

2012 TASN Workshop

Healthy, Hunger-Free Kids Act of 2010

Agenda

1. Module 1 \$0.06 Certification Requirements
2. Changes to Direct Certification
3. Direct Verification

3E's of Healthy Living

- Education
- Exercise
- Eating Right



3E'S OF HEALTHY LIVING
TEXAS DEPARTMENT OF AGRICULTURE
FOOD AND NUTRITION DIVISION

Child Nutrition Reauthorization

*Healthy-Hunger Free Kids Act (HHFKA) of 2010**

- Improves nutrition and focuses on reducing childhood obesity
- Increases access to healthy foods for more children
- Increases program monitoring and integrity
- Provides guidance for financial stability

*Child Nutrition Reauthorization Information Page Under “Resources” at www.squaremeals.org

Benefits of the Changes

The upcoming changes will:

- Provide students with healthier meals
- Increase student participation
- Have a positive effect on health costs

2012 TASN Workshop

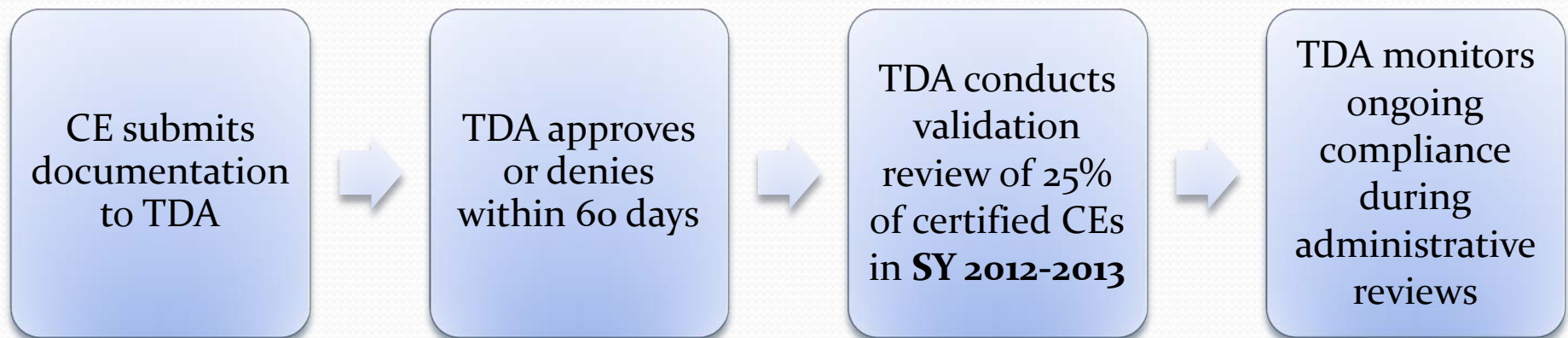
Module 1

\$0.06 Certification Requirements



\$0.06 Certification Process

\$0.06 Certification Process



Certification Options

Option 1

One week of
menus for
each menu
type

Menu
worksheet

Nutrient
analysis

Option 2

One week of
menus for
each menu
type

Menu
worksheet

Simplified
nutrient
assessment

versus

Certification Documentation

For each certification option CEs must submit:

- One week of every menu type offered
 - Breakfast
 - By age/grade group
 - Lunch
 - By age/grade group

Example: If a CE serves an elementary, middle and high school menu for lunch and one menu for breakfast, the CE must submit four menus and four menu worksheets.

