



State of New Jersey

DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

JON S. CORZINE
Governor

LUCILLE E. DAVY
Commissioner

Broadcast #4

October 20, 2009

TO: District Superintendents
Charter School Leaders

SUBJECT: Feeding During School Closings for H1N1 Outbreaks

TOTAL DOCUMENTS: 3 Documents
This memo, including Q&A (6 pgs.)
Addendum to State Agency-School Food Authority Agreement (2 pgs.) – PDF File
Waiver Request (5 pgs.) PDF file

DISTRIBUTE TO: School Business Administrator
Principals
Food Services Director
Summer Food Services Director
Staff as appropriate

CONTACTS: **Summer Food Service Programs**
Cherrie Walker at 609-292-4498

Seamless Summer Option
Emily Lomerson at 609-984-0692


State of New Jersey

DEPARTMENT OF AGRICULTURE
33 West State Street 4th Floor
PO Box 334
TRENTON NJ 08625-0334

JON S. CORZINE
Governor

DOUGLAS H. FISHER
Secretary

TO: Superintendents, Business Administrators, and Food Service Directors
Summer Food Service Program Directors

FROM: Emma Davis Kovacs, Director
Division of Food and Nutrition 

DATE: October 7, 2009

SUBJECT: Feeding During School Closings for H1N1 Outbreaks

As a result of increasing concerns about the possibility of a widespread H1N1 outbreak, USDA has reconsidered their position on how schools and community organizations may provide meals to children when school is not in session. This memo outlines how schools and other non-profit community organizations may provide reimbursable meals for low-income children during school closures related to H1N1. These closures would follow a declaration of a public health emergency under section 319 of the Public Health Service Act. This information only applies when the **federal government** identifies the closure as a health emergency, not if the state, county or local school makes the decision.

The Richard B. Russell National School Lunch Act authorizes providing meals to children who are not in school due to an unanticipated school closure. Meals served during these school closures may be claimed either through the Summer Food Service Program (SFSP) or the National School Lunch Program's Seamless Summer Option (SSO). USDA is providing added flexibility by waiving the requirement for only serving meals in a congregate setting, in order to provide meals to low income children. Other than this exception the meals will comply with all other requirements of the SSO or SFSP.

Any local education agency (LEA) or eligible community group that wants to provide reimbursable meals for children whose schools are closed due to H1N1 must have a Child Nutrition Program's Agreement Addendum with the State Agency which covers the operation of the SFSP or the SSO for this purpose. In addition, a Waiver Request for feeding children during an H1N1 school closure must also be completed as soon as possible.

The Waiver Request must include specific information about the closed school(s) for which meal service will be provided, the meals that will be served and the method of meal distribution. Meal distribution methods must address how meals will be provided for off site consumption and also address food safety issues. Additionally, there must be an explanation of how the meals will be counted to ensure the integrity of the claims.

All Agreement Addendums and Waiver Requests should be submitted ASAP, in anticipation of possible school closures in the coming year. The State Agency must approve all such Addendums and Waiver Requests **prior** to any school closure. **No requests to serve children at the time of a school closure will be granted if a prior Agreement Addendum and Waiver Request has not been submitted and approved by the State Agency.**

While schools are not required to operate a school food service when school is closed, some may want to do so in this situation. This initiative requires substantial advanced planning to prepare for a possible H1N1 closure.

Any LEA or Community Organization otherwise eligible to operate the SFSP or SSO may enter an agreement to operate when schools are closed due to an H1N1 outbreak. If you are interested in providing meals during an H1N1 closure, we have enclosed the following documents for your reference. You will have to complete and submit the Waiver Request and Addendum to this office:

- Waiver Request document
- An Addendum to the existing NSLP/SFSP Agreement for meal service during H1N1 closures
- Questions and Answers: Responding to School Closings for H1N1 Outbreaks

It is important to note that while multiple organizations in a community may work together to respond to H1N1 closures, we cannot approve Waiver Requests which would duplicate meal service.

If you have questions, require additional information or have not participated as a sponsor in the past year please contact:

Summer Food Service Programs

Ms. Cherrie Walker at 609-292-4498
Coordinator, Summer Food Service Program

Seamless Summer Option

Ms. Emily Lomerson at 609-984-0692
Assistant Coordinator, School Nutrition Program

Enclosures: Q & A
H1N1 Checklist
Waiver Request Form
Agreement Addendum

Questions and Answers: Responding to School Closings for H1N1 Outbreaks

If schools that participate in the National School Lunch and/or School Breakfast Programs close following declaration of a public health emergency under section 319 of the Public Health Service Act, reimbursable meals may be offered by schools or other eligible community organizations. Such meals could be offered under a modified Summer Food Service Program (SFSP) or Seamless Summer Option (SSO). The questions and answers below provide additional information regarding how these programs may operate in order to assist low income children during such school closures. This flexibility is being provided for H1N1 related school closures only, and is NOT authorized for any other situation.

1. Which requirements for operating SFSP and SSO are waived for H1N1 related school closures?

- a. The requirement would be waived to serve meals in a congregate setting.
- b. Pre-operational training and monitoring would be waived.
- c. Limiting the operation during the school year to non-school sites would be waived.
- d. Requests to waive other operational requirements applicable to the need to provide meals during an H1N1 related closure will be considered on a case-by-case basis, requiring state agency approval.

