Instructions for Submitting COVID-19 Waivers Starting Fall 2020

Contracting Entities (CEs) must notify TDA of their intention to use the existing nationwide COVID-19 waivers for fall 2020 operation. Additionally, TDA is required to collect specific information reported by CEs on the waivers that are implemented.

[NOTE: For this document, the term meals will be used to indicate both meals and/or snacks.]

There are four waivers Texas CEs can choose to implement:

- Non-congregate Service Waiver
- Alternative Mealtime Waiver
- No Child Present, Parent Pick Up Waiver
- Offer Versus Serve (OVS) Waiver Requirement for National School Lunch Program (NSLP) Senior High Schools only

[NOTE: Meal pattern waivers are handled by a different method from these waivers. There is detailed information on the meal pattern waiver at www.Squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities.aspx.]

For notification and information collection, TDA has developed the following forms:

- COVID-19 Waiver Notification Form: Submit this form to notify TDA of the CE’s intent to implement any of the waivers listed above.
  
  If the CE indicates bulk packaged food distribution for multiple meal distribution, TDA must approve the CE’s use of bulk packaged food distribution before the CE can implement this strategy.

- COVID-19 Waiver Monthly Data Submission Form: Submit this form each month to indicate continued or update use of the waivers listed above and provide required information on the CE’s implementation of the waivers. TDA will provide a URL in the email response to the COVID-19 Waiver Notification Form.

To Resubmit a COVID-19 Wavier When a Mistake Is Made on a Submitted Form

To notify TDA that the CE wants to resubmit a new form, send an email to SquareMeals@TexasAgriculture.gov with COVID-19 Wavier in the subject line. In the email, provide the CE name and CE identification number and state that the CE wants to resubmit the form. TDA will provide directions on how to resubmit the form.

To Change Waivers in Use or Discontinue Use

To discontinue any of the COVID-19 waivers, check or uncheck the applicable item in the COVID-19 Wavier Monthly Data Submission Form when monthly data is submitted. In all cases, the CE must submit meal claiming data for each month through the COVID-19 Wavier Monthly Data Submission Form in order to continue using the waivers.

Good Standing

USDA prohibits any CE that is not in good standing from implementing a COVID-19 waiver. For the Child and Adult Care Food Program (CACFP), this includes any CE in Serious Deficiency (SD) as described in TDA’s CACFP handbooks. For School Nutrition Programs (SNPs) this includes any CE with funds on hold. TDA staff will address this issue on a case-by-case basis. If you have questions about good standing, contact TDA at SquareMeals@TexasAgriculture.gov.
Tips for Completing the COVID-19 Waiver Notification Form
(For July 1, 2020, Forward)

Part I:

• Be sure to record the correct CE name and ID number as recorded in TX-UNPS. Entering an incorrect CE name or ID may result in delaying the CE’s implementation of the waiver until an updated form is submitted.

• Indicate the best description of the operating scenario at the time of submission. TDA understands that circumstances may change. However, by providing this information to TDA, TDA is better able to meet the needs of CEs during the COVID-19 pandemic.

Part II:

A. Indicate the Programs the CE Will Operating Using a COVID-19 Waiver.

If there is not currently an applicable waiver for a specific program, the program will not appear on the list of selections. Should a waiver for that program become available at a later time. This form will be updated to allow for selection.

School Nutrition Programs (SNPs) Operated by School Food Authorities (SFAs)

If the CE primarily operates School Nutrition Programs (SNPs), choose the SNP option. Should an SNP operator also operate CACFP or CACFP At-Risk, use the SNP option.

Programs Operated by Child and Adult Care Food Program (CACFP) Sponsors and Independent Operators

If the CE primarily operates any one of the CACFPs, choose the CACFP option. If the CE operates an SNP, do not select the CACFP option. Instead choose the SNP operation.

B. Indicate the Waivers the CE Plans to Implement.

Non-Congregate Meal Service Wavier

Choose this waiver to indicate that the CE will provide meals that will not be consumed in a congregate setting. If the CE will provide both non-congregate and congregate meal service methods, choose this option to indicate that some meals will be served non-congregate.

Operational Requirements—The CE must ensure that meals are served to enrolled program participants (or students) only and must ensure that only one meal is served to each participate for each meal service type.

Records Retention—The CE must retain documentation about its methods for distributing non-congregate meals, the number of meals served non-congregate, and food production records or meal food production records for the non-congregate meals.
Alternative Mealtime Waiver
Choose this waiver to indicate that the CE will provide meals at times outside of the required meal service times. This waiver allows the CE to identify the best time for meal distribution based on the specific circumstances in the community.

Meals Distributed Each Day the Site Operates
Choose this option to serve a meal to be consumed off site at a later time.

