



Policy Update

March 27, 2024

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TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

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Food and Nutrition Division
Summer Meal Programs



Updated 3/27/2024
www.SquareMeals.org

01

Summer 2024 Rural Non-Congregate



Summer Non-Congregate 2024 UPDATE

- Management and Administration Plan approved by USDA
- Under development:
 - FAQs – Coming first week of April
 - Site Mapper – Coming first week of April
 - Non-Congregate Request Form – Coming first week of April
 - Updated Site Review Form – Early May
 - New NC Meal Count Form – Early May

Summary of Non-Congregate Requirements

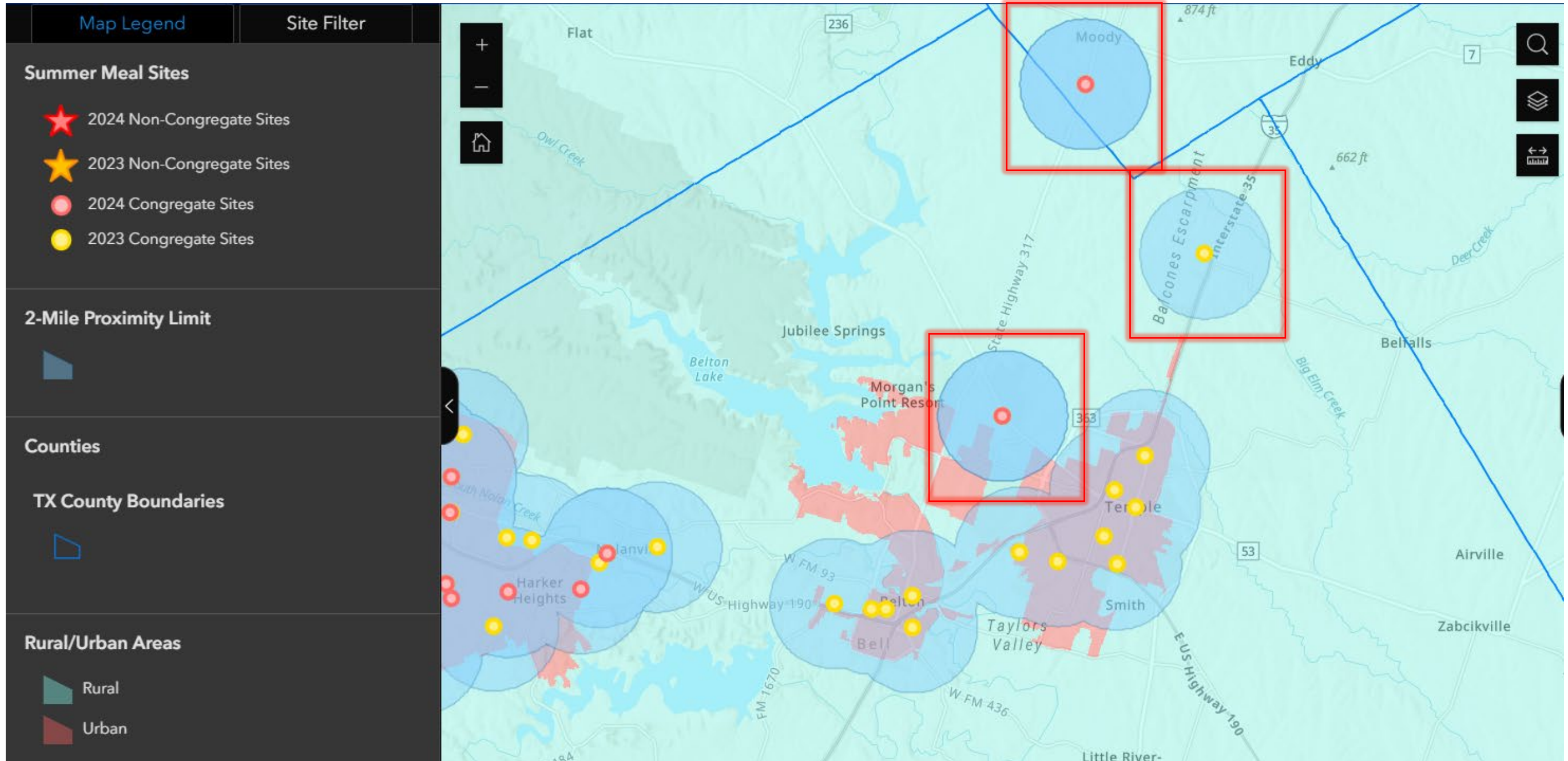
- Site must be in rural-designated area
- 2-mile proximity required from nearest site.
- Sponsor must have previous CNP experience
- Sponsor must be in good standing (no outstanding corrective action or debt, not in SD)
- Switched SFSP sites will be considered “new”:
 - Subject to sponsor pre-operational visits and first two weeks site visit
- Site application must be approved (or conditionally approved) prior to submitting the NC Request Form

