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# Streamlining At-Risk Afterschool Meals for SFAs

Nutrition Services Division Management Bulletin	
<b>Purpose:</b> Policy, Beneficial Information	
<b>To:</b> School Nutrition Program Sponsors	<b>Number:</b> USDA-CACFP-03-2013
<b>Attention:</b> Food Program Director	<b>Date:</b> April 2013
<b>Subject:</b> Streamlining At-Risk Afterschool Meal Participation for School Food Authorities	
<b>Reference:</b> Title 7, <i>Code of Federal Regulations</i> , sections 210.21, 210.16, 226.6(b) and (b)1, 226.17 a(a), 226.20(0), 226.21, and 226.22; U.S. Department of Agriculture Policy Memos SP 09-2013, CACFP 04-2013, and SP 17-2012 <a href="http://www.fns.usda.gov/cnd/governance/policy.htm">http://www.fns.usda.gov/cnd/governance/policy.htm</a>	

This Management Bulletin (MB) provides information on streamlined requirements for School Food Authorities (SFA) that are applying for, or already participating in, the at-risk afterschool meals component of the Child and Adult Care Food Program (CACFP).

## Background

The Healthy Hunger-Free Kids Act of 2010 authorized the service of afterschool meals through the CACFP. The USDA recognizes that schools located in low-income areas and participating in the National School Lunch Program (NSLP) are in an excellent position to offer meals and snacks through their afterschool programs. Although Congress did not authorize the service of at-risk afterschool meals through the NSLP, streamlining the requirements for SFAs participating in the CACFP provides significant relief without compromising the integrity of the program.

In November 2012, the USDA announced the streamlined requirements for SFAs applying for, or participating in, the at-risk afterschool meals component of the CACFP.

## Agreements

The USDA requires state agencies that administer more than one Child Nutrition Program (CNP) to enter into a single agreement with SFAs for the operation of any combination of CNPs. Because not all SFAs currently have single agreements, the California Department of Education (CDE) Nutrition Services Division (NSD) will provide SFAs with a single agreement when they apply for participation in the CACFP. If an SFA already has a single agreement, the NSD will add the CACFP to the SFA's single agreement and will not request additional signatures from the SFA.

## Application

SFAs that apply to participate in the at-risk afterschool meals component of the CACFP are required by Title 7, *Code of Federal Regulations* (7 CFR) Section 226(b) to provide the following information to the CDE:

- **Information on 'responsible principals':** The names, mailing addresses, and dates of birth of the responsible principals and individuals. For SFAs, 'responsible principals' includes, at minimum, the school food service director and accountant, and the responsible administrator (principal or superintendent).
- **Documentation of eligibility:** The SFA must submit documentation indicating that each school participating in the CACFP at-risk afterschool meals program offers educational or enrichment activities. The SFA must

document that at least 50 percent of the children are eligible for free or reduced priced school meals, or that the school is located in the attendance area of an eligible school, as required by 7 *CFR* Section 226.17a(a).

- **Ineligibility for other publicly funded programs:** The SFA must provide a list of all federal programs in which they participate. The SFA must also certify that during the last seven years, the SFA and individual(s) responsible for the food service have not been:
  - Declared ineligible to participate in any other publicly funded program because of a violation of that program's requirements, or provide documentation that it was later reinstated or determined eligible for the program
  - Convicted of any activity that indicated a lack of business integrity
- **Certification:** The SFA must submit a certification that all information on the application is true and correct, along with the name, mailing address, and date of birth of the individual authorized to sign for the SFA (7 *CFR* Section 226.6[b][1]).

The CDE considers the successful operation of the NSLP as sufficient evidence of administrative capability and financial viability and waives the requirement that a SFA submit a separate management plan for serving at-risk afterschool meals. SFAs are not required to submit a separate CACFP budget. During the CACFP application process, the CDE will let SFAs know which forms are required and which portions of the online application are waived.

## Training

SFAs participating in the NSLP are familiar with operating a federal CNP and therefore are not required to attend training prior to approval to participate in the at-risk afterschool meal component of the CACFP. Similarly, food service staff who receive meal service training under the NSLP are not required to attend a separate training on meal services. However, SFAs must inform their administrative staff about CACFP **program requirements** and attend necessary training.

## Meal Patterns

The CACFP regulations allow SFAs that participate in the NSLP to substitute the NSLP meal pattern requirements in place of the CACFP meal pattern requirements (7 *CFR* Section 226.20[0]). This means that SFAs may opt to use either the CACFP or the NSLP meal patterns when serving at-risk afterschool meals through the CACFP. However, schools that elect to follow the NSLP meal pattern requirements must follow the **new** NSLP meal patterns.

