

## Department of Public Instruction guidance and frequently asked questions on operating the USDA Child Nutrition Programs during a school closure or dismissal due to the COVID-19.

\*\*See also the following USDA Guidance:

- 1) [Memorandum SP 08-2020 Q & A Child Nutrition Program Meal Service during COVID-19 Outbreaks.](#)
- 2) [Q&A on Summer Food Service Program and Seamless Summer Option Meal Delivery Using Existing Authority](#)

### 1. Are schools required to provide meals during a school dismissal?

No. However, SFAs are encouraged to ensure that the needs of low-income children are met during extended schools dismissal.

### 2. **Updated 3/18:** If our SFA elects to close or dismiss schools due to the COVID-19, how do we get approval to continue to provide and claim meals for students?

The State Agency (SA) has received approval from USDA to allow School Food Authorities (SFAs) to claim meals in a non-congregate setting. This approval has been posted on the [Child Nutrition Programs COVID-19 webpage](#).

SFAs may claim meals provided during a school dismissal either through the Summer Food Service Program (SFSP) or the Seamless Summer Option (SSO). See this [decision flow chart](#) to determine which program to utilize.

For SFAs and other SFSP sponsors that participate in the SFSP, complete the [SFSP Google Survey](#) and notify Amy Kolano by email [amy.kolano@dpi.wi.gov](mailto:amy.kolano@dpi.wi.gov) that you plan to participate in SFSP. The SFSP contract must be updated for 2020 to include the dates of the school closure. Further instruction will be provided on contract completion once Amy Kolano is notified.

For SFAs that will participate in the SSO, complete this [Google form](#) to apply for a waiver to continue to provide and claim meals during a closure or dismissal. No update to the School Nutrition contract is required, unless you are notified to do so.

**Important:** Any SFA, school, or non-school SFSP sponsor that has not contacted the SA and did not update the SFSP contract or complete the SSO waiver cannot claim meals served during school closures and dismissals related to COVID-19.

### 3. **Updated 3/18:** The SFSP and SSO regulations only allow schools with 50% or more of their enrolled students certified as eligible for free and reduced to qualify. Can schools that have less than 50% of their enrolled students certified as free or reduced participate in SSO or SFSP under this waiver?

Yes, all schools that currently participate in the USDA Child Nutrition Programs have the option of

providing meals to all students free of charge regardless of the schools free and reduced percentage. These SFAs would operate under the SSO and this requirement is waived only for school closure or dismissals under the COVID-19 waiver.

Schools with less than 50% free and reduced must have a plan in place so that meal distribution methods more directly target households of enrolled students who are eligible for free or reduced price meals. Please ensure this is done in a way that does not overtly disclose student eligibility.

Please note, USDA issued a [Q&A](#) on 3/18 that indicates meals can only be delivered for free and reduced price students. The WI DPI has received approval from USDA to allow the program to be offered to all students and therefore meals may be provided in the manner most appropriate, regardless of eligibility.

**4. What meal pattern must be followed?**

If your agency will operate under the SFSP, you have the option to follow the SFSP meal pattern or the NSLP and SBP meal patterns.

If your SFA will operate under the SSO, you will continue to follow the NSLP, SBP and Afterschool Snack meal patterns, as applicable.

**5. Updated 3/19: Are there any meal pattern flexibilities available, such as milk variety and vegetable subgroups?**

USDA is currently looking into this, but has limited authority to provide meal pattern flexibilities for SSO. For SFSP, FNS does not have the authority to approve meal pattern changes without a disaster declaration by the President. We are currently under a declaration of emergency. There are currently no flexibilities offered for either program and we will update SFAs if this changes. There is also legislation proposed that may offer some flexibility, once passed.

**6. New 3/25: What if we are unable to procure allowable milk or no milk at all?**

The DPI Nutrition Teams have been made aware of issues regarding milk shortages. USDA regulations, NSLP 7 CFR 210.10(d)(2)(i) and SFSP 7 CFR 225.16(f)(6), state that if emergency conditions temporarily prevent a school that normally has a supply of fluid milk from obtaining delivery of such milk, the State agency may allow the school to serve meals during the emergency period with an alternate form of fluid milk or without fluid milk.

If you are participating in the National School Lunch's Seamless Summer Option (SSO) or the Summer Food Service Program (SFSP) and are having difficulty obtaining fluid milk that fits the meal pattern, please complete the "Milk Flexibility Request" on the Child Nutrition Programs COVID-19 Information webpage. The Nutrition Teams will work as quickly as we can to review and email the approvals.