Application Process

- Similar to Summer 2023:
 - CE uses mapping tool to determine if site is rural and meets proximity requirements.
 - TX-UNPS Site application must be approved or conditionally approved prior to applying for NC eligibility via the NC Request Form.
 - CEs will be able to enter procedures directly into fields on the form or upload documents.
 - If approved for NC, our application team will add NC designation to site name.

NOTE: Sites approved in 2023 must resubmit the Request Form for 2024.

Summer Site Map



Non-Congregate Request Form

General Information

Select the Program you are operating in Summer 2024: *

- Seamless Summer Option (SSO)
- Summer Food Service Program (SFSP)

Select the CE and Site information requesting to operate non-congregate service . *

If your CE and Site is not listed, type it in the displayed format and hit Enter.
Site name must be entered as it appears on the TX-UNPS Site Application and following the format: 00000-CE Name::0000-Site Name

Type to search then select the site requesting approval.

Select or enter value

- 00260-A PLUS CHARTER SCHOOLS, Inc. DBA A + ACADEMY::0001-A+ ACADEMY EL
- 00260-A PLUS CHARTER SCHOOLS, Inc. DBA A + ACADEMY::0002-A+ SECONDARY SCHOOL
- 00261-A PLUS CHARTER SCHOOLS, INC. DBA INSPIRED VISION ACADEMY::0001-INSPIRED VISION ACADEMY EL
- 00261-A PLUS CHARTER SCHOOLS, INC. DBA INSPIRED VISION ACADEMY::0002-INSPIRED VISION ACADEMY SECONDARY
- 00579-ABBOTT ISD::0001-ABBOTT SCHOOL

IMPORTANT: Just because the site is listed does not mean it is eligible.

Just because a site is **NOT** listed does not mean it is *ineligible*.

Distribution Method

Select the method of non-congregate feeding. *

Note: Only one non-congregate method is allowed per site. For example, if operating a home delivery method and a grab-and-go site, these must be two separate sites with two separate site applications.

For Mobile Route sites, meals are picked up by children/parents directly from the vehicle.

- Grab-and-Go at central site
- Mobile Route
- Home Delivery

Will this site be distributing food components in bulk?

Bulk food component distribution is a strategy for packaging multiple components (for example, a gallon of milk, a loaf of bread) that can easily be assembled into a multiple meals and require no more than warming to be eaten.

Note that pre-plated, unitized meals are not considered bulk packaged food.

Note also that if distributing items in bulk, the site may only distribute up to 5 days of meals at one time and must submit sample menus and procedures for ensuring food safety later in this form.

- Yes
 No

Bulk Components Attestation: I attest that by opting to distribute food components in bulk, this site cannot deliver more than 5 days of meals at one time. *

Will this site distribute more than one day of meals at a single distribution? *

- Yes
 No

Will this site be providing more than 5 days of meals at a single distribution? *

Regulations allow for a maximum distribution of 10 days of meals at a time. Any distribution of over 5 days of meals at a time requires an upload of a sample menu and procedures for ensuring food safety.

- Yes
 No

This response will lead to a denial of the request. Because bulk food component distribution was selected, the max number of days of meals allowed at a single distribution is 5.

Bulk Food Component Distribution and Multi-Day Issuance

Bulk Food Component Distribution and Multi-Day Issuance

Select how you will provide distribution procedures. *

You must upload or enter procedures for how you plan to safely distribute bulk food components and/or more than 5 days of meals at a time.

Procedures should include:

- a sample menu,
- how the CE will adequately address food safety concerns with families; and
- instructions to families of how to assemble bulk food components into reimbursable meals, if applicable.

Refer to the Summer Non-Congregate page on [SquareMeals.org](https://squaremeals.org) for more information on these flexibilities.

A file upload is preferred.

