

Monthly Update



School Nutrition Programs

October 25, 2021

Distributed to the School Nutrition Program Authorized Representatives Listserv and the Food Service Directors Listserv and posted at www.kn-eat.org, School Nutrition Programs, What's New

Tuesday Town Halls at 2

- **October 26** – Join the Town Hall at 2 via this link:
<https://ksde.zoom.us/j/93001580396?pwd=ZlliMTVuemh3d0VoVU80aGVQcmpuZz09>
Agenda Items will include:
 - Supplemental (Summer) P-EBT Next Steps
 - Reporting Number of Directly Certified Students as of October 31st in KN-CLAIM to Meet USDA Reporting Requirements- live demo!
 - *SP 01-2022* Questions and Answers for Child Nutrition Programs Emergency Procurement Due to Supply Chain Disruptions
- **November 2** – No Town Hall Meeting
- **November 9** – Join the Town Hall at 2 via this link:
<https://ksde.zoom.us/j/93001580396?pwd=ZlliMTVuemh3d0VoVU80aGVQcmpuZz09>
- **November 16** – No Town Hall Meeting
- **November 23** – No Town Hall Meeting – Happy Thanksgiving Week!
- **November 30** – Watch for a link mid-November to join the Town Hall and participate in breakout rooms with like size Sponsors.

Low-Fat (1%) Flavored Milk – Congressional Flexibility Extended through December 3, 2021

In Section 789, of Division A of the Consolidated Appropriations Act, 2021, Congress provided that none of the funds made available by the Appropriations Act or any other act may be used to restrict the offering of low-fat (1% fat) flavored milk in the NSLP and SBP as long as such milk is not inconsistent with the most recent Dietary Guidelines. **Due to recent Congressional action, this flexibility allowing low-fat, flavored milk in the NSLP and SBP is now effective through December 3, 2021.** This provides additional flexibility in planning school breakfast and lunch menus; but, does not require schools to make any menu changes.

Also in the Appropriations Act, Congress provided that funds made available by the Appropriations Act cannot be used to procure raw or processed poultry products imported into the United States from the People's Republic of China for use in the child nutrition programs. **This prohibition is also extended through December 3, 2021.**

For more information, please see this policy memo: [Consolidated Appropriations Act 2021: Effect on Child Nutrition Programs – REVISED](#). Please note, while the expiration date for these provisions is listed as September 30, 2021 in the memo, **they have both been extended to December 3, 2021.** FNS will provide additional guidance if these provisions are further extended. As stated in the memo, flexibility related to paid lunch equity and serving potatoes and other starchy vegetables in the SBP remains in effect through school year 2021-2022.



Reporting Number of Directly Certified Students as of October 31 Required by USDA

All Sponsors will be required to report to KSDE the number of Directly Certified students as of October 31. The Pre-Verification Worksheet in KN-CLAIM will be available on November 1 and data must be entered by November 30.

The number of directly certified based on Food Assistance (FA) will be entered in Field 1a and the number of all others directly certified (Foster, Homeless, Migrant, Temporary Assistance for Needy Families) will be entered into Field 1b. All other fields on the pre-verification worksheet will be un-enterable and will not be required. Attend the Tuesday Town Hall to see a live demo of where and how to enter the data!

Buy American RFI Responses due November 2nd

USDA wants to hear from you! Responses to the School Meals Buy American Provision Request for Information (RFI) are due on **November 2, 2021**. USDA is seeking feedback from all stakeholders on how the Buy American provision and guidance are currently implemented, changes USDA should make to current regulations and how USDA can better support local operators. USDA greatly appreciates the efforts of school food stakeholders to keep kids fed while facing pandemic-related challenges. Your feedback on this Request for Information will help USDA improve school meal procurement requirements in the future. Please use [this link](#) to submit your responses.

Questions and Answers for Child Nutrition Programs Emergency Procurement Due to Supply Chain Disruptions SP 01-2022

This USDA policy memo provides clarification on questions related to Child Nutrition Programs use of emergency procurements due to supply chain disruptions caused by COVID-19 and details further instructions and administrative procedures for utilizing the noncompetitive procurement method in 2 CFR 200.320(c).

Q. May an SFA use noncompetitive procurements when experiencing certain supply chain disruptions?

A. Yes, the noncompetitive procurement method in 2 CFR 200.320(c) may be used when a “public exigency or emergency” prevents an SFA from undertaking a competitive procurement. Circumstances, such as the unanticipated cancellation of food and supply contracts, have the effect of creating an emergency for an SFA participating in the Child Nutrition Programs.

