicate SSO non-congregate operation under the COVID-19 flexibilities. Simply check the box indicating “Yes” for the following question on the intake form: Is your district electing to offer one age/grade group meal pattern related to portion size for open sites and open restricted sites?

30. May I use Offer versus Serve (OVS) when providing non-congregate meal service in SSO or SFSP during the COVID-19 public health emergency?

Yes. 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.



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Seamless Summer Option:

CEs operating the SSO must use the applicable NSLP/SBP meal pattern. The [Administrator's Reference Manual](#)^{xxvi} (ARM), Sections 12 and 19, provide detailed guidance on OVS for SSO.

Summer Food Service Program:

CEs electing to use OVS in SFSP must follow the SFSP OVS meal service parameters outlined below. OVS is designed for congregate feeding, and if used in a non-congregate setting, must be done so with thoughtful planning and consideration. The conditions under which CEs are operating and their ability to follow appropriate safety measures when providing meals are factors to consider. The OVS waiver remains in effect until **September 30, 2020**.

SFSP OVS Meal Service Parameters

Breakfast:

The following four food items must be offered:

- One serving of fruit/vegetable,
- One serving of bread/bread alternate,
- One serving of fluid milk, and
- One additional serving of fruit/vegetable, bread/bread alternate, or a serving of a meat/meat alternate.
- All the food items offered must be different from each other.
- A child must take at least three of any of the four food items offered and may choose to take all four items.

Lunch or Supper:

The following four food components must be offered through at least five different food items:

- One serving of meat/meat alternate,
- Two servings of fruit and/or vegetables (two different food items),
- One serving of bread/bread alternate, and
- One serving of fluid milk.



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- All the food items offered must be different from each other.
- A child must take at least three food components and may choose to take all five items.

Lunch or supper OVS requirements differ from breakfast in that a child must take **at least three food components**, rather than items, listed above from the five food items offered. Three food components are required for an adequate nutritious meal for children.

Offering two servings of the same food item is **not** permissible under OVS in SFSP. **All food items offered must be different from each other.**

- A breakfast menu that includes a serving of milk, a serving of fruit, and two servings of toast is not a reimbursable meal under OVS in SFSP because the toast is two of the same food item.
- If the breakfast menu included two different kinds of cereal rather than toast, it would still not be a reimbursable meal because the cereals, although not identical, are the same food item.
- A larger food item that is worth two servings in weight, such as a two-ounce muffin, counts as only one food item under OVS in SFSP, not two.

When using OVS in SFSP, servings of all food items must adhere to the serving sizes in the SFSP meal patterns at 7 CFR 225.16(d).

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

No. The 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. All CE staff and volunteers must be familiar with the civil rights requirements.

However, USDA has permitted limited flexibility during the COVID-19 public health emergency. While the annual civil rights training may be conducted at a later date, in the interim, USDA provided [The Civil Rights Technical Assistance](#)



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[for FNS Programs During the COVID-19 Pandemic](#)^{xxvii}, a technical assistance document that summarizes the civil rights obligations when interacting with customers and providing services to all potentially eligible and program participants. This includes ensuring limited English proficient persons receive free language assistance, and persons with disabilities receive equal access and meal modification. *The Civil Rights Technical Assistance for FNS Programs During the COVID-19 Pandemic* document does not serve as a replacement for the annual training requirement but should be used as a civil rights tool during the public health emergency.

TDA also developed a [supplemental Civil Rights document](#) that may be used by frontline staff and volunteers to familiarize themselves with basic Civil Rights requirements and concepts. Note that neither the above referenced USDA nor TDA documents serve as a replacement for the annual Civil Rights training requirement. CEs should make every effort to ensure that staff receive proper training as soon as possible.

32. 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 prominently displayed at all serving sites. It is acceptable to attach a poster to a table, cooler, or on the side of bus while distributing meals. The AJFA poster does **not** need to be displayed on vehicles making door-to-door deliveries.

During the COVID-19 public health emergency, CEs may substitute paper copies, as necessary, and may use the 2015 AJFA poster, if the new (2019) posters have not been received.

If printing a paper copy of the AJFA poster, the CE must use the pdf file available on [USDA’s FNS website](#).^{xxviii} If 11” x 14” paper is unavailable, the CE must document why it cannot print on this size paper. If 11” x 14” cannot be used, the CE may print the poster on standard 8.5” x 11” paper. When printing on 8.5” x 11” paper, selecting the printer option to “Fit to Printable Area” will improve the printed quality.



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Additional information on the AJFA posters is available on [SquareMeals.org](https://www.squaremeals.org).^{xxix}

33. Do I have 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 have not been 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. 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, gathering accurate data in every instance may not be feasible.