Although the CACFP does not usually permit CACFP programs to use Offer Versus Serve (OVS), SFAs may use OVS for the meal service under either the CACFP or NSLP meal pattern. With respect to snack service, SFAs cannot use OVS under either the CACFP or NSLP.

If an SFA chooses to use the CACFP meal pattern for an at-risk afterschool supper, the OVS rule would simply allow the child to refuse up to two of five components. At this point, CACFP rules for OVS do not require participants to select at least a ½ cup serving of a fruit or vegetable as is required by the NSLP. If an SFA chooses to implement the NSLP meal patterns, then two components may also be refused—but the child must select a ½ cup serving of a fruit or vegetable.

We realize that this allows the potential for fewer fruits and/or vegetables to be selected under the CACFP. Given that, the CDE encourages everyone to make all foods—including fruits and vegetables—as appealing as possible to encourage selection and consumption of a nutrient-rich meal.

## Procurement and Contracting Requirements

In order to simplify participation in the at-risk afterschool meals program, SFAs may follow the NSLP procurement standards found in 7 *CFR* Section 210.21 instead of CACFP procurement standards found in 7 *CFR* Section 226.22. The NSLP requirements are comprehensive, and compliance with the NSLP requirements satisfies CACFP requirements.

Please note that SFAs do not need to store food inventories separately for the various CNPs. Also, SFAs are not required to allocate expenses to the separate CNPs. CNP reimbursements may be used to pay expenses related to any

of the CNPs. SFAs must charge indirect costs appropriately to the nonprofit school food service account. Please refer to USDA Policy Memo SP 41–2011: *Indirect Cost Guidance* on the USDA School Meals Policy Memos Web page at <http://www.fns.usda.gov/cnd/governance/policy2006-2011.htm>.

Similarly, SFAs may choose to comply with the NSLP requirements for contracting with food service management companies (FSMC) outlined in 7 *CFR* Section 210.16 instead of following the CACFP requirements in 7 *CFR* Section 226.21. However, SFAs should note that if they add the CACFP at-risk afterschool meals to an existing contract, this may represent a material change to the FSMC contract. For guidance about material changes, the NSD encourages SFAs to refer to USDA Policy Memo SP 17-2012: *Procurement Questions and Answers to Assist in the Implementation of the Final Rule titled Nutrition Standards in the National School Lunch and School Breakfast Programs*, available on the USDA School Meals Policy Memos Web page at <http://www.fns.usda.gov/cnd/governance/policy.htm>.

SFAs that contract with FSMCs for some or all aspects of the management of the food service program may allow the FSMC to conduct the same activities for the CACFP that are performed for the NSLP. Please note that SFAs are responsible for conducting the following activities:

- Submitting claims
- Retaining control of the quality of the food service
- Determining the prices charged to children
- Monitoring the food service operations
- Ensuring that all CACFP requirements are met

## Monitoring

The CDE requires that SFAs continue to monitor their at-risk sites, but the monitoring requirements for the CACFP at-risk afterschool meal sites may be aligned with those of the NSLP. This means SFAs have fewer monitoring reviews for the at-risk afterschool meals component of the CACFP than non-SFAs.

With regard to state monitoring, the CDE is required to combine the monitoring of the financial management portion of the CACFP with the NSLP in order to ease the burden on SFAs and ensure that the complete nonprofit food service is reviewed.

When either the CDE or the SFA identifies deficiencies through monitoring, the CDE and the SFA must address the deficiencies according to CACFP regulations. This includes applying CACFP regulations in cases where the CDE must terminate, disqualify, and submit information to the USDA to be placed on the National Disqualified List. Additionally, the CDE must apply CACFP regulations in cases where it must assess and collect overclaims related to the at-risk afterschool meals program.

## Questions

If you are already participating in the CACFP and have questions regarding the information in this MB, contact the CACFP specialist assigned to your agency. You will find a list of contact information for your specialist in the Download Forms section of the Child Nutrition Information and Payment System.

If you are not already participating in the CACFP and have questions, contact Laurie Pennings, Manager, CACFP Unit, by phone at 916-324-7133 or by e-mail at [lpennings@cde.ca.gov](mailto:lpennings@cde.ca.gov).

**Questions: Nutrition Services Division | 800-952-5609**

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