SFAs do not need to request a waiver or receive State agency approval to utilize the emergency noncompetitive procurement method and may use this procurement method as long as the supply chain disruption occurs. For example, if an SFA experiences an unanticipated food order cancellation, the SFA may go to the local grocery to purchase food as many times as they need using the emergency procurement method until their next food order arrives. The SFA could also do an emergency one-year sole source emergency procurement to ensure they have food the entire school year. Noncompetitive procurements are an exception to the requirement for full and open competition and USDA approval is not required. However, consistent with procurement regulations at 2 CFR 200.318(i), SFAs should document their justification for using noncompetitive procurement, comply with other procurement requirements, and ensure that costs are necessary, reasonable, and allocable.

**Q. When does the emergency noncompetitive procurement method apply and for how long?**

A. Use of the emergency noncompetitive procurement method is only allowable during the actual public exigency or emergency circumstance. Circumstances vary for each incident, often making it difficult to determine in advance a particular timeframe when noncompetitive procurements may be warranted. Because noncompetitive procurement is available only while the public exigent or emergency circumstances exist, SFAs should, upon awarding a noncompetitive contract, begin the process of competitively procuring goods and services to transition to the competitively procured contracts as the exigency or emergency circumstances cease to exist.

Q. Do micro-purchase thresholds apply when an SFA uses the emergency noncompetitive procurement method?

A. No, micro-purchase thresholds outlined in 2 CFR 200(a)(1) do not apply to the emergency noncompetitive procurement method, and there is no limit to the number of times an SFA may use this procurement method for the duration of the supply chain disruption.

Q. What documentation should an SFA develop and maintain to support the use of the emergency noncompetitive procurement method?

A. Consistent with procurement regulations at 2 CFR 200.318(i), SFAs should retain information, data, and documents which qualify specific conditions and emergency circumstances which resulted in the decision to use the emergency noncompetitive procurement method and the procurement process, itself. Failure to plan for transition to competitive procurement cannot be the basis for continued use of noncompetitive procurement based on exigency or emergency circumstances. SFAs should maintain documentation in their procurement files. Documentation must include an explanation of the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. The following items are examples that would support the documentation requirements:

- Documentation showing that the distributor, processor, or other supplier cancelled of food or supply contracts, deliveries, or orders;
- Documentation showing that the distributor, processor, or other supplier is no longer able to provide food as ordered, or failed to consistently deliver goods.

In addition, SFAs should retain documentation providing information on the food and supplies (e.g., delivery, processing, other) being procured, including the estimated quantity and dollar value of the emergency procurement; and how the emergency procurement was handled, i.e., obtained through negotiation, phone, email, etc. Note that documentation does not need to be specially created for this purpose; materials created as part of the purchase will suffice if they contain the necessary information.

NOTE: Separate documentation is required for each noncompetitive procurement process, not item, undertaken by an SFA as a result of a COVID-19 supply chain disruption.

Q. Can an SFA award a cost-plus-a-percentage-of-cost contract in exigent or emergency circumstances?

A. No. Cost-plus-a-percentage-of-cost contracts are prohibited regardless of the circumstances pursuant to Federal procurement regulations at 2 CFR 200.324(d).

**Q. Can SFAs piggyback onto existing contracts in exigent or emergency circumstances?**

A. Yes, SFAs may piggyback onto existing contracts during an exigency or emergency. SFAs should determine whether the existing contract has a provision allowing “piggybacking” to avoid a material change. For more information on contract piggybacking please see [SP05-2017: CACFP03-2017: SFSP02-2017](#).

Q. Can SFAs use emergency noncompetitive procurement if they operate CACFP at-risk supper Program?

A. Yes, SFAs may use emergency procurement when making purchases for any Child Nutrition Program including, the CACFP at-risk supper Program

Upcoming Webinar on Federal Supports to Address School Labor Shortages

The U.S. Departments of Education and Treasury are hosting a two-part webinar series that may be of interest to school nutrition professionals and other School Food Authority (SFA) staff. The **two-part webinar series – “Using American Rescue Plan Funds and Other Federal Supports to Address State and Local Teacher and School Staff Labor Shortages”** – will be held on **Wednesday, October 27 and Thursday, October 28 from 3:00 to 4:00 PM CST**. The October 27th webinar will focus on teacher and substitute teacher shortages. The October 28th webinar will focus on staff shortages, such as school bus drivers and school nutrition professionals/food service workers.