**7. Is there flexibility on which National School Lunch Program and School Breakfast Program meal pattern age/grade groupings to use?**

An open or restricted open site may have difficulty following the age/grade group requirements of the meal pattern due to a variety of age/grade groups that may attend. In this scenario, the site

may use the meal pattern for a single age/grade group meeting the minimum meal pattern requirements for the most common age/grade group eating at the site.

**8. If I provide meals under the SFSP or SSO, does that require me to also provide meals over the summer?**

No.

**9. Updated 3/18: How are meals claimed under the SFSP or SSO?**

All children ages 18 and under can eat free and are claimed at the free rate for both programs.

**SFSP:**

- Meals will be claimed online under the SFSP claiming process. It will be done on a monthly basis. Do not submit combined claims during this school closure time period. SFSP claim instructions can be found on our website at:  
<https://dpi.wi.gov/community-nutrition/sfsp/claiming-reimbursement>.

**SSO:**

- Updated 3/25:
  - For the month of March, all meals served prior to school closures will be submitted through the normal process for NSLP, SBP and Afterschool Snack by eligibility.
  - All meals served in the month of March under the SSO program (after school closure) will be submitted separately as an adjustment through a paper claim.
  - For the month of April, if all meals are served under SSO (schools continue to be closed all month), all meals will be submitted through the normal claiming process as one claim.
  - Schools that operate the Community Eligibility Provision and have a claiming percentage less than 100% will need to manually submit SSO claims to receive the free reimbursement for all meals served.
  - Claim all SSO meals at the site the meals were provided.
  - If the SSO meal service site is at a nonschool location, claim the meals at the school that the meal service location is within the attendance area of.
  - We are in the process of creating a claim manual with more details on claiming under SSO.

Agencies will have the following options to determine which children can be claimed in both the SFSP and SSO:

- Open - all children eat free in communities, aged 18 and under.
- Restricted Open - sites that meet the open site criteria, explained above, but are later restricted for safety, control, or security reasons. Serves children age 18 and under.
- Closed enrolled - group of children are identified, such as within a school or district, aged 18 and under.

**10. Updated 3/25: What about agencies who participate in the Child and Adult Care Food Program (CACFP)? (SP 04-2020)**

If the agency participates in the CACFP, meals should be provided and claimed through CACFP. If the agency is closed due to COVID-19, then children that normally attend may continue to receive meals using a non-congregate feeding method (home delivery, drive through or curbside pickup, walk up with plans to keep individuals six feet apart). Or the children who normally attend may receive free meals through the local school district under the Summer Food Service Program (SFSP) or Seamless Summer Option (SSO). SFSP and SSO sites serve meals to all children 18 and under. If your agency would like to participate in the non-congregate feeding or other CACFP nationwide waivers you must notify DPI of your plan by filling out this form: <https://forms.gle/r6cA6tEuXmYyohnS9>

**11. What reporting requirements will there be?**

Agencies will need to separately report which meals claimed were provided while utilizing the SFSP or SSO under this waiver. Meal counts do not need to be collected by name or eligibility. The total meal count will be reported since all meals are served at the free rate. Those providing meals through the SSO can find meal counting and claiming forms located on our website [here](#). SFSP sponsors can find meal counting forms on the [SFSP Materials and Resources](#) page.

**12. Can meals only be provided to the households eligible for free or reduced price meals?**

No. The SFSP and SSO program requirements are to offer free meals to all children.

**13. May meals be provided to siblings who may not be in school or who do not attend the dismissed school?**

Yes, if the site is going to operate as an open site. In this case, if a household has a child enrolled in the dismissed school, all children age 18 and under in that household may be served and claimed at the free rate.

**14. Can we serve parents and other adults in the community if they pay for the meal?**

If the SFA or SFSP sponsor has the capacity to provide meals to adults, they may do so but will not be reimbursed for those meals. Adults must either pay for their meals or if you elect not to charge adults, other non-school food service funding must be used to pay for those meals.

**15. The SFSP and SSO establishes time frames for serving breakfast, lunch, and supper. Can this requirement be waived?**

This requirement may be waived with SA approval in order to accommodate meal distribution systems that would provide more than one meal to children. For example, an SFA could have a daily distribution at which both breakfast and lunch are provided. Agencies operating under the SFSP already have the option to establish time frames for serving meals that best suits the situation. No waiver is required.