2. What entities can operate the SFSP or SSO during H1N1 related school closures?

- a. Any Local Education Agency (LEA) or Community Organization (CO) otherwise eligible to operate these programs which applies in advance to operate such programs when schools are closed due to an H1N1 outbreak.
- b. An Agreement Addendum to operate SFSP or SSO must be entered into, along with a Waiver Request, PRIOR to any school closure due to H1N1.
- c. Agreement Addendums and Waiver Requests should be submitted as soon as possible in the event of possible H1N1 related school closures during the school year.
- d. Once Waivers are approved, LEAs and COs must notify the State agency before they activate the waiver.
- e. **NOTE:** These special feeding provisions will NOT be approved at the time of an H1N1 closure if a Waiver Request and Agreement Addendum has not previously been submitted and approved.

3. Who is eligible to receive meals?

- a. All children age 18 and under in a household where at least one child in the household is enrolled in the closed school.

4. Can parents and other adults in the community be served if they pay for the meal?

- a. If the LEA or Community Organization (CO) has the capacity to provide meals to adults, they may do so but will not be reimbursed for those meals.

5. If schools are not dismissed but a number of children contract H1N1 and are absent, may LEAs or COs provide meals to these children?

- a. No. The SSO/SFSP H1N1 waiver may be implemented only if the entire school is dismissed, i.e., all students are out of school.

- 6. Who confirms that a school dismissal is for H1N1 instead of seasonal flu?**
- Decisions regarding school dismissals are made at the state or local level. Therefore, the state or local public health department or other designated officials would be responsible for determining whether the dismissal is related to H1N1 or seasonal flu.
- 7. How do SFSP/SSO site eligibility requirements apply to H1N1 meal service? Must all schools served be in low-income areas?**
- For closed schools with 50% or more of their enrolled students certified eligible for free or reduced price meals, LEAs or COs may develop meal distribution methods in which meals are available to all families with children enrolled in that school, with a focus on serving low-income children.
 - For closed schools with less than 50% free or reduced price enrollment, meal distribution methods must more directly target the households of enrolled children who are eligible for free or reduced price meals.
 - Determination of eligibility is based not on the location of the site, but rather on the closed school's population.
- 8. How do you suggest a school with less than 50% free and reduced price eligibility should target low-income children without overtly identifying those children as eligible for free or reduced price meals?**
- This will depend in large part on how the LEA or CO intends to provide meals. While meal service must be targeted to children eligible for free or reduced price meals, that does not preclude the service of some meals to paid children. Perhaps meal distribution sites might be located in areas that are easily accessible to low income children while avoiding identification of individual children as low income.
- 9. What distribution methods are envisioned for H1N1 meal service?**
- It is anticipated that meal distribution methods will be either pick-up or delivery models in order to meet the need for social distancing during an H1N1 outbreak.
 - Logistical issues are numerous; thus the need to plan now:
 - Methods of communication with the families
 - How to ensure proper operation of the program, including meal content, meal counts, food safety, oversight, etc.
 - How the meal distribution will target low-income children
 - At what point after the declaration of a public health emergency and school closure would the meal service start
- 10. Can a parent/caregiver of a child enrolled in the closed school pick up meals for their children?**
- Yes, as long as the meal distribution site has a way to verify that the adult picking up meals has an enrolled child in the closed school.
- 11. How many meals per child may be offered each day? Can meals be distributed for more than one day?**
- The maximum number of meals is the same as the regular SFSP or SSO: up to two meals or one meal and one snack, per child per day, in any combination except lunch and supper.
 - Second meals may NOT be served under H1N1 authority.
 - Distributing meals for multiple days will not be allowed, due to food safety issues.

12. What accountability for meals served during a H1N1 closure is required?

- a. Total meals served, for each meal type, must be recorded by day. H1N1 meal counts should be kept track of separately from other “in school” meal counts during the same month. For LEAs, all H1N1 closure student meals are reimbursed at the free rate of reimbursement, using the SSO voucher in SNEARS. Meals being provided through SFSP would be recorded on the regular SFSP voucher.

13. May meals be served on weekends and holidays (e.g., Thanksgiving)?

- a. LEAs and COs may be approved the by the state agency to provide meals on weekends and holidays, if appropriate for the local circumstances.

14. At what rates will the meals be reimbursed?

- a. Programs operating under the SSO will be reimbursed at the applicable free meal rate for school meal programs. Programs operating under the SFSP will be reimbursed at the appropriate rural/self-prep or urban/vended rates.
- b. Reimbursements will be provided on a per meal basis and no additional funds, such as start-up or administrative funds, will be provided for this effort.

15. What are the requirements for the meals?

- a. The meals must meet the regular meal pattern requirements of the SFSP or SSO.
- b. Offer versus serve will not apply and all meals must be unitized and contain all the required components.
- c. Shelf stable milk may be used; USDA commodity foods may also be used.

16. When operating an H1N1 feeding program, what types of expenses may be paid from the non profit school food service account?

- a. Any equipment or supplies that may be needed to hold and distribute meals.
- b. Costs related to meal distribution
- c. Staff wages to prepare and distribute meals.
- d. Security costs.
- e. Public or private non-profit organizations operating under SFSP are not required to have a separate non-profit food service account, but all regular Program requirements related to allowable costs and recordkeeping will apply.