Schools and SFAs across the nation are facing challenges to filling these critical positions in schools. The purpose of these webinars is to discuss the underlying causes of these shortages and share effective practices happening at the state and local levels and how federal resources, including those under the American Rescue Plan’s Elementary and Secondary School Emergency Relief Fund (ARP ESSER) and the State and Local Fiscal Recovery Fund (SLFRF), can be used to support and sustain these efforts.

- **Webinar 1:** Teacher and Substitute Teacher Shortages
Date and Time: Wednesday, October 27, 2021 / 3:00 PM CST
Registration Link: https://www.zoomgov.com/meeting/register/vJlSd-2sqzKpH2KjHWPp_Vv7ly7vjInHSBM
- **Webinar 2:** Staff Shortages (such as school bus drivers and school nutrition professionals)
Date and Time: Thursday, October 28, 2021 / 3:00 PM CST
Registration Link: https://www.zoomgov.com/meeting/register/vJlTf-mrrTgpHMb_X3ytzYvojdCHoncw8H0

Fiscal Year 2022 CACFP & SFSP Area Eligibility Data Now Available!

At the start of every fiscal year, FNS releases a special tabulation of data provided by the Census Bureau for CACFP and SFSP that establishes area eligibility in the CACFP and SFSP. These data are effective as of October 1, 2021. The FNS mapping tools have also been updated to reflect the new data. To see the map, click this [link](#). Please note that the map works best when opened in the following browsers: Google Chrome or Mozilla Firefox. Waivers to suspend Area Eligibility Requirements for all Eligible Sponsors Operating SSO and SFSP and in the CACFP At-Risk Afterschool Care Component remain in effect through SY 2021-22.



Professional Development Opportunities

Don't miss any of the amazing upcoming training opportunities. Go to www.kn-eat.org, CNW Calendar to view all scheduled classes – dates, times and ZOOM links. Upcoming classes through Zoom include: Using Standardized Recipes, Flexing Your Marketing Muscle, and Nutrition 101.

Celebrate National Pumpkin Day on October 26. For a quick and simple Pumpkin Parfait recipe demonstration view the October CNW Quick Bite at: <https://www.youtube.com/watch?v=SYklahu0FQk>

If you would like to schedule a ZOOM Inservice for your Sponsor or have questions about professional development, contact Kelly Chanay at kchanay@ksde.org.

Online Professional Development – Classes and Tutorials

CNW staff continue to develop new interactive online training classes and tutorials that can be accessed free of charge 24/7 via the KSDE Training Portal. The professional development classes offer a certificate upon successful completion which can be printed. Tutorials are less than an hour with no quiz and no certificate. Create an account now at <https://learning.ksde.org> and see the entire list of classes and tutorials available. For detailed instructions on creating an account and accessing the training, go to www.kn-eat.org, School Nutrition Programs, Training.

New to the online portal this month: Quick Train on Grains, Reducing the Risk of Choking, Responsive Not Defensive Customer Service, Leading the Team.

CACFP Knife Skills – Culinary Training Kit.

All CACFP Sponsors should have or will soon be receiving a CACFP Knife Skills Culinary Training Kit in the mail! This culinary training kit is intended for use in the preparation of CACFP meals and snacks and contains a multi-colored knife set with blade guards, knife sharpener, flexible chopping mats, kitchen shears and a vegetable peeler.

Sponsors are encouraged to use the kit in conjunction with the CACFP Knife Skills Online Training that will be released on the KSDE Training Portal, www.learning.ksde.org, in the near future. Watch for details on how to access the training in the November CACFP Update.

The culinary kit and knife skills training are made possible through the FY 2018 CACFP Meal Service Training Grant.

KSDE Professional Recognition Program

Participation in professional development demonstrates commitment, shows professionalism, and elevates the reputation of the child nutrition program. KSDE offers a professional recognition program to honor individuals who make the effort to expand their knowledge and skills. All KSDE-sponsored professional development where certificates are issued count toward the recognition requirements. To apply for the KSDE Child Nutrition Professional Recognition Program, or to see more information on the recognition program, go to www.kn-eat.org, School Nutrition Programs, Recognition, Professional Recognition Program.

FY2021 USDA Equipment Grants Awarded

A list of equipment grant recipients will be posted at www.kn-eat.org, School Nutrition Programs, What's New.



Happy Farm to School Month!

The opportunity to incorporate local foods in Child Nutrition Programs exists all year long but we celebrate Farm to School Month in October. Watch your mail for posters to use to promote local foods.

Did you hear a CRUNCH?