- Text entry
- File upload

Hybrid Congregate/Non-Congregate Sites

Will this site be offering both congregate and non-congregate meals? *

Sites may serve both congregate and non-congregate meals if those services (including days of intended meal consumption) do not overlap. All children must receive the same number and types of meals at each distribution.

Example:

- An **allowable** hybrid service would include congregate service provided Monday through Friday, with Saturday and Sunday meals being sent home with the children.
- An **unallowable** service would include distributing a bundle of 5 days of meals on Monday, while a subset of children receive daily congregate meals at the site.

Additionally, sites will be required to keep separate counts of congregate and non-congregate meals distributed and may be required to report those meal counts monthly to TDA.

Yes

No

- Hybrid Attestation: I attest that by serving both congregate and non-congregate meals at this site, I must track the number of congregate and non-congregate meals distributed and may be required to report these numbers to TDA on a monthly basis. ***

Options for Summer School

Allowable:

- Daily congregate meals for both summer school students and community children M-F with non-congregate meals sent home on weekends.
 - All children must eat onsite.
 - **This is considered a hybrid site.**
- Daily **non-congregate meals** for both summer school students and community children M-F with non-congregate meals sent home on weekends.
 - Summer School students pick up the non-congregate packaged meals and return to classroom or other setting. While the students are eating together, these are considered non-congregate meals.
 - **This is not considered a hybrid site.**
- 5-day bundle distributed on Monday. Summer school students must also receive bundle and bring lunch from the bundle daily to school.

Options for Summer School

Not allowable:

Summer school kids fed congregate meals daily while other children receive multi-day bundle for the week.

All children receive the same number and type of meals at distribution.

Please select the days of distribution, type of distribution, number of days' worth of meals distributed at each service, and type of meals distributed at each service.

Note that meals must be distributed during the times listed on your site application, and meals may only be claimed for the days listed in the site application.

Sunday - NON-CONGREGATE meal service will occur.

Sunday - CONGREGATE meal service will occur.

Monday - NON-CONGREGATE meal service will occur.

Monday - CONGREGATE meal service will occur.

Monday - Select NON-CONGREGATE meal types distributed: *

Which meal(s) will be distributed on Monday for **non-congregate** service?

Breakfast; Lunch; Snack; Supper

Monday - Enter number of days of NON-CONGREGATE meals distributed: *

How many days' worth of meals will be distributed on Monday for **non-congregate** service?

Days of Distribution

Monday - NON-CONGREGATE meal service will occur.

Monday - CONGREGATE meal service will occur.

Monday - Select NON-CONGREGATE meal types distributed: *

Which meal(s) will be distributed on Monday for **non-congregate** service?

Breakfast; Lunch; Snack; Supper

Monday - Enter number of days of NON-CONGREGATE meals distributed: *

How many days' worth of meals will be distributed on Monday for **non-congregate** service?

Monday - Select CONGREGATE meal types distributed: *

Which meal(s) will be served during Monday **congregate** service?

Breakfast; Lunch; Snack; Supper

Days of Distribution – Hybrid Site – Scenario 1

Monday - CONGREGATE meal service will occur.

Monday - Select CONGREGATE meal types distributed: *

Which meal(s) will be served during Monday **congregate** service?

Breakfast; Lunch; Snack; Supper

Tuesday - NON-CONGREGATE meal service will occur.

Tuesday - CONGREGATE meal service will occur.

Tuesday - Select CONGREGATE meal types distributed: *

Which meal(s) will be served during Tuesday **congregate** service?

Breakfast; Lunch; Snack; Supper

Wednesday - NON-CONGREGATE meal service will occur.

Wednesday - CONGREGATE meal service will occur.

Wednesday - Select CONGREGATE meal types distributed: *

Which meal(s) will be served during Wednesday **congregate** service?

Breakfast; Lunch; Snack; Supper

Days of Distribution – Hybrid Site – Scenario 2

Thursday - NON-CONGREGATE meal service will occur.

Thursday - CONGREGATE meal service will occur.

Thursday - Select CONGREGATE meal types distributed: *

Which meal(s) will be served during Thursday **congregate** service?

Breakfast; Lunch; Snack; Supper

Friday - NON-CONGREGATE meal service will occur.

Friday - CONGREGATE meal service will occur.

Friday - Select NON-CONGREGATE meal types distributed: *

Which meal(s) will be distributed on Friday for **non-congregate** service?

