



TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

March 16, 2020
NSLP/CACFP-001

Dear Superintendent:

Governor Greg Abbott issued a proclamation on March 13, 2020 certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas. As of March 16, 2020, there are more than 500 school closures in the state of Texas. To assist the districts choosing to serve meals while school is out, the Texas Department of Agriculture (TDA) requested and received waivers from the United States Department of Agriculture (USDA) to serve non-congregate meals on March 13, 2020.

The waivers allow providers of school meals to serve meals without having to keep children together and on-site. This waiver allows districts to utilize the Summer Food Service Program (SFSP) or the Seamless Summer Option (SSO) to explore creative options for feeding children who depend on those meals. The federal waiver allows TDA the authority to grant this freedom – on a case by case basis – to respond to any potential school closing. Currently there is not a congregate waiver for the Child and Adult Care Food Program (CACFP).

Meals provided under USDA Nutrition Programs are governed by complex regulations. **Meals served that do not meet all other federal regulations may not be eligible for federal reimbursement**; this currently involves serving multiple meals to children and meals served to parents without children present. USDA is aware of this national issue and is exploring ways to provide additional meal delivery flexibilities. However, USDA has conveyed that meal service via a Grab-n-Go delivery methodology is very problematic when children are not present. TDA will continue to communicate with schools and USDA to support additional flexibilities. **Until additional authority is granted federal reimbursement is not guaranteed.**

What School Campuses Can Offer Meals?

All school campuses closed due to coronavirus can participate as an SSO or SFSP site. Schools are encouraged to submit their program application as soon as possible.

District sites with at least 50% free and reduced eligibility, may serve meals at no cost to all children at those sites.

District sites with under 50% free and reduced eligibility, may still participate as a closed enrolled summer site. All policies that have not been waived, outlined here http://www.squaremeals.org/Portals/8/files/ARM/ARM_Section12_SSO_V002_170817.pdf, must be followed.

TDA strongly recommends schools utilize the SSO application to start serving meals.

To complete the SSO application complete the following:

- 1) Email TDA at NSLP.Bops@TexasAgriculture.gov
- 2) TDA will contact you with specific instructions related to your school districts current meal program operations

If your school wishes to participate in SFSP program compete the following:

- 1) Email TDA at NSLP.Bops@TexasAgriculture.gov
- 2) TDA will contact you with specific instructions related to your school districts current meal program operations

TDA has contemplated other meal service challenges that may occur if this situation is prolonged. Waiver for those situations have either been submitted to USDA or are in development. Until such time as additional waivers to existing regulations are approved, all other SFSP and SSO program regulations must be followed. Please know we are considering all impacts to ensure we can continue to provide nutrition as needed while helping to reduce the spread of disease.

Thank you for working with TDA to support Texas families through the National School Lunch and School Breakfast Programs. TDA will make any new information about program flexibilities available at SquareMeals.org/coronavirus. We will maintain that page with all updates, waivers and instructions that pertain to school meals in this situation. Please check the Web page frequently as you move forward with your response to the coronavirus. Should you have further questions, please contact us at Squaremeals.org.

Sincerely,



Angela Olige
Assistant Commissioner
Food and Nutrition

AO/WB/gc