Note that CEs are only required to count participating children once during a site's operation, so CEs should consider the best time and methods to collect this data based on the circumstances of their operation. Remember that you may use the best information available to determine the racial and ethnic data for the child receiving the meal, including visual identification. A participant may also be included in the group to which he or she appears to belong, identifies with, or is regarded as a member of by the community.

CEs must make the best attempt to collect the data but also document the specific challenges. TDA also encourages CEs to work with their ESC child nutrition specialist to address specific concerns or challenges related to collecting this data.

34. Are CEs required to provide meal modifications for students who have a medical statement during the COVID-19 public health emergency?

Yes. CEs are required to provide meal modifications for students with a medical statement. When planning a non-congregate meal service, program operators should consider how individuals who require meal modifications will be identified and served. To the extent reasonable, CEs must provide the requested meal modifications when supported by a medical statement. If the CE cannot make the



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modification (e.g., the needed substitute is not on hand or available), the CE must clearly document why it could not make the requested meal modification.

TDA encourages CEs to work with their ESC child nutrition specialist to address specific concerns or to identify alternative methods to provide meal accommodations during this challenging time.

35. What preparation methods can be used? Must I still maintain food production records?

CEs may provide cold, hot, frozen, or shelf-stable reimbursable meals. In all cases, CEs must retain food production records that demonstrate compliance with the meal pattern and the quantity of food prepared. If a CE is providing multiple meals at one time, the CE must provide instructions on how to safely store and reheat meals (if applicable). Meals should be unitized to the extent possible to make accessing the reimbursable meal components clear to the student. Meal preparation and meal service practices must meet all applicable State and local food safety standards. In instances where a meal pattern waiver has been granted, the CE must document this information on the food production record.

Note that raw uncooked proteins, including uncooked eggs, are not creditable components of a reimbursable meal and must not be provided as part of a grab and go or home delivered meal provided under the COVID-19 waivers.

36. Do CEs need to use a point of service (POS) system for counting meals served under the COVID-19 waiver?

CEs must have an accurate method for counting and claiming meals. The method must ensure that only one meal for each meal type is claimed for each child each day. A CE may use its normal POS system, or a system developed specifically for the circumstances. This includes a manual counting method.



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37. How many meals per child may be offered each day? May I serve supper? May meals be distributed for more than one day and/or meal type at the same time?

The maximum number of meals that may be offered per program per day is:

- **SSO:** Up to two meals, or one meal and one snack, per child, per day, in any combination except lunch and supper;
- **SFSP:** Up to two meals, or one meal and one snack, per child, per day, in any combination except lunch and supper;

CEs may distribute its daily allowed meals at the same time each day.

CEs may provide multiple days of meals at one time. 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 (site must not operate on Tuesday and Wednesday)
- On Thursday, the CE would distribute meals for Thursday through Sunday (site must not operate Friday through Sunday).

Operators must ensure children do not receive duplicates of the same meal.

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](#).^{xxx}

Navigating multiple meal programs may be confusing. CEs should consult TDA on available options prior to implementation.

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](#)^{xxxii} and [Summer Food Service Program: Providing Multiple Meals at a Time During the COVID-19 Pandemic](#).^{xxxii}



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38. May I provide foods items in bulk, either through grab and go or home delivery, without additional approvals?

Yes. When providing multiple meals at one time, CEs may provide bulk items as long as individual meals are easily identifiable as a reimbursable meal. When implementing such a delivery mechanism, CEs:

- Must include the required food components in the proper minimum amounts for each reimbursable meal being claimed;
- Must ensure that food items are clearly identifiable as making up reimbursable meals;
- Must provide menus with directions indicating which items are to be used for each meal and the portion sizes;
- Should consider whether households have access to refrigeration, stoves, microwaves, etc., when providing food that requires refrigeration or further preparation, such as reheating; and
- Should ensure that only minimal preparation is required, and that food is not provided as ingredients for recipes that require chopping, mixing, baking, etc. **Raw uncooked proteins, including uncooked eggs, are not creditable components of a reimbursable meal.**

39. May we serve and claim meals for seven (7) days of meal service per week?

Yes, USDA provided approval for TDA to permit meal service up to one week.

40. Do I need to notify TDA if I need to temporarily change our meal delivery or meal pickup logistics (e.g., threat of inclement weather)?

To the extent possible, CEs must inform TDA when the change is made by updating the information in the TX-UNPS site application. If that is not possible, CEs must inform TDA as soon as possible after the temporary change. At a minimum, CEs must document what actions they took as well as when and why.