Multiple Meals Distributed at One Time
Choose this option to serve more than one meal at a time or to provide a meal to be consumed at a later time.

Days of the Week Multiple Meals Are Served
Select the days of the week the CE will distribute multiple meals. It may be one day a week or multiple days per week.

Bulk Packaged Food Distribution for Multiple Meal Distribution
Select the bulk food distribution option if the CE plans to use this strategy.

When this strategy is checked, the *Bulk Food Components for Multiple Meal Distribution Form* will automatically display after the COVID-19 Waiver Notification form is submitted.

However, if the CE is not able to complete both forms in one session, the CE will receive a separate email (1) acknowledging the request for Bulk Food Distribution Approval and (2) providing a link to the *Bulk Food Components for Multiple Meal Distribution Form*.

Approval of Bulk Food Distribution
Choose this option to use bulk packaged food items as part the CE’s plan to distribute multiple meals at one time.

Bulk packaged food item distribution is a strategy for packaging multiple meals so that like food items are stored together, yet the food items are easily assembled into a meal and require no more than warming to be eaten. Bulk packaged food items are not pre- plated, unitized meals.

TDA must review and approve a CE’s implementation plan for bulk packaged food distribution before a CE begins implementation. When the CE submits this form, TDA will review the information provided by the CE. Approval or disapproval will be sent by a separate email.

No Child Present/Parent Pick Up
Choose this waiver to provide meals to parents and legal guardians when a child is not present.

Operational Requirement—If the CE implements this waiver, the CE (1) must have a method to verify that the adult picking up the meal is the child’s parent or
legal guardian and (2) must have a method to ensure that only one meal is served to each child for each meal service.

**Records Retention**—The CE must retain documentation of the method for verifying parent or legal guardian identity and the number of meals served. For detailed guidance on this option, see [https://www.fns.usda.gov/tn/child-nutrition-program-meal-service-during-covid-19](https://www.fns.usda.gov/tn/child-nutrition-program-meal-service-during-covid-19).

**NSLP/SBP Offer Versus Serve (Senior High Schools Only)**

Choose this waiver to serve pre-plated meals to high school students.

**Operational Requirement**—If the CE implements this waiver, the CE must serve the required offering amount for each food component.

**Records Retention**—The CE must retain food production records or meal food production records demonstrating that all meals meet the meal pattern.

**C. Indicate the Sites That Will Be Operating the Waiver.**

Indicate the sites the CE anticipates will implement the waivers.

---

**Part III**

This form must be completed by an authorized representative of the CE that is also an employee of the CE.

[NOTE: A food service management company (FSMC) staff member **cannot** submit this form on behalf of the CE or attest to its accuracy.]

- Read each attestation statement.
- Check each attestation statement to indicate the signer understands the requirements.
- Provide the contact information requested.

**Verify Button:** When you record your email in the first email text box, you must then click the Verify button to the right of the text box. An email will be sent to your email address. That email will contain a verification key. Copy and paste that key into the new text box to the right of your email address and press enter. Once your email is verified, you will be able to submit the form.

If you indicated the CE will use bulk packaged food distribution, the CE will receive a separate email with a link to the form by separate email. Please complete that form and submit.
Instructions for Bulk Packaged Food Distribution for Multiple Meal Distribution Form

In case the CE is not able to complete both forms in one session, the CE will receive a separate email (1) acknowledging that the CE has requested bulk food distribution approval and (2) providing a link to the Bulk Food Components for Multiple Meal Distribution Form.

TDA must review and approve a CE’s implementation plan for bulk packaged food distribution before a CE begins implementation. When the CE submits this form, TDA will review the information provided by the CE. Approval or disapproval will be sent by a separate email.

Considerations for Implementing Bulk Packaged Food Distributions

When implementing bulk packaged food items for multiple meal distribution, a CE will use the following strategies:

- Bulk food packages must include a menu describing food items and portion sizes for each meal to be served with simple directions on how to assemble the meal.
  
  [NOTE: CE should consider the languages used by households when providing menus and directions.]

- Bulk food packages must include labeled food items requiring no more than warming to be served.

- Extra food items must be separated and labeled as not part of reimbursable meal.

- Distribution methods must meet all applicable food safety regulations.

When implementing bulk packaging food items for multiple meals distribution, a CE must not use the following strategies:

- Food items cannot require mixing ingredients in order for the food item to be edible.

- Food items cannot require chopping, baking, frying, boiling, or roasting to prepare item for serving (i.e., raw meat is always unacceptable; raw pre-cut carrots are acceptable).

- Raw or partially cooked food items cannot require that the food item be cooked before serving.

- Food items cannot be held at a temperature or method that is unsafe or prohibited by food safety regulations.