Breakfast; Lunch; Snack; Supper

Friday - Enter number of days of NON-CONGREGATE meals distributed: *

How many days' worth of meals will be distributed on Friday for **non-congregate** service?

Days of Distribution – Hybrid Site – Scenario 2

Days of Distribution

Meal Service Comment

If required, please enter any additional or clarifying information about the days and number of meals distributed as listed above.

For example, if days of distribution vary week to week, please provide a complete schedule of meal distribution days in the comment box below.

Parent/Guardian Pick Up

Will this site utilize the flexibility allowing a parent or guardian to pick up non-congregate meals without a child present? *

- Yes
 No

As applicable, select the methods this site will use to identify an adult picking up a meal as a parent or guardian of an eligible child (check all that apply): *

- Scan children's meal cards or ask for children's personal identification numbers used for meal service;
- Request children's names, ages or dates of birth, or grade levels when meals are picked up;
- Request children's school names or a copy of school correspondence when meals are picked up;
- Provide parents/guardians with rearview mirror hangers, placards, or QR codes;
- Post signage to indicate who is eligible to pick up and receive meals;
- Other methods to ensure meals are distributed only to parent/guardians of eligible children

Parent/Guardian Pick-up – Multi-Day Issuance – Procedures Required

Select how you will provide a description of the method to be used to reduce the risk of duplicate meals. *

Based on previous responses, this site is utilizing multi-day issuance and/or the parent/guardian pick-up flexibilities.

Enter or upload procedures describing safeguards put into place to reduce the risk of serving duplicate meals to children. Such procedures could describe monitoring, sign-in sheets, signage at the site, or other site set-up factors that ensure that participants are receiving no more than the maximum allowable meals.

File upload is preferred.

- Text entry
 - File upload
-

Select the method of non-congregate feeding. *

Note: Only one non-congregate method is allowed per site. For example, if operating a home delivery method and a grab-and-go site, these must be two separate sites with two separate site applications.

For Mobile Route sites, meals are picked up by children/parents directly from the vehicle.

- Grab-and-Go at central site
- Mobile Route
- Home Delivery

Are you a Private Non-Profit relying on school district data to identify participants? *

- Yes
- No

Memorandum of Understanding (MOU) Upload

If relying on school data to identify participants, you must provide a copy of a Memorandum of Understanding with the district allowing access to that data.

For uploads, please use the [document upload box](#) at the end of this form.

Select how you will provide your procedures/methods for obtaining parental consent to deliver meals to households. *

Procedures must include how you will protect the confidentiality of these households.

A file upload is preferred.

- Text entry
- File upload

Home Delivery – Procedures Required

Home Delivery

- ✓ **Home Delivery Attestation: I attest that by opting to deliver meals to households, this site cannot deliver more than 5 days of meals at one time. ***

Is this a school site requesting to operate a conditional non-congregate site in a non-area eligible area? *

For conditional non-congregate site requests, NC_CON_ should be at the beginning of the site name listed, and your application should have been conditionally approved by TDA.

- Yes
 No

Conditional Sites

By requesting to serve non-congregate meals at a school site in a non-area eligible area, you attest to the following:

- Only meals served to children who qualify for free or reduced-price meals can be claimed for reimbursement. ***
- I certify that this site will collect and maintain information on participants' eligibility to support its claim for reimbursement. ***
- I understand that while I may use school data from the previous school year to qualify students for free or reduced-price meals, I must make the application process available to any child for whom there is no eligibility information. ***
- I will proactively notify eligible students' families about the availability of the program while avoiding overt identification of students who qualify for free or reduced-price meals. Notification will include copies of hearing statements and, if charging "paid" eligible students, charge policy statements, as provided below in this form. ***
- I understand that if I do not meet the requirements in this application, TDA will deny this request and return the application. Prospective applicants will have a chance to correct the issues with this site form and re-submit for this site or another site. ***

- **Conditional NC sites must be submitted in TX-UNPS with NC_CON_.**
- **TDA will notify CEs of conditional approval.**
- **Final approval of site application occurs after approval of NC Request Form.**

Conditional Non-Congregate Sites

Will this site be charging students who are not eligible for free or reduced-price meals? *

- Yes
 No

If charging for meals, you must attest to the following:

- The eligibility standards qualifying students for free meals conform to the Secretary's family size and income standards for reduced price school meals. ***
- If a family requests a hearing, the child will continue to receive free meals until a decision is rendered. ***
- There will be no overt identification of free meal recipients and no discrimination against any child on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age, or disability. ***

Select how you will provide a description of the method to be used in accepting applications from families for Program meals that ensures that households are permitted to apply on behalf of children who are members of households receiving SNAP, FDPIR, or TANF benefits. *

A file upload is preferred.