Frequently Asked Questions

HOME DELIVERY

Home Delivery

41. May CEs that have been approved for non-congregate feeding through SSO or SFSP deliver meals directly to students' homes?

Yes. If the CE determines there is a need and it is logistically feasible to deliver meals directly to homes, the CE may do so with TDA's approval and with adherence to all federal confidentiality requirements. Delivery could be completed by mail or delivery service, or hand-delivered by school staff, volunteers, community organizations, or others. CEs electing to deliver meals may serve only children who are in area eligible locations or who are eligible for free or reduced-price meals as part of a closed enrolled site as discussed [below](#) in these FAQs. CEs must continue to establish the estimated number and types of meals to be served and the times of service (7 CFR 225.6(c)(2)(i)(B) and (c)(3)(i)(A)).

42. Who is eligible to receive home-delivered meals under SFSP and SSO?

CEs operating **SSO or SFSP** in an area eligible location may deliver meals to children within the eligible area, but they must maintain a roster of the specific children to whom meals are being delivered. SFA sponsors are best suited to this method of delivery because they already maintain a roster of students and can best adhere to student confidentiality and logistical requirements.

A **closed enrolled site** in a non-eligible area, with an established roster on which 50% of the children are certified as eligible for free or reduced-price meals, may only claim meals delivered to the enrolled children. It is the responsibility of the CE to confirm the eligibility of each participating child. All children attending Provision 2 or Community Eligibility Provision (CEP) schools are considered eligible for delivered meals.



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HOME DELIVERY

43. May SFSP sponsors that are not SFAs also serve non-congregate meals via home delivery?

Yes. Private nonprofits and other community organizations that sponsor SFSP may serve non-congregate meals via home delivery. If a private non-profit or other community organization determines there is a need and it is logistically feasible to deliver meals directly to homes, it may do so with TDA approval, adherence to all Federal confidentiality requirements, and consistent with applicable nationwide waivers. Delivery may be completed by mail or delivery service, or be hand-delivered by the sponsor's staff, volunteers, or others.

Organizations that are not working in coordination with an SFA will not have access to school rosters of eligible children. For that reason, these organizations must develop a method of notifying households in an area-eligible community that SFSP meals are available to **all** children who request them. These organizations must also develop a method for households to provide written consent to initiate meal delivery, to confirm the household's current contact information and delivery location, and to confirm the number of children in the household that require meals. Additionally, households must have a way of notifying the CE of the need for individual substitutions due to medical or other special dietary needs.

CEs should be familiar with [the information regarding Home Delivery](#) as summarized in this FAQ document including the FAQ addressing [the requirements for initiating home meal delivery](#). CACFP operators should refer to CACFP FAQs posted on the [SquareMeals Coronavirus webpage](#).^{xxxiii}

44. What are the requirements for initiating home meal delivery for a household?

CEs must first obtain written consent from households of eligible children (this could include email or other electronic means) that the household wants to receive delivered meals. In addition, CEs should confirm the household's current contact information and the number of eligible children in the household to ensure the correct number of meals are delivered to the correct location.



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HOME DELIVERY

It is critical that CEs **protect the confidentiality of students and their households** throughout this process. The National School Lunch Act (NSLA) and the Family Educational Rights and Privacy Act (FERPA) do not authorize release of household contact information for children without first obtaining the written consent of the child's parent or guardian. The CE must be the entity that makes the first contact about meal delivery with the households of eligible children, and must notify the household if contact information will be shared with an external organization (for example, a local non-profit, delivery, or mail service that will provide meal delivery).

Once the CE receives written consent from the parent or guardian to release contact information, the CE may share the information with other organizations involved with meal delivery. If the CE is using a private vendor, then under the regulations implementing the NSLA, they must have a memorandum of understanding (MOU) with the vendor concerning the confidentiality requirements. The MOU should include information such as what will be disclosed, how the information will be used, how the information will be protected from unauthorized uses and disclosures, and penalties for unauthorized disclosure. For further requirements, see 7 CFR 225.15(k)(1)-(2). The CE must ensure data is handled appropriately at all times and by all organizations involved with meal delivery to safeguard household confidentiality.

45. Do home-delivered meals need to be shelf-stable?

No. The type of meal offered will depend on the resources and capabilities of the CE or site. Those that are able to prepare ready-to-eat meals and have the capacity to deliver meals daily in a way that meets State or local food safety requirements may do so. Home-delivered meals must meet all meal pattern requirements of the SSO or SFSP.