- Distinct menu offerings within each age/grade group
 - Refer to FNS memorandum SP-31-2012 for detailed information on distinct menus (Q16)

Certification Documentation

- Documentation must reflect current meal service:
 - Meals served in the calendar month of submission
 - Meals served in the month preceding the calendar month of submission
- Early submission (before Sept 30, 2012)
- CEs may submit documentation for compliance reflecting **planned** meal service for October or November 2012

Attestation

- CEs must attest that:
 - They are in compliance with all current meal pattern requirements
 - Documentation is representative of the CE's ongoing meal service
 - The minimum required food quantities for all meal components are available to students in every serving line

Annual Attestation

- As new requirements are phased-in, certified CEs must attest annually to compliance with the meal pattern requirements (through **SY 2014-2015**)
- The CE must provide the attestation to TDA as an addendum to the permanent written agreement

Validation Reviews

Validation Reviews, SY 2012-2013

- Required in SY 2012-2013
- Affirm CE has met and continues to meet the certification requirements
- Required for 25 percent of all certified CEs:
 - Random selection
 - Must include all large* CEs
- Review one randomly selected school representing each type of menu certified by the CE

*CEs with 40,000 or more children enrolled

Validation Reviews, SY 2012-2013

During a validation review, TDA must:

- Observe a meal service for each type of menu certified
- Review the school production records for observed meals
- Review the documentation submitted for certification



Validation Reviews, SY 2012-2013

Validation samples are drawn during three time periods

October-
December

January-
March

April-June

Sample validation must be completed
by June 30, 2013

Validation Reviews, SY 2012-2013

Fiscal Action

- 3 types of fiscal action associated with:
 - \$0.06 reimbursement
 - Free/reduced price/paid reimbursement
 - Texas Public School Nutrition Policy (TPSNP)
- The only fiscal action associated with validation reviews is \$0.06 reimbursement



Validation Reviews, SY 2012-2013

Corrective Action

If unable to validate the certification documentation:

- TDA must assess:
 - Whether corrective action can occur immediately
 - The longevity and severity of the problems
- TDA must determine:
 - What fiscal action to take for the current month and prior periods
 - Whether a CE can earn the \$0.06 in the future

Validation Reviews, SY 2012-2013

Corrective Action

- If corrective action **does** occur immediately (within the week of validation), \$0.06 is not denied for future months

For example: if a school is missing a vegetable subgroup during the administrative review but is able to include the missing vegetable subgroup during the week of review, the CE would not lose the \$0.06 reimbursement.

- If corrective action **does not** occur immediately, \$0.06 must be denied for future months

Validation Reviews, SY 2012-2013

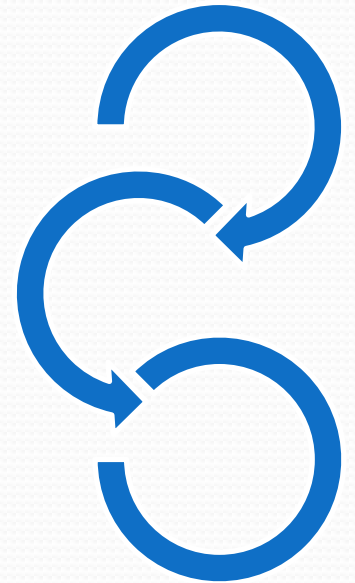
Corrective Action

- CEs whose \$0.06 is denied for future months **must** re-apply for certification
- CEs may re-apply for certification at any time

Administrative Reviews

Administrative Reviews, SY 2013-2014

- 3-year TDA review cycle
 - Begins **SY 2013-2014** (July 1, 2013)
 - Includes breakfast
- Final Rule
 - Eliminated SMI Reviews
 - Modified the Performance Standard 2 (CRE) Nutrition Provisions



Administrative Reviews, SY 2012-2013

Administrative reviews in **SY 2012-2013** will include:

- USDA required additional 1% administrative reviews
 - At-risk
 - Identified verification issues
 - Establishing a new base year for Provision 2
 - New schools
- Planned follow-up reviews

Administrative Review, SY 2013-2014

During 1st year of new 3-year cycle, TDA must:

- Review any CE whose review was postponed in **SY 2012-2013**
- Conduct an administrative review of non-compliant CEs early in the review cycle
 - CEs denied during certification process
 - CEs that did not apply for certification
 - CEs with significant meal pattern violations during the validation process

Administrative Review

Fiscal Action (\$0.06)

