Maine Department of Education Child Nutrition Updates August 2022

Maine Department of Education

Child Nutrition
Maine Department of Education

Agenda

- Welcome Jane McLucas
- 2023 Rates and CNPweb Reminders
- Keep Kids Fed Act
- State Level COVID-19 Waivers
- SY 2023 Updates and Reminders

Welcome Jane McLucas!

Our new Director of Child Nutrition!

- Walter Beesley retired May 2022
- Jane McLucas joins us after 7 years as the Food Service Director in Portland
- Experience operating all programs we oversee

- Jane.mclucas@maine.gov
- 207-624-6880 / 207-215-5761 (cell)

SY 2023 Reimbursement Rates

Federal Nutrition Programs Reimbursement Rates SY 2023							
		Severe Need			Severe Need		
	Lunch	Lunch		Breakfast	Breakfast		Snack
	Includes PBR*						
PAID	$0.85	$0.87		$0.50	$0.50		$0.09
REDUCED	$4.01	$4.03		$1.96	$2.37		$0.54
FREE	$4.41	$4.43		$2.26	$2.67		$1.08
*For more information on PBR contact child.nutrition@maine.gov							

CNPweb Reminders

- Ensure CNPweb users are up to date!
  - Check users tab in CNPweb
- Email child.nutrition@maine.gov or pamela.partridge@maine.gov to request access.
  - Sponsor Admin completes the Annual Application, monthly claim for reimbursement and USDA Foods information.
  - Claim Approver is the Legal Agent/Authorized Personnel who approves the monthly claim for reimbursement.
  - Verification Only permissions give the user access to enter and edit verification data only.
  - View Only access allows for information to be viewed but not edited or deleted.

Pandemic EBT

Pandemic EBT – additional SNAP benefits to accommodate missed school meals due to COVID

- SY 2022 Pandemic EBT benefits have started to be issued for school aged children
- Childcare aged plan submitted
- Summer 2022 P-EBT plan being developed
- P-EBT may be operating through Summer 2023
- Encourage meal benefit applications – free/reduced price eligible students receive P-EBT if other conditions met.

Keep Kids Fed Act

- Keep Kids Fed Act of 2022

- For school year (SY) 2022-23, provides temporary additional reimbursements of:
  - 40 cents per lunch served through the NSLP
  - 15 cents per breakfast served through the SBP
  - 10 cents per meal or snack served in the CACFP
  - This is in addition to the rate adjustment of 7.4% from May 2021 to May 2022 in the Consumer Price Index for “food away from home”

  - These additions are included in the rate table.

Keep Kids Fed Act cont.

- Provides all CACFP family day care homes with the higher “Tier 1” reimbursement rate for SY 2022-23.
- Allows USDA to issue limited nationwide waivers that do not increase Federal costs during the 2022-23 school year.

KKFA Nationwide Waivers

- All Nationwide waivers that have been issued by USDA are on our website.

- State level waivers have already been accepted for some school year 2023 COVID needs

- More information is here: https://www.maine.gov/doe/schools/nutrition/laws/covid19waiverrequests

State Level COVID-19 Waivers

- 12(l) Waivers approved by USDA
- Intended to be used due to impacts from COVID-19
- https://www.maine.gov/doe/schools/nutrition/laws/covid19waiverrequests
  - Maine DOE Summer 2022 and SY 2022-23 Waiver Checklist
- Some KKFS Nationwide waivers have superseded these

12(l) COVID-19 Waivers School Year Operations

NSLP/SBP SY 2023

Use to address COVID-19 related absences/closures. Only use as needed when congregate service is limited due to the pandemic. Must have a plan for accountability and program integrity. Permission must be obtained from Maine DOE Child Nutrition.

- Non-Congregate Meal service (July 1, 2022 - June 30, 2023)
- Parent/Guardian Meal Pickup (July 1, 2022 - June 30, 2023)
  - This includes putting in place processes to ensure that meals are distributed only to parents or guardians of eligible children, and that duplicate meals are not distributed to any child.

12(l) COVID-19 Waivers School Year Operations

NSLP/SBP SY 2023 cont.

Use to address COVID-19 related absences/closures. Only use as needed when congregate service is limited due to the pandemic. Must have a plan for accountability and program integrity. Permission must be obtained from Maine DOE Child Nutrition.