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HOME DELIVERY

46. If I am delivering meals to a child’s home, must the child be present at the delivery?

No. If the school has obtained the household’s written consent to deliver meals and has verified the current address, the student does not need to be present at the time of delivery. If the meals are shelf-stable, no one needs to be present as long as the address has been verified. Please consider State and local food safety requirements and best practices.



Frequently Asked Questions

MONITORING REQUIREMENTS

Monitoring Requirements

47. I am operating sites during the COVID-19 public health emergency. Do I have to conduct the required onsite monitoring?

Seamless Summer Option:

USDA issued a nationwide waiver of onsite monitoring requirements of meals served under SSO.

To ensure program integrity during this time, **all CEs** must, to the maximum extent practicable, continue monitoring activities of SSO operations **offsite** (e.g., through a desk audit). **All CEs** must document all offsite monitoring activities conducted during the COVID-19 public health emergency.

Per the USDA, the waiver permitting offsite monitoring activities remains in effect through **September 30, 2021**.

Summer Food Service Program:

USDA issued a nationwide waiver of **onsite** monitoring requirements for all SFSP CEs as follows:

- First week site visit (7 CFR 225.15(d)(2))
- Food service operations review at least once during the first four weeks of operations (7 CFR 225.15(d)(3))

To ensure Program integrity during this time, **all CEs** must, to the maximum extent practicable, continue monitoring activities of SFSP operations **offsite** (e.g., through a desk audit). **All CEs** must document all offsite monitoring activities conducted during the COVID-19 public health emergency.

All SSO and SFSP CEs must thoroughly document their offsite monitoring activities [as discussed below](#).

Per the USDA, this nationwide waiver remains in effect through **September 30, 2021** and covers **SFSP operations during PY 2020 and PY 2021**.



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MONITORING REQUIREMENTS

CACFP operators should refer to CACFP FAQs posted on the [SquareMeals Coronavirus webpage](#).^{xxxiv}

48. Am I required conduct the first week site visit if I am a returning SFSP CE.?

USDA waived the first week site visit requirement for sites 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/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.

A CE wishing to request a waiver for the first week site visit may select this option in TX-UNPS. The option may be selected by responding “Yes” to question #42 in the Site Application. If a CE has already submitted its SFSP application packet with a “No” response to question #42, it may request amendments to its Site Application for review by TDA.

CEs that do not qualify for this waiver **must** conduct the first week site visit; however, that visit may be done remotely (e.g., through a desk audit). As [discussed above](#), all CEs must document all offsite monitoring activities conducted during the COVID-19 public health emergency.

All CEs, regardless of how long they are operating a site, are required to **conduct a site review of the food service operations within the first four weeks of operations and maintain a reasonable level of site monitoring**. However, [as noted above](#), this review may be done remotely/offsite.



Frequently Asked Questions

MONITORING REQUIREMENTS

49. How does a CE conduct a desk audit in place of the onsite monitoring during the COVID-19 public health emergency?

All SSO and SFSP CEs must assess the activities they normally do while onsite and determine which of those activities are not possible as a desk audit. 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.

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.

CACFP operators should refer to CACFP FAQs posted on the [SquareMeals Coronavirus webpage](#).^{xxxv}



Frequently Asked Questions

FINANCIAL CONSIDERATIONS

Financial Considerations

50. Can I use available funds from another child nutrition program to cover the costs of COVID-19 related operation?

Yes. Funds received for one child nutrition program may be used for the operation of another child nutrition program. If this requires a fund transfer from one account to another, the CE must retain documentation of the transfer.

51. Are CEs required to use the 242 account for income and costs from operating SSO or SFSP under the COVID-19 unexpected school closure flexibility?

CEs must have a method to account for the income and cost for nutrition programs the CE operates—National School Lunch Program (NSLP), School Breakfast Program (SBP), Seamless Summer Operation (SSO), Afterschool Care Program (ASCP), Child and Adult Center Food Program At-Risk (CACFP At-Risk, and Summer Food Service Program (SFSP).

The Texas Education Agency (TEA) provides two account numbers specific to nutrition programs: 240 for NSLP and 242 for the Summer Program Meals. Because SSO is an NSLP program, CEs may use either the NSLP/240 account or the Summer Program/242 account for SSO accounting. However, if the CE uses the 240 account, the CE must have a way of differentiating between NSLP financial accounting and SSO. In all cases, the application of account numbers must be consistent throughout the period of program operation.

CEs must also ensure that their accounting systems incorporate a method to trace funds based on the Catalog of Federal Domestic Assistance (CFDA) number: 10.555 for NSLP and 10.559 for SFSP.



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For financial transactions associated with serving meals under the COVID flexibilities, CEs may use:

1. NSLP/240 or Summer Program/242 account if operating SSO or
2. Summer Program/242 account for SFSP operation.

In all cases, the CE must be able to report financial data for COVID-19 meal service on request.