- Ongoing compliance is assessed during administrative reviews
 - Violations will result in denial of the \$0.06 reimbursement unless immediate corrective action occurs
- Since \$0.06 reimbursement is earned for lunches only, CEs **cannot** lose \$0.06 for breakfast violations during an administrative review
 - Refer to the FNS Memorandum SP-31-2012 (Q36)

Administrative Review

Fiscal Action

As always, TDA **must recover improperly paid funds**

- Includes free/reduced price/paid reimbursement plus \$0.06 reimbursement

TDA has discretion in determining longevity and severity of violations



Compliance

Non-Compliance

When CEs lose \$0.06 reimbursement due to non-compliance with the new meal patterns:

- During a SY 2012-2013 **validation review**:
 - CE must re-apply for certification
 - Same certification process requirements apply
- During an **administrative review**:
 - CEs must correct the violation and demonstrate compliance
 - Does not require re-certification or onsite review

Ongoing Non-Compliance Issues

- TDA must provide technical assistance to CEs who violate meal requirements after certification
- Persistent or repeated failure to meet standards will be dealt with on a case-by-case basis
- Failure may result in withholding of reimbursement until compliance is achieved
- CEs **cannot** appeal TDA's denial of certification
- CEs **can** appeal TDA's withholding the \$0.06 reimbursement

Summary

- HHFKA impact on school nutrition
- Certification process
- Validation reviews
- Administrative reviews
- Fiscal action
- CEs must remain in compliance with requirements

Direct Certification and Direct Verification

Direct Certification

- CEs certify students from households that receive support from assistance programs for free school meals, without further application
- The new DC list will identify all students who receive SNAP with a numeral “1”
- A Direct Certification and Direct Verification user’s manual is available on the Food and Nutrition website, www.squaremeals.org

Direct Certification

Step 1

TDA provides CEs with a list of students directly certified for free meals; the new DC list identifies students receiving SNAP benefits with the numeral “1”



Step 2

The CEs match the DC list to currently enrolled students and certify students as eligible for free meals



Step 3

Those students identified with the numeral “1” must be reported separately on the annual verification report

Annual Verification Report

- Includes a count of all students categorically eligible for free meals
- Students eligible for SNAP benefits will be identified with a numeral “1” in the new field titled “Eligibility”
 - CEs will need to report these students separately on the annual verification report

Direct Verification

- Direct Verification (DV) uses public agency records to verify child nutrition program eligibility
 - Can not be used to **certify** free and reduced-price lunch eligibility
 - Allows the CE to **verify** eligibility without having to contact the household in certain circumstances
- A searchable database will be accessible in TX-UNPS on October 1st, 2012

Direct Verification

Step 1

CEs may use this database to search for students selected for verification either individually or by batch upload



Step 2

If the DV database indicates a student is qualified for free and reduced meals, and it matches the CE's certification, no additional verification is required



Step 3

If the database information does not match certification information, additional steps must be taken for verification

The ESCs' Role in Assisting CEs

- To provide resources and assistance to promote excellence in daily CE operations
 - Deliver training to:
 - Teach new processes and procedures
 - Provide technical assistance to:
 - Provide responses to specific questions
 - Answer individual questions



Additional Resources

www.squaremeals.org → “F&N Resources” → “Nutrition Standards for School Meals”

Some helpful documents:

- 7 CFR Parts 210 and 220, *Nutrition Standards in National School Lunch and School Breakfast Programs Final Rule*
- SP 10-2012-REVISED, *Questions and answers for final rule nutrition standards from USDA*
- SP 31-2012, *Questions and answers for 6 cents per meal reimbursement*
- SP 39-2012-REVISED, *Guidance on Paid Lunch Equity and Revenue from Nonprogram Foods*

Conclusion

Together we can:

- Set a global example of effective school nutrition programs
- Put children first by promoting good nutrition and healthy lifestyles

Questions





Food and Nutrition

3E'S OF HEALTHY LIVING

Education, Exercise and Eating Right

TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER TODD STAPLES

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