- Meal Service Times (July 1, 2022 - June 30, 2023)
- Offer Versus Serve (July 1, 2022 - June 30, 2023)
  - Waives the requirement to use OVS at the high school level

12(l) COVID-19 Waivers cont.

School Year Administration

Allow operators to overcome administrative challenges resulting from COVID-19 and allocate staffing resources appropriately. Only use for the duration and extent needed.

- Local School Wellness Triennial Assessment (July 1, 2022-June 30, 2023)
  - Extensions have been granted due to COVID-19
  - Those due in SY 2022 are now due in SY 2023
- Food Service Management Contract Duration
  - Allows an additional extension of contracts through SY 2022-2023

12(l) COVID-19 Waivers cont.

School Year Administration cont.

Allow operators to overcome administrative challenges resulting from COVID-19 and allocate staffing resources appropriately. Only use for the duration and extent needed.

- Onsite Requirement for SFA Onsite Reviews by February 1 (End of Public Health Emergency – June 30, 2023)
- Onsite Requirements for Afterschool Care Reviews (End of Public Health Emergency – June 30, 2023)
- Onsite Requirement for Periodic Onsite Visits when Utilizing a FSMC (End of Public Health Emergency – June 30, 2023)

For Program integrity, reviews must be done offsite if this waiver is used.

12(l) COVID-19 Waivers cont.

Special Milk Program

Flexibilities will only be implemented by Program operators when congregation is limited by the COVID-19 pandemic. Permission must be obtained by Maine DOE Child Nutrition.

- Non-Congregate Milk Service (July 1, 2022 – June 30, 2023)
- Parent/Guardian Milk Pickup (July 1, 2022 – June 30, 2023)

12(l) COVID-19 Waivers cont.

Fresh Fruit and Vegetable Program (FFVP)

Intended to provide flexibility to support schools in continuing to participate in the FFVP. Permission must be obtained by Maine DOE Child Nutrition.

Only use when FFVP elementary school is closed for in-personal instruction and congregate meal service is limited by the COVID-19 pandemic.

- Parent/Guardian FFVP Pick-up (July 1, 2022-June 30, 2023)
- Alternate Site (July 1, 2022-June 30, 2023)
  - This waiver allows the State Agency to approve SFAs participating in FFVP to provide FFVP food at sites that are not FFVP elementary schools when FFVP elementary schools are closed due to COVID-19.

12(l) COVID-19 Waivers cont.

Unanticipated School Closures

These waivers allow SFSP/SSO to operate during the school year during unanticipated school closures due to COVID-19. Permission must be obtained from Maine DOE Child Nutrition.

- Non-Congregate Meal Service during Unanticipated School Closures (October 1, 2022-April 30, 2023)
- Parent and Guardian Meal Pick-Up during Unanticipated School Closures (October 1, 2022-April 30, 2023)
- Meal Service Times for Unanticipated School Closures in SY 2022-23 (October 1, 2022-April 30, 2023)
- Meals at School Sites for Unanticipated School Closures in SY 2022-23 (October 1, 2022-April 30, 2023)

SSO/SFSP can operate at times of unanticipated school closures. This extends the COVID-19 waivers if that option occurs, and COVID-19 flexibilities are needed.

12(l) COVID-19 Waivers cont.

CACFP

Flexibilities will only be implemented by Program operators when congregation is limited by the COVID-19 pandemic. Permission must be obtained by Maine DOE Child Nutrition.

- Non-Congregate Meal Service (July 1, 2022 – June 30, 2023)
- Parent/Guardian Meal Pickup (July 1, 2022 – June 30, 2023)
- Meal Service Times (July 1, 2022 – June 30, 2023)
- Sponsoring Organization Onsite Monitoring Visits (End of Public Health Emergency – June 30, 2023)

12(l) COVID-19 Waivers cont.

Additional Flexibilities (NSLP/SBP)

Sponsors should only use these flexibilities for the duration and extent needed to address COVID-19 challenges.