52. Can a school district use funds designated for specified purchases in an approved Excessive Fund Balance Plan to cover the cost of operating during the COVID-19 public health emergency?

Yes. A CE may modify its Excessive Fund Balance Plan to redirect funds for meal service operation using the COVID-19 flexibilities if the costs are allowable. CEs must notify TDA of the change to their Excessive Fund Balance Plans at School.Operations@TexasAgriculture.gov.

53. May I make changes to salaries and stipends for staff working during the COVID-19 public health emergency?

Salaries and stipends are decided locally and based on established district-wide compensation policy. Compensation must be documented and adhere to the cost principals in 2 CFR Part 200 (reasonable, necessary, etc.).

54. If a CE does not allow employees to receive hazard or premium bonus pay from the 242 account for working during the COVID-19 public health emergency, can the CE pay the hazard or premium bonus from the 240 account?

Yes. The CE may pay the salary from the 240 account and then transfer funds and adjust the payment entries to reflect the cost as coming from the 242 account. The CE must retain documentation for these transfers.



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55. How does a CE charge the time for employees who have both COVID-19-related operational tasks and non-COVID-19-related operational tasks?

Employees must charge time to the program account under which work activities fall. An employee may have time charged to more than one account. The CE should have local procedures to address how to charge time when an employee is paid by different child nutrition programs or other funding sources.

56. If a district employee used leave under the Families First Coronavirus Response Act (FFCRA), to which account does the district charge the costs?

Costs for FFCRA should be made under the account in which expenses were incurred for all employees. All employees, federally and non-federally funded must be treated consistently.

57. Which program reimbursement rate should the district use for the Teacher Retirement System (TRS) monthly School Nutrition Program calculation?

If the TRS calculation is based on a salary from program reimbursement, the CE will use the reimbursement rate for the program under which the employee is paid. If a staff member is preparing and serving meals at a COVID-19 “CV” site operating SSO or SFSP, and the staff member’s salary is based on reimbursement from these activities, the calculation will use the SSO or SFSP reimbursement, as appropriate. CEs will find the reimbursement rates for submitted claims on the Summary Claims report in Texas Unified Nutrition Programs System (TX-UNPS)/Claims Module. [See below for information on TRS monthly reporting.](#)

Additional information on TRS is available at www.trs.texas.gov or 800-223-8778.



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58. If I deliver meals directly to children’s homes or distribute from a community site, are my transportation and labor costs allowable expenses in the Child Nutrition Programs?

Yes. Transportation costs related to the delivery of meals is an allowable cost 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 under the NSLP/SBP and SSO or SFSP. Delivery costs could also be paid with non-program funds such as private donations.

59. Are the costs of personal protective equipment (PPE) and cleaning and sanitary supplies that are intended to reduce the spread of COVID-19 allowable expenses?

Yes. PPE (e.g., gloves and face masks) as well as cleaning and sanitary supplies are allowable costs during the COVID-19 public health emergency if the purchases are made in support of Child Nutrition Program operations. All costs must be documented and adhere to the cost principals in 2 CFR Part 200 (reasonable, necessary, etc.).

60. May funds from the nonprofit food service account be used to purchase bottled water (as an alternative to water fountains and other on-site options) for non-congregate meals served during the COVID-19 public health emergency?

Yes. The purchase of potable bottled water to supplement meals served in non-congregate settings is an allowable cost but is not required if other options exist.

Note: Schools are not required to provide water but must make it available during the meal service. If a school chooses to serve bottled water, it must be done in a manner that does not incentivize water over the milk that must be served as part of each reimbursable meal.



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The [Administrator's Reference Manual](#) (ARM)^{xxxvi}, Sections 8, *Breakfast*, and Section 9, *Lunch*, provide detailed guidance on serving water with meals.

61. Are the costs incurred by schools to notify households about their ability to receive for P-EBT benefits allowable expenses?

Yes. The costs associated with notifying households about their eligibility to receive P-EBT benefits are allowable costs under the child nutrition programs. This includes the costs for staff time to prepare and make the notifications and postage if schools are contacting households via mail. All costs must be documented and adhere to the cost principals in 2 CFR Part 200 (reasonable, necessary, etc.). Additional information on P-EBT in Texas is available on the [HHSC Coronavirus webpage](#).^{xxxvii}

62. May I charge non-refundable costs to the applicable Child Nutrition Program for events and activities that were canceled due to the COVID-19 public health emergency?