**16. Added 3/17: Can we provide multiple days' worth of meals at once to households?**

Yes. You may provide meals for up to one week for households at one time. In doing so, here are some things to consider – the meals are supposed to be unitized (all components provided together – no offer versus serve). That could amount to quite a bit of food if there are multiple children in a family. If all of the items are shelf stable, that will help. If milk or other items need to be refrigerated, some families may not have the space to store all of that properly. Maybe give the option to the families as to how many meals that want to take the day you serve, just in case

space/storage is an issue. This distribution process is included in the waiver questionnaire.

Food may be provided in a “bulk” manner if a menu is provided, which includes the specific items that were planned and prepared for specific meals. Any further preparation, food safety or portion size instructions should also be included to ensure households know what was provided for each meal. Ex. A grocery bag may include all the meal components for breakfast and lunch for a 5-day period, along with the menu and instructions for households.

**17. Updated 3/18: Spring break is coming up soon, if we choose to continue meal service during this “planned” break, can we claim those meals?**

Per the [USDA Q&A](#), spring breaks that are postponed or rescheduled due to the unforeseen public health emergency may serve meals during that week. Since all WI schools are now closed for the duration of the public health emergency, WI DPI has determined that Spring Break has been cancelled and therefore, meals provided during this week are allowable and may be claimed for reimbursement.

**18. Updated 3/18: Our SFA is planning to continue to operate in a virtual manner; may we provide and claim meals to households through SSO or SFSP?**

Yes. See also Q9 in the [USDA Q&A](#).

**19. New 3/18: Can meals be delivered to a students home?**

[See this USDA Q&A](#). Please note, the WI DPI has received approval from USDA to continue to allow meals to be provided to all students, not just free and reduced.

**20. If community members or organizations have offered to donate money or gift cards to help households that qualify for free or reduced, can a school share which students qualify for free or reduced meals?**

Not without parental consent. Student eligibility is confidential and disclosure requirements per the [Eligibility Manual](#) remain in place during this time. The SFA can send out a communication to households letting them know how they can take advantage of this opportunity and self-disclose that they are eligible by providing their notification of benefits letter from the SFA.

**21. New 3/17, Updated 3/18: Is reimbursement for mileage and meal delivery costs (staff time/benefits/gas/mileage) an allowable food service expense?**

Yes, as long as the delivery costs are for food service purposes. Make sure the time is tracked specifically for this food service function and ensure you practice safe food handling during delivery. The food service account cannot pay for other tasks/deliveries unrelated to food service. See also Q2 in the [USDA Q&A](#).

**22. New 3/17: Are there established federal/and or state rates that public school districts must use when reimbursing staff for mileage?**

Most businesses use the maximum reimbursement rates set by the IRS. Many districts choose to use this rate also but they can set whatever rate they like as long as it is in approved district policies.

<https://www.irs.gov/newsroom/2017-standard-mileage-rates-for-business-and-medical-and-moving-announced>

**23. New 3/18: Can a school accept food donations and utilize as part of a reimbursable meal?**

Schools may accept and use donated food from other schools that participate in the USDA Child Nutrition Programs and have extra food they want to share, including USDA Foods. This food may be used as part of a reimbursable meal.

Any non-school organization or business that is interested in donating food should be directed toward local food pantries, the red cross, etc. This food cannot be utilized in a reimbursable meal.

**24. New 3/25: Agencies currently participating in the Child and Adult Care Food Program (Child care, Head Start, At-Risk, etc.) are able to provide non-congregate meals?**

Yes, on March 20, the USDA issued three nationwide waivers that include the Child and Adult Care Food Program (CACFP) to support access to nutritious meals while minimizing potential exposure due to COVID-19.2020. These include non-congregate feeding, meal service time flexibility, and waived the afterschool educational/ enrichment requirement. CACFP agencies must elect to participate in the waivers by [clicking on the link to notify the DPI of your plan to participate: https://forms.gle/r6cA6tEuXmYyohnS9](#). All other CACFP regulations and proper documentation must be maintained.

**25. New 3/25: Can the SFA package and distribute frozen food items (e.g. precooked chicken nuggets) and/or shelf-stable foods that need to be cooked at home (e.g dry pasta) as part of the reimbursable meals?**

Yes, if specific measures are taken. These food items must meet the applicable NSLP/SBP (i.e. SSO) or SFSP meal pattern requirements in order to be served as part of the reimbursable meal. Additionally, SFAs should ensure that these types of food items are distributed with clear cooking instructions for the household to follow, including directions to heat the food to an internal temperature of 165 degrees F before consuming. For frozen items, the SFA should also communicate safe storage guidelines if the foods will not be prepared and eaten immediately. Safe storage guidelines for items intended to be heated at home should advise that the foods be held at 41 degrees F or below (or kept frozen, if applicable) until used.