- Paid Lunch Equity
  - Paid Lunch Equity requirements are waived
  - This waiver pertains to school lunch prices for SY 2022-2023
  - Maine public schools have universal meals law – meals at no charge
- Use of Prior Year Eligibility Determinations for School Year 2022-23 Carryover
  - Only use if SY 2022 applications were not collected and SSO was used in SY 2022

Supply Chain Assistance

- Second Round of Supply Chain Assistance Funding will be offered to SFAs operating NSLP and/or SBP.
- Funds meant to help address rising costs amid supply chain disruptions and to support local food supply chains.
- Funding level will look like first round
  - Base level $5,000 with additional proportional funds based on each SFA's share of statewide student enrollment
- Funds must be used in the same way
  - Buy American required with no exceptions
  - Unprocessed or minimally processed domestic food products

Supply Chain Assistance

- If your SFA already completed an attestation, this will be used for second round
- If your SFA did not, an attestation must be completed
- Maine DOE will have an opt in process
- Funds expected to be distributed in the fall of 2022
- Oversite of funds must occur, and documentation must be maintained to show purchases were allowable
- Email child.nutrition@maine.gov to opt in

State of Maine updates

- Nationwide Universal Meals ends but Meals at No Charge in Maine Public Schools starts this year!
  - NSLP is back - no more SFSP or SSO during the school year when open
  - Make sure **accountability** is done correctly
  - Must be able to ensure 1 meal per student
  - Collect meal benefit applications and count by status
    - free/reduced/paid

State of Maine updates

- **NSLP operations as a result of Meals at No Charge**
  - Traditional NSLP
  - Community Eligibility Provision (CEP)
  - Special Provision II (Prov II)

  - We have encouraged CEP or Prov II to streamline the application process and increase federal reimbursement to the state

Universal Meals and Accountability

Traditional NSLP or Special Provision II (base year)

- Must distribute meal benefit applications
- Point of Service meal counting by free/reduced/paid status
  - Student name with status confidential
- Claim using free/reduced/paid meal counts
  - The state pays the difference between the Paid or Reduced and Free reimbursement

Special Provision II

- Are you new to Special Provision II and/or in a base year?
  - Maine DOE will be reviewing applications and established claiming percentages during the base year
  - If you are scheduled for an NSLP AR, this will be done at that time
  - Applications will either be reviewed onsite or remotely using a secure data transfer process

State of Maine updates

- Breakfast After the Bell law continues
  - Must be done for those over 50%* in the previous school year or opt out with a board vote
  - Grant available! https://www.maine.gov/doe/schools/nutrition/programs/breakfast
- CACFP At-Risk law continues
  - Must operate afterschool CACFP At-Risk if over 50%* and have a qualifying afterschool enrichment program or opt out with a board vote