If the CE spent funds **prior to June 16, 2020**, for an approved and otherwise allowable program cost (e.g., travel, meeting registration, supplies) for an event or activity that was canceled due to the COVID-19 public health emergency, and those costs were not refunded by the vendor, the CE may use program funds to cover the costs. CEs must keep records of the original expense and documentation of their attempt to obtain refunds. CEs must ensure that any materials of value, such as travel vouchers, supplies, materials, etc., that can be repurposed or used at a later date are used for the operation of the child nutrition program. This flexibility is granted per [OMB Memo, M-20-17, "Administrative Relief for Recipients and Applicants of Federal Assistance Directly Impacted by the Novel Coronavirus, Due to the Loss of Operations"](#).^{xxxviii} This flexibility expired on **June 16, 2020**, and was not extended by OMB Memo, [M-20-26](#).^{xxxix}



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63. How do we use our Fresh Fruits and Vegetable Program (FFVP) funds during the COVID-19 public health emergency? May the FFVP funds be used during this time to purchase fresh products for the meal services?

Current USDA guidance does not permit use of FFVP items or funding for SFSP, SSO, or NSLP meal components. CEs may use FFVP funding to provide food items during other meal distribution. The FFVP items may be served for multiple days at one time but must be served in addition to regular meal service items.

CEs may use FFVP funds to purchase allowable food items and distribute until September 30, 2020.

Additional information is available on [TDA's SqaureMeals.org Coronavirus webpage](https://www.texasagriculture.gov/SqaureMeals.org/Coronaviruswebpage).^{xi}

Additional information related to the administration of the FFVP during the COVID-19 public health emergency is available on [USDA's FNS Coronavirus webpage](https://www.usda.gov/FNS/Coronaviruswebpage).^{xli}

64. How do CEs address unpaid meal charges that were not resolved before schools were unexpectedly closed due to the COVID-19 public health emergency?

If the unpaid meal charges are classified as **delinquent**, the charges may roll forward for an additional school year. If the unpaid meal charges are classified as **bad debt**, the charges must be recovered by non-program funds at the end of the fiscal year. The [Administrator's Reference Manual](#)^{xlii} (ARM), Section 15, *Meal Pricing* provides detailed guidance on how to determine if a meal charge is delinquent or bad debt.



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65. Are there any additional flexibilities during the COVID-19 public health emergency related to unpaid meal charges that schools were unable to collect during the final months of the school year because of the unanticipated school closures?

No. USDA has not provided additional flexibilities during the COVID-19 public health emergency related to the collection of unpaid student meals. CEs may use a one-year or two-year period for **student unpaid meals** as described in [Administrator's Reference Manual](#)^{xliii} (ARM), Section 14, Financial Information Concerning School Nutrition Funds.

There is no flexibility for **unpaid meal charges for adults**. These unpaid meals must be covered by non-School Nutrition Program funds at the end of fiscal year in which they were incurred.

66. How do schools required to operate a summer program under the Texas Summer Mandate report expenses in the Summer Cost Report when they have been operating as a COVID summer site since March?

CEs will report the costs for operating a summer program based on the dates of mandated operation. If the summer mandate operation starts May 27 and ends June 27, the CE will report the costs for only the 30 days of operation that count toward meeting the summer mandate. In this example, the CE will not include any costs that were incurred for operation prior to May 27. See [Administrator's Reference Manual](#)^{xliv} (ARM), Section 12, *Seamless Summer Operation* for the types of costs to include in this report.



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67. How do I conduct emergency procurement?

Emergency noncompetitive procurement requires TDA approval.

Submit requests in writing to TDA via email to CE.ProcurementReviews.BOps@TexasAgriculture.gov (NSLP/SBP and SSO) or Community.Ops@TexasAgriculture.gov (SFSP or CACFP). The email subject should include “Emergency Noncompetitive Procurement Request” and the name of the CE. For CEs that do not have access to email, please contact TDA at (877) TEX-MEAL.

In its written request, the CE must include the following information:

- Explanation of the circumstances that require an emergency purchase
- A detailed description of the products and/or services to be procured, including cost
- Supplier, distributor, or manufacturer from which the product and/or services will be procured
- Period the CE plans to use the noncompetitive method for the emergency

TDA will provide written notification of approval or disapproval.

For more information on emergency and non-competitive procurement, please refer to the [Administrator's Reference Manual^{xlv}](#) (ARM), Section 17, *Procurement*, and [TDA's SFSP Supplemental Handbook^{xlvi}](#).

68. If an SFA or SFSP CE with a FSMC contract is closed and not serving meals, can the FSMC continue to charge maintenance fees?

No. Maintenance fees using a “meals times rate” price are **not** eligible for payment when meals are not served.



