



Policy Updates

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TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

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

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Food and Nutrition Division
National School Lunch Program



Updated 10/25/2023
www.SquareMeals.org



Milk Service Disruption



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Milk Service Disruption








TDA can approve service with a milk substitute or even without milk during a temporary emergency period.*

*** Per 7 CFR 210.10(d)(2), 220.8(d)**

Milk Flexibility for Emergency Conditions Notification Form

Available on the **NSLP Administration/Forms Page**

<https://squaremeals.org/Programs/National-School-Lunch-Program/Administration-Forms>

Weekly/Monthly Number Coded List Form				School Nutrition Program Forms
Verification Letter Sample Templates Suite				School Nutrition Program Forms
Verification Letter Sample Templates Suite - SPANISH				School Nutrition Program Forms
Milk Flexibility for Emergency Conditions Notification Form				School Nutrition Program Forms

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CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM

1. Enter CE Name *

Use the drop-down menu or begin typing and select the correct CE name.

Select or enter value

2. Enter CE ID *

Use the drop-down menu or begin typing and select the correct CE ID.

Select

3. Select the affected program (check all that apply). *

NSLP/SBP

CACFP

SFSP

4. Select start date of disruption to regular milk service. *

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5. Select end date of disruption to regular milk service. *

Enter actual date if known. If unknown, submit a date **no later than 30 days from the start date of disruption.**

If service resumes before the date entered, maintain documentation for each site and the date that milk service resumed. If the shortage exceeds the date entered, please submit a new form.

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When milk becomes available, start serving milk!

Do not continue without milk past the day entered! Submit a new form if needed!



6. Please explain the emergency event that caused disruption to regular milk service. *

**Best Practice Alert!
Notify your ESC.**

7. Which milk flexibility was implemented during the disruption? *

- No fluid milk served.
- Alternate form of fluid milk served.
- Equivalent substitute such as canned or dry milk.

**TDA may reach out if
more information is
needed.**

8. What vendor provides milk to the site(s) that experienced the disruption? *

9. Did the disruption affect all sites? *

- Yes
- No



Milk Flexibility for Emergency Conditions

- You will receive a receipt of your responses, but TDA will also follow up with an approval, denial, or a request for more information, if applicable.
- You are expected to meet the fluid milk requirements or seek out an equivalent substitute to the greatest extent possible.



CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM



Summer Mandate Update



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Summer Mandate Brief Overview

- Must operate SFSP or SSO if 50% of enrolled students qualify for free or reduced-price meals.
- Minimum of 30 calendar days participation
 - Service does not have to occur on each day
 - Can include set-up and close-out days
- Notification sent to applicable CEs last week of October.
- Waiver of this requirement available from November through January.



Summer Mandate Waiver

Criteria for waiver approval:

- Fewer than 100 children in the CE's district are eligible for free or reduced-price meals under NSLP; or
- Transportation is an insurmountable obstacle to program operations; or
- Renovation or construction of district facilities prohibits program operation, and an appropriate alternative site is not available; or
- Unable to operate the summer nutrition program due to another extenuating circumstance and an appropriate alternative site is not available; or
- Program operability is cost-prohibitive for the district.



Before submitting a waiver, ask yourself...

- Would any of my concerns be alleviated if I could serve non-congregate meals, including flexibilities allowing multi-day distribution, parent pick-up, and service time deviations?
- Am I in a predominantly rural area?



Non-Congregate Feeding Program – Summer 2024!

- Available only to CEs in rural counties or rural pockets of metropolitan counties
- TDA evaluating criteria to expand participation.
- Awaiting regulatory updates coming December 2023.



Non-Congregate Feeding Program – Summer 2024!

Summer Meal Site Map

Texas Farm Fresh

Training

Turnip the Beet

TX-UNPS

Waivers

Summer Non-Congregate
Feeding Program

- <https://squaremeals.org/Programs/Summer-Meal-Programs/Summer-Non-Congregate-Feeding-Program>

- .



Non-Congregate Feeding Program – Summer 2024!

2023 Recap - Eligibility and Implementation

TDA used the discretion provided to States in the Appropriations Act and subsequent guidance from USDA to create a Non-Congregate Feeding Pilot Program for Summer 2023 in rural areas where no congregate service existed. Contracting Entities used the resources at right to determine eligibility and get answers to questions about the pilot program.

RESOURCES

- [Application Steps at a Glance](#)
- [Informational One Pager](#)
- [Non-Congregate Feeding Pilot FAQs](#)
- [Non-Congregate Eligibility Map](#)
- [List of Rural-Designated Counties](#)
- [List of School Districts Eligible to Switch to Non-Congregate Service](#)
- [Request to Serve Non-Congregate Meals](#)



CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM

Non-Congregate Feeding Program – Summer 2024!



Initial Webinar November 9, 2023

To request a link to that event,
please send an email to
SNPWaivers@TexasAgriculture.gov.



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

1. mail:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

2. fax:

(833) 256-1665 or (202) 690-7442; or

3. email:

program.intake@usda.gov

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