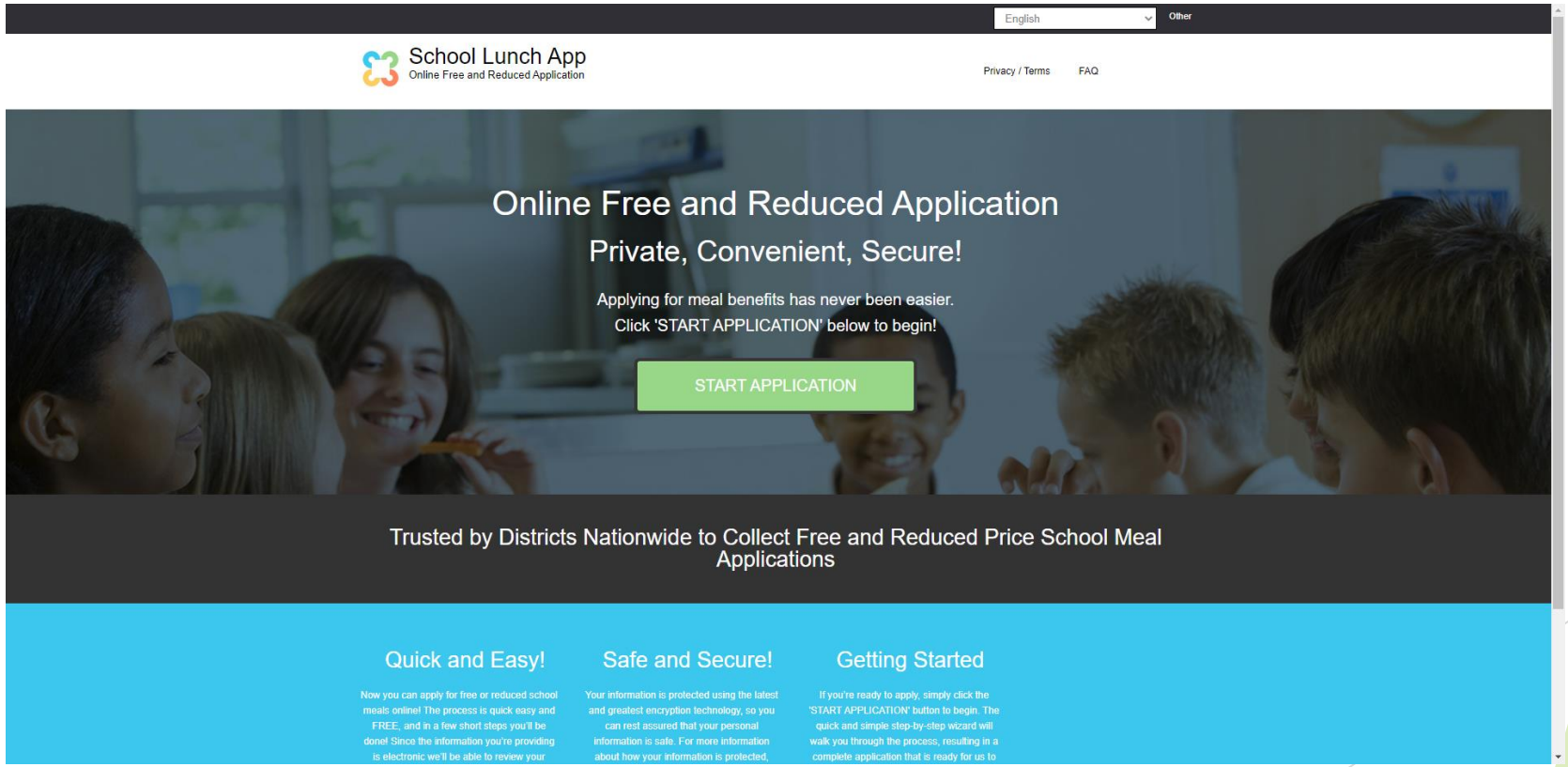
**If using CEP, remember your free/reduced percentage includes the 1.6 multiplier*

State of Maine updates – LD 1679

- Online meal benefit application
  - Maine DOE has extended their partnership with Nutri-Link Technologies. There is no cost to Maine public school districts that participate in the federal Child Nutrition Programs.
  - **Districts who are not signed up will still need to receive application data from Nutri-Link**
    - Exception – CEP or non-base year Special Provision II schools

State of Maine updates

- Online meal benefit application – School Lunch App



Transitional Nutrition Standards

- USDA Training available here: Transitional Standards for Milk, Sodium and Whole Grains - Webinar for State Agencies and School Food Authorities | Food and Nutrition Service (usda.gov)
- Food components impacted
  - Types of milk allowed
  - Amount of whole grain-rich grains required
  - Sodium levels
- Proposed rule applicable through SY 2024

Transitional Nutrition Standards - Milk

- Option to serve flavored, low-fat (I percent or less) milk in NSLP and SBP
  - Flavored nonfat milk is still an option
  - Allowable in Smart Snacks and CACFP ages 6 and up
  - Requires unflavored fat free or 1 percent milk to be offered at each NSLP/SBP meal service
- Lactose-free and reduced-lactose milk meet requirements with no written medical statement required

Transitional Nutrition Standards – Whole Grains

- At least 80% of grains must be whole grain rich
  - Maine DOE strongly recommends 100% of grains be whole grain rich for the nutritional benefit offered
  - The remaining grains must be enriched
  - Offers flexibility due to supply or acceptance concerns
  - The whole grain waiver will not be used due to this change