- Text entry
 File upload

Application Method Upload

For uploads, please use the document upload box at the end of this form.

Select how you will provide a description of the method to be used for collecting payments from children who pay the full price of the meal while preventing the overt identification of children receiving a free meal. *

A file upload is preferred.

- Text entry
 File upload

Payment Method Upload

For uploads, please use the document upload box at the end of this form.

Select how you will provide your hearing procedures. *

Procedures must, at a minimum, include the following elements:

- A simple, publicly announced method that will be used for a family to make an oral or written request for a hearing;
- Acknowledgment of the following:
 - Family will have the opportunity to be assisted or represented by an attorney or other person (designated representative);
 - Family or designated representative will have an opportunity to examine the documents and records supporting the decision being appealed, both before and during the hearing;

Conditional Non-Congregate Sites – Procedures Required

File Uploads

Please upload all required documents using the file name formats provided. Following the naming conventions provided will help expedite application processing.

Payment Method file upload is complete. *

File name format: CE#_Site#_PaymentMethod

Hearing Procedures file upload is complete. *

File name format: CE#_Site#_HearingProcedures

Memorandum of Understanding file upload is complete. *

File name format: CE#_Site#_MOU

Parental Consent file upload is complete. *

File name format: CE#_Site#_ParentalConsent

Distribution Procedure file upload is complete. *

File name format: CE#_Site#_DistributionProcedure

Duplicate Meals Procedure file upload is complete. *

File name format: CE#_Site#_DuplicateMeals

Summer Non-Congregate 2024

Start Preparing Now!!!

- Determine number of days to serve
- Develop procedures
 - Identifying parent/guardian
 - Preventing duplicate meals
 - Food safety, if using home delivery, delivering more than 5 days of meals, or distributing components in bulk
 - Protecting family confidentiality (home delivery)
- Develop sample menus, if planning to distribute more than 5 days of meals at one time or distributing components in bulk.
- Determine service options and days of service
- Determine optimal site locations.

Public Comments Welcome!

- Interim Final Rule published December 29, 2023.
 - “Interim” means the regulations are now in effect, but public comments are being accepted and will be considered in a future rule update that will remove the “Interim” tag.
- Comments are **due April 29, 2024**.
 - Federal eRulemaking Portal: Go to <https://www.regulations.gov>. Follow the online instructions for submitting comments.
 - Mail: Send comments to Community Meals Policy Division, USDA Food and Nutrition Service, 1320 Braddock Place, Alexandria, VA 22314.
- Available to read:
<https://www.federalregister.gov/documents/2023/12/29/2023-28488/establishing-the-summer-ebt-program-and-rural-non-congregate-option-in-the-summer-meal-programs>

02

2024 Appropriations Act



Appropriations Act Highlights

- Current SY 2023–2024 sodium limits shall remain effective through School Year 2026–2027, after which sodium limits that may be included in any rulemaking, notice or guidance will not be more restrictive than the established Target 2 sodium levels.



CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM

Appropriations Act Highlights

- Allows for service of low fat or fat free flavored milk in NSLP and SBP for grades Kindergarten through 12th grade and in CACFP for participants 6 years of age and older.
- SFAs participating in SBP can continue to credit any vegetable offered, including potatoes and other starchy vegetables, in place of fruit without including vegetables from other sub-groups in the weekly menus.



Appropriations Act Highlights

- No Child Nutrition Funds can be used to procure raw or processed poultry products or seafood imported into the United States from the People's Republic of China.



CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM

Appropriations Act Highlights

- SFAs with a zero or positive balance in their non-profit food service account as of June 30, 2023, are exempt from Paid Lunch Equity (PLE) requirements (but are welcome to adjust prices).
- PLE Tool coming soon.



CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM



PLE Reminders

- SFAs may use the prices they last charged students as the basis for their SY 2024-2025 paid lunch price calculation.
- Remember to include number of alternate meals given out for free when calculating average lunch price.
- SFAs are not required to raise their paid lunch price by more than 10 cents for SY 2024-2025 from the last year they charged for paid lunches.



In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

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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