If SFAs choose to include frozen food items in the meals, the items should be labeled as “fully cooked,” “precooked,” or “ready-to-eat” on the manufacturer’s packaging. SFAs **should not** distribute any raw animal-based time/temperature control for safety (TCS) food items, such as raw chicken, raw eggs, raw beef, etc. There are many frozen [State Processed Products](#) available that could be incorporated into reimbursable meals.

If you are unsure if a frozen item may be considered “fully cooked,” “precooked,” or “ready-to-eat,” please contact your local regulatory authority and/or sanitarian to discuss your specific question and obtain additional guidance. If you have questions about a state processed product on the list above, please contact a DPI USDA Foods team member.

26. **New 3/18: USDA Foods and school closures:**

- **Can we use USDA Foods during an unanticipated school closure?**  
Yes
- **If your school has issues with USDA Foods deliveries or has surplus of USDA Foods inventory please contact the USDA Foods team:**  
USDA Foods Team Contact Information:
  - Email: [DPISNUSDAFoods@dpi.wi.gov](mailto:DPISNUSDAFoods@dpi.wi.gov)
  - Phone: (608) 266-3615
- **What if our school does not participate in USDA Foods Program and would be interested in receiving USDA Foods?**  
If your school does not participate in the USDA Foods Program and needs additional foods to serve meals please contact the USDA Foods team to discuss options.
- **What can a school do to help mitigate possible increase in storage costs incurred by school closure?**  
DPI is trying to assist with the coordination of USDA Foods inventory between schools. We are working on a plan and guidance. In the meantime contact the USDA Foods team if your school has inventory it would like to share with other schools or if you are in need of additional inventory.

27. **New 3/25: Emergency Procurements and USDA Foods Donations/Transfers:**

**Please find the following guidance on emergency procurements/purchases.**

Some food service operators are continuing to provide meals during the COVID-19 school closure. In order to react appropriately to food service changes, school food service staff are needing to make unplanned purchases. Schools in this situation can follow federal USDA regulations found in 2 CFR 200 which allow for a type of procurement called an “Emergency Procurement”. The specific regulations are as follows:

*2 CFR §200.320 Methods of procurement to be followed.*

*(f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:*

*(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;*

**Emergency Procurement: What does this mean?**

This means, if necessary, school food service staff can conduct emergency purchases to continue uninterrupted food service using noncompetitive procurement methods. This type of procurement or purchase is short term in duration. Records must be kept to track these types of purchases. For example, a log of all such purchases must be maintained and reviewed monthly by the school food service department. The log of emergency purchases should show:

- **Contractor/Supplier Name**
- **Contractor/Supplier primary contact information and address**
- **Contractor/Supplier name of person supplying pricing**
- **Purchase amount/contract value**
- **Description of product and/or service being purchased/contracted**
- **If applicable, duration of contract (contract term)**
- **Reason for emergency**

#### **Inventory Management during school closures.**

During a school closure, the school food service staff must continue to monitor inventory levels and plan for orders placed prior to the school closure. Schools that are not serving meals might want to donate or transfer products to other schools or food pantries that are open and continuing to provide meals.

Schools may donate or transfer products in the food service inventory located at either the school site(s) or at contracted distributors. Schools participating in USDA Child Nutrition programs that are considering donating or transferring products must follow proper donation/transfer of products guidelines. These guidelines are as follows:

- Document all donations or transfers of products purchased using Fund 50 funds. Documentation should include description of the items donated, quantity, date of transaction, and name of receipting school or agency. Receiving schools and agencies should have the same documentation.
- Primary option: Schools can donate to another school that is providing meals during the school closure.
  - Schools can choose to swap food items, or transfer food products to another school. Schools can negotiate a charge to the receiving school or offer the food items at no charge.
  - Link to schools/sites still serving meals: Pending
- Secondary option: If no other school is available, schools can donate to food pantries like those in The Emergency Food Assistance Program (TEFAP) or a nonprofit agency like a homeless shelter, food bank, daycare, or other food pantries.
  - Link to TEFAP: <https://www.dhs.wisconsin.gov/nutrition/tefap/index.htm>

**Food Safety:** Minimize the time TCS foods are in the temperature danger zone (between 41° and 135°). Maintain the proper temperature during transport by utilizing coolers, cooler bags, ice, ice packs, or insulated bags.