Transitional Nutrition Standards – Sodium Standards

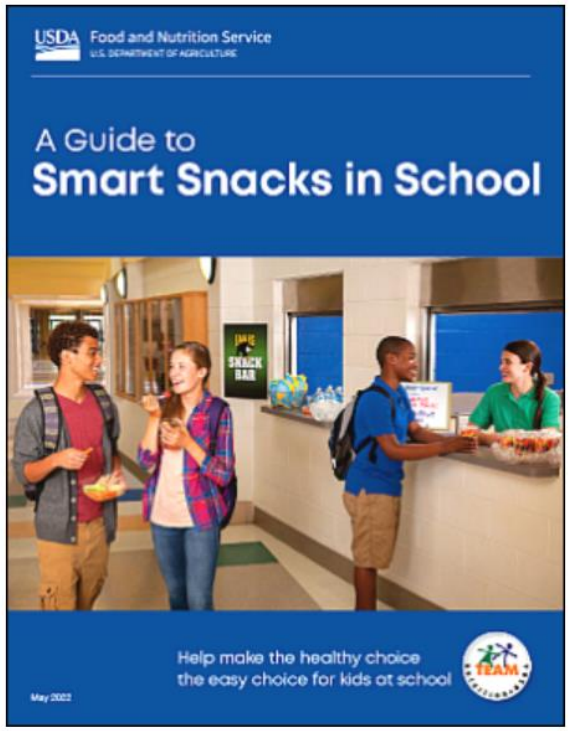
Sodium Standards: School Breakfast Program

School Breakfast Program Transitional Sodium Timeline & Limits	
Age/Grade Group	**Target 1: Effective July 1, 2022**
K-5	≤ 540 mg
6-8	≤ 600 mg
9-12	≤ 640 mg

Sodium Standards: National School Lunch Program

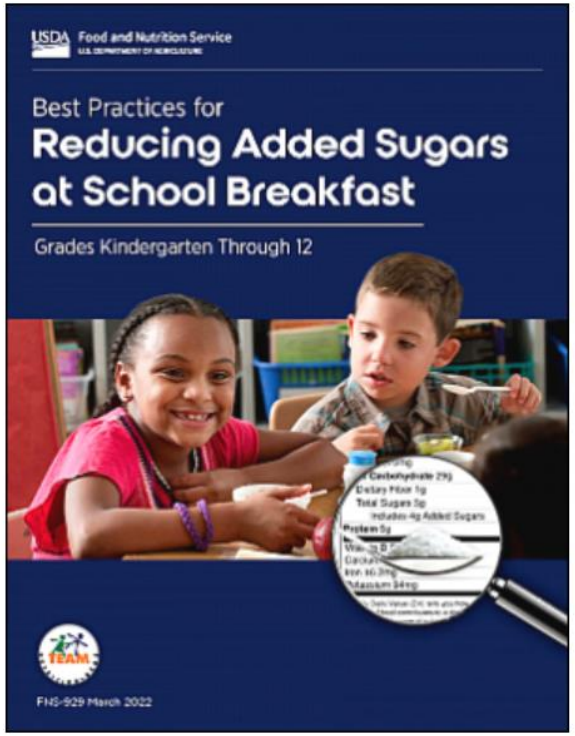
National School Lunch Program Transitional Sodium Timeline & Limits		
Age/Grade Group	**Target 1: Effective July 1, 2022**	**Interim Target 1A: Effective July 1, 2023**
K-5	≤ 1,230 mg	≤ 1,110 mg
6-8	≤ 1,360 mg	≤ 1,225 mg
9-12	≤ 1,420 mg	≤ 1,280 mg

Updated Guide to Smart Snacks in Schools



- https://www.fns.usda.gov/tn/guide-smart-snacks-school
  - A new cover and publication date of May 2022
  - Updated information about the types of milk that meet Smart Snacks Standards in accordance with *Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium*
  - Updated website link for the Alliance for a Healthier Generation's *Smart Snacks Product Calculator*
  - Updated instructions on entering multi-unit packages in the Alliance for a Healthier Generation's Smart Snacks Product Calculator
  - Removed the image of the old Nutrition Facts label
  - New content for additional nutrition education resources on page 15