TDA also provides additional guidance on this distribution method at [www.Squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities.aspx](http://www.Squaremeals.org/FandNResources/CoronavirusUpdateforContractingEntities.aspx).

**Definitions Specific to Bulk Packaged Foods Distribution**

**Consumed Offsite**—Meals that are served through grab and go, pick up delivery, or home delivery that are intended to be consumed away from the facility.

**Consumed Onsite**—Meals that are served in a cafeteria, as meals in the classroom, or in a designated area(s) of the facility that are intended to be consumed on the facility property.

**No More Than Warming**—Food items that need no more than warming can be safely eaten without heating, but the item will taste better if warmed. When a direction is given to warm an item, the CE should provide directions for heating using a microwave, a stove top, and an oven. The effort to heat an item is expected to be minimal.

**Raw Food**—Food items that are in their natural state are raw. This includes a food item that is uncooked and/or uncut. A raw food item can only be served if it is ready to eat without further preparation. So raw chopped carrots may be served in bulk packages. Raw uncooked meat or a partially cooked pizza cannot be served.
Part I:

- Be sure to record the correct CE name and ID number as recorded in TX-UNPS. Entering an incorrect CE name or ID may result in delaying the CE’s implementation of the waiver until an updated form is submitted.

Part II:

- Indicate the food components that will be in bulk food packaging.
  One or more food components may be chosen.
- Review each question and answer yes or no.

Operational Requirements—The CE (1) must be able to claim the meal on the day it is intended to be served, (2) must be able to prevent duplicate meal distribution and make sure that each participate receives only one meal for each intended meal service, and (3) must claim the meal by eligibility status at the site where the child or student is enrolled.

If the CE implements the alternative mealtime waiver, the CE must have a process in place to prevent duplicate meal distribution. By checking this option, the CE agrees to ensure that no duplicate meals are served.

Records Retention—The CE must retain documentation about the times of the meal services, the number of meals served, the methods of serving meals, its method to prevent duplicate meal distribution, and food production records or meal food production records demonstrating that all meals meet the meal pattern.

Part III

This form must be completed by an authorized representative of the CE that is also an employee of the CE.

[NOTE: A food service management company (FSMC) staff member cannot submit this form on behalf of the CE or attest to its accuracy.]

- Read each attestation statement.
- Check each attestation statement to indicate the signer understands the requirements.
- Provide the contact information requested.
Tips for Completing the COVID-19 Waiver Monthly Data Submission Form
(For July 1, 2020 Forward)
Monthly Waiver Update and Meal Count Submission

CEs must complete this form for each month the CE operates any of the COVID-19 waivers.

Part I:

- Indicate whether the CE plans to make changes in the waivers it has implemented. This includes the programs using the waivers as well as the individual waivers.

  If new waivers become available, new options will be added to this form. This will allow the CE to indicate use of new waivers with the monthly submission.

  By indicating the need to update the waivers or programs, the program and waiver sections of the form will appear. Use the guidance above to assist in updating these sections. The data collection section will show after the program and waiver options are completed.

  If there are no changes needed, only the data collection section of the form will appear.

Part II:

- Provide the non-congregate and congregate information as requested.

  [NOTE: CEs are required to submit claims to TDA through TX-UNPS within 60 days of the end of the claim month. This report must also be reported within 60 days of the end of each claim month the waivers are used by the CE.]

  Number of Sites Participating
  Report the number of sites participating for the claim month reported on the form.

  Only one month of data is reported for each submission. Do not combine months.

  Total Number of Meals Claimed by Meal Type
  Report the number of meals claimed for each type of meal listed by the CE. Do not include non-reimbursable meals.

  Only one month of data is reported for each submission. Do not combine months.

  Submitting this data does not take the place of the monthly claim submission in TX-UNPS. This data is reported in addition to the regular monthly claim submission in TX-UNPS.

  Total Amount of Reimbursement Received by Meal Type
  Report the total amount of reimbursement received for meals for each type of meal service by non-congregate and congregate service methods by the CE.

  Only one month of data is reported for each submission. Do not combine months.

  Submitting this data does not take the place of the monthly claim submission in TX-UNPS. This data is reported in addition to the regular monthly claim submission in TX-UNPS.
Part III

This form must be completed by an authorized representative of the CE that is also an employee of the CE.

[NOTE: A food service management company (FSMC) staff member cannot submit this form on behalf of the CE or attest to its accuracy.]

- Read each attestation statement.
- Check each attestation statement to indicate the signer understands the requirements.
- Provide the contact information requested.

**Verify Button:** When you record your email in the first email text box, you must click the Verify button to the right of the text box. An email will be sent to your email address. That email will contain a verification key. Copy and paste that key into the new text box to the right of your email address and press enter. Once your email is verified, you will be able to submit the form.