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69. Many school districts with FSMC contracts have purchased different items to accommodate grab and go. For FSMC contracts that are fixed-priced, may the cost of paper products be included, or should they bill the school for those additional products?

The billing of additional costs depends on what costs are included in the existing fixed-price contract. Additional costs amending an SFA-FSMC contract in excess of the Simplified Acquisition Threshold (\$50,000) requires a cost or price analysis and TDA review and approval of any amendments prior to execution.

During the COVID-19 public health emergency, SFA and SFSP CEs may use the micro-purchase method or non-competitive proposals as described in 2 CFR 200.320(a) and 320(f)(2) to obtain the additional goods and services. When using the micro-purchase method, CEs are reminded that while price quotes are not required, prices must be reasonable and purchases equitably distributed among qualified suppliers. All costs paid using federal funds must be documented and adhere to the cost principles in 2 CFR Part 200 (reasonable, necessary, and allocable). To ensure program integrity, any contracts resulting from noncompetitive proposals may not exercise renewal options.

Additional information on emergency noncompetitive procurement may be [found above in these FAQs](#).

70. May I extend my existing FSMC contract by one year?

While USDA has issued a nationwide waiver allowing SFA and SFSP operators to use emergency noncompetitive procurement to negotiate a one-year FSMC extension or new contract for SY 2020-2021, TDA will only consider this waiver option for CEs in good standing with contracts that are currently in compliance with program regulations.

TDA requires SFA CEs to submit FSMC contracts by April 30 of each year, but in response to the COVID-19 public health emergency, TDA extended that deadline to May 7, 2020, to assist CEs working through any unanticipated delays. As a result, the FSMC contracting process is well underway in Texas. TDA does not anticipate any disruptions to active procurement processes on track for



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successful completion. TDA will only grant waivers on a case-by-case basis to CEs who are able to justify an extraordinary extenuating circumstance related to the COVID-19 public health emergency. Requests for an additional extension should be submitted to covidcontracts@texasagriculture.gov.

71. Can SFAs or SFSP CEs extend contracts with food distributors and milk, dairy, and other suppliers with contract duration periods ending on or around June 30, 2020?

USDA authority over the duration of Child Nutrition Program operator contracts is limited to FSMC contracts per 7 CFR 210.16(d) and 225.6(h)(7). To extend supplier contracts expiring on or before June 30, 2020, CEs must follow the applicable guidance as outlined in the [Administrator's Reference Manual^{xlvii}](#) (ARM), Section 17, *Procurement*, and [TDA's SFSP Supplemental Handbook^{xlviii}](#). [As discussed above in these FAQs](#), operators may use emergency procurement or a non-competitive proposal to negotiate one-year contracts given the COVID-19 public health emergency.

72. Can districts receive electronic bid submissions for Requests for Proposals (RFP)?

Yes. Districts may receive proposals electronically by the time and day listed in the Legal Notice and the RFP. However, companies should still send hard copies/thumb drives of their proposals to the address noted on the Legal Notice and RFP as soon as feasible.

73. Are pre-bid meetings required for Food Service Management Company (FSMC) RFPs during the COVID-19 public health emergency?

No. Pre-bid meetings are not mandatory, and the decision will be left with each district. For districts deciding to cancel pre-bid meetings, an announcement should be sent to all companies listed on the TDA-approved vendor list in addition to Teresa.Cornett@TexasAgriculture.gov and Lena.Wilson@TexasAgriculture.gov.



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74. Is in-person attendance at pre-bid conferences still required?

No. In-person attendance is not required. Teleconferencing is permitted.

75. Are there provisions for electronic filing?

TDA has provided guidance for electronic filing at www.SquareMeals.org/coronavirus.^{xlix} Each SFA (school district) is responsible for managing its own RFP and FSMC contract, so the vendor should utilize the Q&A process of the RFP. This should ensure that all respondents get the same information and are made aware of options.

76. Will signatures still need to be notarized?

No. Signatures will not need to be notarized if the following statement is added in lieu of the notarization language:

My name is _____ ; my date of birth is _____
(First, Middle, Last Name) (Month/Day/Year)

and my address is _____ , _____ ,
(Address) (City)

_____ , _____ , and _____ .
(State) (Zip Code) (Country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County State of _____
_____ , _____

On the _____ Day of _____
(Month/Year)

Declarant



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77. Has the deadline to finalize my Single Audit been extended?

Yes. CEs that have not yet filed their single audit with the Federal Audit Clearinghouse between March 19, 2020 and June 30, 2020, may delay the completion and submission of their single audit for up to 6 months beyond the normal due date. Audits with due dates from July 31, 2020 through September 30, 2020 have been extended up to three months beyond the normal due date.