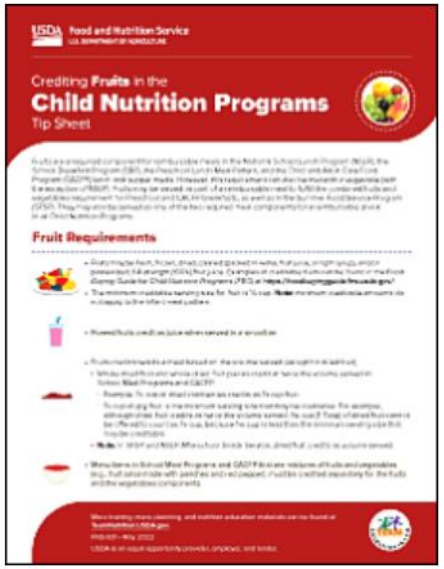
Reduced Sugar at School Breakfast



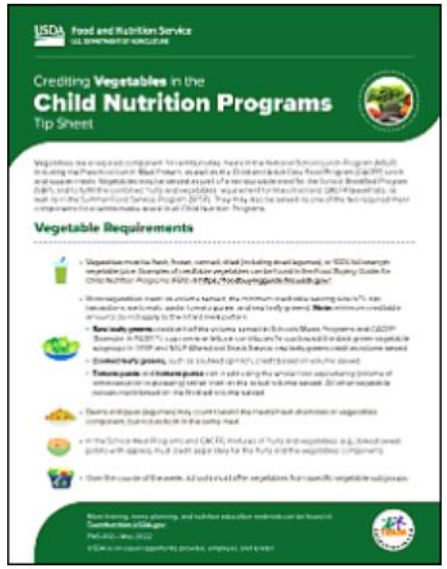
- https://www.fns.usda.gov/tn/best-practices-reducing-added-sugars-school-breakfast
- This new training guide for school nutrition professionals provides information on:
  - How To Determine Amounts of Added Sugars in Foods and Drinks
  - Menu Planning Tips
  - Tips for Reducing Added Sugars in Recipes
  - Talking with Families and Caregivers and more!

New Crediting Tip Sheets

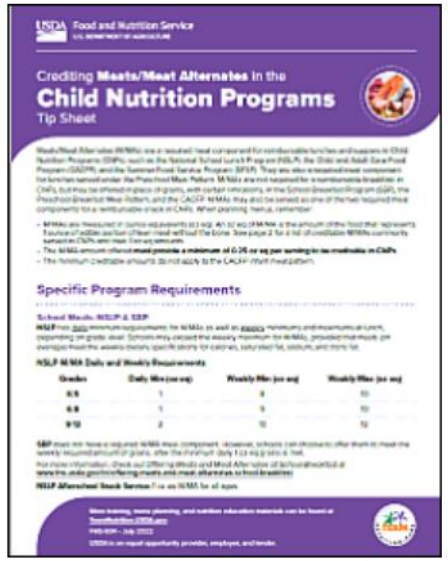
- https://www.fns.usda.gov/tn/crediting-tip-sheets-child-nutrition-programs
- Crediting tip sheet series on meal components



Fruits



Vegetables



Meats/Meat Alternates

Civil Rights Updates – Bostock Memo

- Discrimination on the basis of sex in programs or activities receiving Federal financial assistance **includes** discrimination on the basis of sexual orientation and discrimination on the basis of gender identity.

- This policy update is consistent with the Supreme Court's decision in *Bostock v. Clayton County*, 140 S. Ct. 1731, 590 U.S. ___ (2020), and applies to prohibitions against discrimination based on sex in all FNS programs.

- Updates Federal non-discrimination statement: sex (including gender identity and sexual orientation)

- Updated poster will be released

SY 2023 Press Release

- Each district must submit their own press release regarding eligibility requirements on free/reduced meal benefit applications.

- **SY23 Sample News Releases**
Sample NSLP News Release
Sample NSLP News Release for Private or Non-Public Schools
Sample Media Release for Special Provision Schools

- **Do I have to pay for an ad in the paper?** No, the district can put out a press/media release for informational media to access.

- Federal regulations indicate: *On or about the beginning of each school year, a public release, containing the same information supplied to parents, and including both free and reduced price eligibility criteria shall be provided to the informational media, the local unemployment office, and to any major employers contemplating large layoffs in the area from which the school draws its attendance.*

Reminder – We have training resources!

- Visit our website for many pre-recorded trainings and presentations
  - https://www.maine.gov/doe/schools/nutrition/training
  - Our "Programs" page has additional tools and resources https://www.maine.gov/doe/schools/nutrition/programs
- We will be doing monthly webinars in SY 2023
  - Updates, hot topics, additional Technical Assistance
- Keep an eye on the listserv for more
  - Sign up now if you haven't already https://mailman.informe.org/mailman/listinfo/child.nutrition

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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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Thank you!

Do you have any additional questions?