Almost 50,000 participants participated in the Mountain Plains Apple Crunch Event! Thank you for teaching children about nutrition and where their food comes from. The KSDE Child Nutrition & Wellness team appreciates your work in #FuelingKSKids! Be sure to share your best practices using this hashtag! Regional results will be announced in early November.

FY2022 Farm to School Grant Request for Applications (RFA) – Now Available

The fiscal year (FY) 2022 Farm to School Grant Program RFA is now available at <https://www.grants.gov/web/grants/view-opportunity.html?oppId=336252>. The Office of Community Food Systems will host webinars **Monday, November 8th, 2021** and **Tuesday, November 9th, 2021**, each at 2:30pm ET, to help interested applicants learn more about the RFA and put together a grant package, respectively. A Frequently Asked Questions document will also be available through the [Farm to School Grant Applicant Resources Page](#) of the FNS website.

Team Nutrition Back-to-School Support Kit

As schools work toward resuming regular operations, USDA continues to offer flexibilities in response to public health needs and to ease administrative burden, while still promoting nutritious meals. Learn more about adjusting meal service operations during the dynamic school year ahead by visiting the “Planning for a Dynamic School Environment” materials at fns.usda.gov/tn/planning-dynamic-school-environment. Materials include the new Customizable Letter to Families About School Menus at fns.usda.gov/tn/customizable-letter-families-about-school-menus. School Food Authorities (SFAs) can use this letter to communicate changes to school meal service and menus with families, students, and others in the school community.

Additionally, the following recorded webinars are available:

- Procurement Strategies for School Year 2021-2022 (for SFAs): fns.usda.gov/tn/procurement-strategies-school-year-2021-2022-webinar-school-food-authorities.
- Planning for a Dynamic School Environment: Guidance for Meal Service Flexibilities for School Year 2021-2022: <https://youtu.be/rHGnysYjCWI>.

Stronger with School Meals Materials: School meals, and the school nutrition professionals that provide them, help children be strong physically (through good nutrition) and mentally (through the sharing of mealtimes in person or virtually). Celebrate the school community and promote healthy foods with these fun new Team Nutrition materials. All materials are available for download at fns.usda.gov/tn/stronger-school-meals-educational-materials. Team Nutrition Schools will be receiving an email later this month with instructions on how to order printed versions of the infographics, activity sheets, and buttons. Schools that participate in the National School Lunch Program and/or the School Breakfast Program can join Team Nutrition Schools or update their school's information at fns.usda.gov/tn/schools.



Team Nutrition Web Quizzes: These interactive web quizzes, available at fns.usda.gov/tn/quizzes, are a fun and engaging way to introduce a variety of nutrition topics and help build nutrition skills. These quizzes can be used by State agency staff at trainings and other nutrition events. Upon completion of each 10-question quiz, users are provided a score along with a link to resources to help expand their knowledge. Each quiz is available as a widget so Sponsors can easily embed and display the quizzes on their websites. Quizzes are available on school lunch, infant nutrition and toddler nutrition in both English and Spanish. More quiz topics will be released throughout Fall and Winter 2021.

USDA Works to Strengthen School Meals, Listens to Feedback from Food Industry Leaders

U.S. Department of Agriculture (USDA) Secretary Tom Vilsack, Deputy Under Secretary for Food, Nutrition and Consumer Services, Stacy Dean and USDA Food and Nutrition Service (FNS) Administrator Cindy Long on October 15th hosted a virtual listening session with 19 school food industry executives to discuss their critical role in strengthening access to nutritious foods for school meals programs, now and into the future.

“USDA’s school meal programs have a wide-reaching impact on the health and well-being of our nation’s children,” said Vilsack. “Now, more than ever, America’s children need access to the healthy and nutritious foods, and our industry partners play a huge role in making that happen.” The COVID-19 public health and economic crisis has highlighted the essential role that school meals play in addressing childhood hunger, as well as the tireless dedication and creativity of school food professionals in making sure children are well fed – no matter the situation.

“One of the most important things we can do to protect the future of our nation’s children is to make sure they have enough nutritious food to eat – and the National School Lunch Program does exactly that,” said Vilsack. “Research shows that school meals are the healthiest food children receive in a day, and students’ success in the classroom is connected to their ability to access healthy and nutritious meals.” Vilsack added that USDA is committed more than ever to listening to all its partners – state, local, industry and beyond – and giving them the resources and options, they need to safely serve school meals that support students’ learning and development.

Thank you for your dedicated heroic efforts to help students be STRONGER with School Meals! As always, if you have questions please call or email us or your area Child Nutrition Consultant.

Cheryl, Jill and Julie



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