**School Closures and USDA Foods:** The transfer and donation guidance provided above is applicable to USDA Foods products. The Department of Public Instruction (DPI) School Nutrition Team is conducting surveys of schools, distributors, and other stakeholders to help coordinate transfers and donations of USDA Foods products. If you receive a survey, please complete it as best as you can at the time. We understand information and circumstances are continually changing. If you have not received one of these recent surveys and have USDA Foods products you would like to donate or transfer, you contact us at 608) 266-3615 or email: [DPISNUSDAFoods@dpi.wi.gov](mailto:DPISNUSDAFoods@dpi.wi.gov).

If you have further questions, please call (608) 266-3615 or email: [DPISNUSDAFoods@dpi.wi.gov](mailto:DPISNUSDAFoods@dpi.wi.gov)

Additional information can be found on our [Child Nutrition Program COVID-19 Information](#) webpage.

**28. New 3/25: DPI Guidance for Schools using Commercial Distributors:**

**Contact Your Commercial Distributor**

During school closure, DPI strongly recommends schools discuss delivery issues with their distributors. It is DPI's expectation that schools (working with their distributors) should be planning to receive the remaining USDA Foods orders for April and May. If schools cancel orders with distributors, DPI will be sharing the same options below with distributors, and distributors may decide to donate food to other schools or agencies. If a school allows distributors to donate its USDA Foods orders/products to another school or nonprofit those orders/products will not be replaced or reimbursed by the state or USDA.

While distributors are telling DPI that schools are closed, DPI is telling distributors that many closed schools are still feeding students. Again, please work with your distributor, and make a plan for taking delivery of your USDA Foods.

**Handling and Administrative Fees**

At this time, DPI will not be reimbursing schools the handling and administrative fees that are applied to each case. The role of DPI USDA Foods is to administer the USDA Foods Program, which includes storing products at the state warehouse just long enough for pick up by either the state contracted distributor or commercial distributors. Just like schools, we are not set up for long term storage.

**Options for Managing Inventory**

Through responses from the survey that was sent to schools earlier this week, DPI understands that some schools do not have storage capacity for incoming food at this time. Below are some options available to schools.

1. Use food in your own summer food service program (SFSP) or seamless summer option (SSO) feeding programs. Be sure you have reviewed the [Child Nutrition Program COVID-19 Information](#) webpage, and completed the proper steps to operate SFSP or SSO.
2. Work with your commercial distributor to connect with another school that participates in the USDA Child Nutrition Program during school closure. Please be aware, once products are at school sites distributors may not bring it back to their warehouse, but it can be transferred to another school site.
  - Schools can choose to swap food items, or transfer food products to another school. Schools can negotiate a charge to the receiving school or offer the food items at no charge.
  - Link to schools/sites still serving meals: Pending
3. If no other school is available, donate to food pantries like those in The Emergency Food Assistance Program (TEFAP) or a nonprofit agency like a homeless shelter, food bank, daycare, or other food pantries.
  - Link to TEFAP: <https://www.dhs.wisconsin.gov/nutrition/tefap/index.htm>

Options for Emergency Meals: If your school is closed and unable to provide meals, some schools are working with Vended Meal Companies to provide up to five (5) days of meals to students in one box. USDA has allowed for flexibility in meals served and students who qualify for free and reduced price meals. More information about these flexibilities can be found on [Child Nutrition Program COVID-19 Information](#) webpage.

- Link to Vended Meals webpage: <https://dpi.wi.gov/school-nutrition/program-requirements/procurement/required-template-agreements/vended-meals>
- DPI will be updating the Vended Meals webpage with a list of vendors providing meals.

We are working with the Department of Health Services and other partners to ensure food is getting to schools and agencies that are currently serving foods to students and families while schools are closed. If your school is struggling with upcoming deliveries, please reach out to us, or the agencies above. We can problem solve these issues together.

**Food Safety:** Minimize the time TCS food are in the temperature danger zone (between 41° and 135°). Maintain the proper temperature during transport by utilizing coolers, cooler bags, ice, ice packs, or insulated bags.

### **Important! Be sure to Document**

Be sure to document food usage. If your school decides to donate, transfer, or share food with another school or agency, be sure to record: 1) descriptions of the items, 2) quantity, 3)

date of transaction, 4) contact names, 5) if there was payment made, and 6) if there was a swap of items.

If you have questions, please email [dpisusdafoods@dpi.wi.gov](mailto:dpisusdafoods@dpi.wi.gov) or call 608-266-3615.