CEs delaying the completion and submission of their single audit **must notify** TDA by sending an email to BCT.BOps@TexasAgriculture.gov with “Single Audit Deadline Extension” in the subject line. CEs taking advantage of this extension must maintain documentation of the reasons for the delayed filing.

Note the Single Audit requirements apply to CEs that expend \$750,000 or more during their fiscal year in Federal awards. For more information on the Single Audit requirements, please refer to the [Administrator's Reference Manual](#) (ARM), Section 14, *Financial Information*, and [TDA's SFSP Supplemental Handbook](#)^{li}.



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REPORTING AND RECORDKEEPING REQUIREMENTS

Reporting and Recordkeeping Requirements

78. Are documentation and recordkeeping requirements waived during school closures in response to the COVID-19 public health emergency?

No. Documentation and recordkeeping requirements must be followed during the COVID-19 public health emergency. Detailed recordkeeping is critical including food production records. If you need additional guidance, please refer to TDA's summer meal guidance on [SquareMeals.org](https://www.squaremeals.org).^{lii}

79. If our school was closed in April and no meals were served, do we still need to submit an NSLP claim for April showing that “zero” meals were served?

No. If no congregate meals were served in April for NSLP, no claim is needed.

80. What is the latest guidance regarding the Community Eligibility Provision (CEP) report due on Friday, March 20?

USDA established **new regulatory deadlines** due to the COVID-19 public health emergency as follows:

- For SFAs electing CEP or conducting a grace year in SY 2020-21, the identified student percentage (ISP) may be calculated using data drawn any time between **April 1, 2020, and June 30, 2020**. This allows the CE to extend the identification of eligible students to June 30, 2020.
- SFAs must submit the required CEP Report (normally due by March 20) to State agencies by **June 15, 2020**.
- TDA requests that SFAs submit their CEP Report to TDA by June 5, 2020 to allow TDA time to prepare required reports.
 - TDA must notify SFAs of district-wide and site eligibility for CEP by **June 15, 2020**.



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- TDA must post the list of possible CEP eligible districts and sites on SquareMeals.org by **June 30, 2020**:
- SFAs that intend to elect CEP for SY 2020-21 must notify TDA by **August 31, 2020**.

For CE's that have already submitted CEP site data, they may update those submissions to reflect current identified students and resubmit the form to TDA. As requested above, CEs should submit final data by **June 5, 2020**. Do not submit data for sites designated as COVID "CV" sites.

The COVID-19 nationwide CEP deadline extensions waiver is located on [USDA's FNS Coronavirus webpage](#).^{liii}

81. Do I include students from households receiving Pandemic Electronic Benefits Transfer (P-EBT) in the CEP ISP?

No. Students that live in households receiving P-EBT (also known as P-SNAP) cannot be included in the CEP ISP. Similarly, students living in households that receive P-EBT are not automatically eligible for free meals. Additional information on P-EBT in Texas is available on the [HHSC Coronavirus webpage](#).^{liv}

82. While CEs are planning contingency and alternate plans for conducting business, and specific to the 10 operating day requirement for processing household applications, would the Texas Attorney General's guidance apply?

TDA is seeking guidance regarding the timeframe flexibilities for household application processing.

83. Am I required to submit a Financial Report to TDA this year?

Yes. TDA did not release a Financial Report in TX-UNPS in program year 2020. TDA will release a report in SY 2020-2021. TDA will provide further instructions soon.



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84. Do the meals served during the COVID-19 public health emergency count toward TRS reports that are submitted monthly?

The Teacher Retirement System of Texas (TRS) provided guidance to school districts and charter schools on flexibilities for reporting timelines and directions for reporting school nutrition staff data. Please contact TRS at www.trs.texas.gov or 800-223-8778 for more information on these topics.

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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: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

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

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- ⁱ <http://www.squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities/CACFPResources.aspx>
- ⁱⁱ <https://www.fns.usda.gov/tn/feeding-kids-when-schools-are-closed>
- ⁱⁱⁱ <http://www.squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities/CACFPResources.aspx>
- ^{iv} <https://www.fns.usda.gov/cn/covid-19-meal-times-nationwide-waiver>
- ^v <http://squaremeals.org/Portals/8/files/H1N1/Coronavirus/Waivers/COVID-19%20Meal%20Pattern%20Flexibility%20Waiver%20-%20Form%20Link%20and%20Instructions.pdf>
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- ^{vii} <https://www.fns.usda.gov/cn/covid-19-meal-pattern-flexibility-waiver>
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