



**Division of Child Care
and Early Childhood Education**
Health and Nutrition Programs



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The Department of Human Services is committed to our vision by ensuring the citizens of our state are healthy, safe, and able to enjoy life. The Division of Child Care and Early Childhood Education Health and Nutrition team is here to keep that vision alive by providing Frequently Asked Questions (FAQ's) received by our staff over the past several weeks, due to the Coronavirus Pandemic.

Frequently Asked Questions

1. What Sponsors are eligible to claim during the State of Emergency?

Starting March 17, 2020, Summer Food Service Program (SFSP Sponsors) who operated 2019 SFSP will be allowed to serve and claim 2 meals or 1 meal and 1 snack during the State of Emergency. Schools will be given 1st priority to serve meals and snacks. If the school is not participating, then Sponsors who are non-profit will be allowed to serve those communities. Sponsors that have an agreement with the Arkansas Department of Human Services (DHS) and the Health and Nutrition Unit must be approved to serve meals and snacks.

2. May I serve multiple meals at one time?

Yes, if approved by the state agency for grab and go.

- a) The maximum number of meals that may be offered each child remains the same as under SFSP or SSO: up to two meals, or one meal and one snack, per child, per day, in any combination except lunch and supper. The State agency may approve a distribution approach that includes meals for multiple days, up to one week at a time. The State agency should consider the expected duration of the school closure and the capacity of the SFA to execute such an approach effectively, including meeting State or local food safety requirements. In order to approve an alternative distribution approach, the State agency must request and be approved for a waiver from USDA for time restrictions for meal service, (Note# The state has requested the mealtime service waiver from USDA. But as of 03/17/2020 it has NOT BEEN APPROVED) under regulations at 7 CFR 225.16(c)(1) and (2). In addition, requirements to establish meal service times at 7 CFR 225.6(c)(2)(i)(B) and (c)(3)(i)(A), must be met. An SFA's delivery plan with designated times for distribution, when approved by the State agency, would fulfill the requirements to establish meal service times.

3. May I feed across from a school?

Providers may only serve in proximity or across from a school, if the school is **NOT** participating in the program. If a school is participating, no other institutions may serve near the school unless there is a barrier

and/or need for the two sites to operate in close vicinity of each other. The State Agency must receive a request and grant the approval for the site to legally operate.

- a) The Program Manager verifies the location within the SNP system to see if the proposed site is within one mile of another site. This is the physical limit to determine how close sites can be to one another. The only exceptions to this limit are the following:
 - i. Physical barriers between the sites that would obstruct the children to go between the two sites
 - ii. Highways
 - iii. Rivers
 - iv. Railroad tracks
 - v. Other barriers as determined by the State Agency
- b) The Program Manager or Quality Assurance Coordinator will assign a reviewer to conduct a pre-approval visit.
- c) When the reviewer conducts the pre-approval visit, the physical location is verified and barriers (if necessary) can be evaluated as to whether it would hinder a child from going to another site.

4. Are Non-Profit eligible to operate CACFP AT Risk or SFSP during this crisis?

Yes, they must first apply and be approved. According to the waiver submitted by Arkansas DHS Eligible service providers participating in waiver are as follows:

DHS approved Institution in good standing who were approved in the SFSP program for Summer 2019. A public or private school who participates in the NSLP, even if they didn't participate in SFSP in 2019 application will be fast track for SFSP approval even if they didn't participate last year in SFSP whose school is closed due to the COVID-19 outbreak. Schools will be given the first priority.

The institution must operate in communities where schools are closed in connection with the COVID-19 outbreak.

The institution must be pre-approved by DHS to ensure coordination of feeding services with the public School in their area.

5. If our center is closed, may I use the food to make family food boxes and send them out to be reimbursed?

No, if you make family food boxes and send them out, you will not get reimbursed.

6. If the Boys and Girls club is closed can I go and setup outside?

If the site and the non-profit provider was previously approved for SFSP they need to contact DHS for guidance. What DHS Would consider is the following;

Is the school serving SFSP/SSO within a one-mile proximity? If yes, the school would be given preference.

The non-profit provider must provide verification of permission to hand out grab and go meals by the owner of the facility.

The non-profit must provide a narrative in writing on their plans for the food distribution to ensure the integrity of the program and how they would verify the number of children being served.

The non-profit provider must monitor so that meals are not handed out to adults unless the children are present, and only meals for the number of children present can be handed out.

The Non-profit provider must submit exact serving time. The exact time that meals are handed out.

The non-profit provider must provide a narrative of how they are going to ensure the health and safety of the meals. I.e. Time meals were prepared, temperature of the meals, before delivery, temperature when distribution began, and the total hours meals were not in a temperature-controlled setting.

7. What is a “Grab & Go Meal?”

“Grab & Go Meals” must meet the regular menu planning requirements of the SFSP or SSO. All meals must be unitized, meaning a complete reimbursable meal that meets the requirements of the menu planning method used, including milk, must be distributed. Shelf-stable milk may be used. USDA commodity foods may also be used. If availability of milk or other meal components becomes an issue, FNS will work with the State agency to provide the needed waivers or flexibility.

8. May adults grab meals for children that are not present?

The only way that this can occur is if the SFA is doing delivery to the homes. They must have an agreement on receiving delivered meals for their child. The SFA must notify the state agency that they are delivering meals to the home. If they are doing a Grab and Go, the child must receive the meal, so in that case the answer is “No.”

9. What is the State of Emergency? When does it end?

A State of Emergency involves any situation or circumstance which requires the government to take perform actions or impose policies that it would not normally impose. The governor can declare a State of Emergency during a natural disaster, medical pandemics/epidemics, civil unrest, or armed conflict to ensure the health and safety of others.

Governor Hutchinson has declared a State of Emergency for Arkansas; however, a date has not been announced to end the declaration. The Governor and appropriate officials are continuing to monitor the COVID 19 and will notify the public once the State of Emergency ends.

10. Will meals be available during Spring Break?

Waiting for additional guidance from USDA.

11. Do we have to abide by meal patterns?

Yes, all meal patterns must be followed according to:

7CFR 226.20(c) Meal patterns for children age 1 through 18. Institutions and facilities must serve the food components and quantities specified in the meal patterns for children in order to qualify for reimbursement. (DHS has requested a Meal Pattern Waiver as of 03/17/2020 it has not been approved)

- (1) *Breakfast.* Fluid milk, vegetables or fruit, or portions of both, and grains are required components of the breakfast meal. Meat and meat alternates may be used to meet the entire grains requirement a maximum of three times per week.
- (2) *Lunch and supper.* Fluid milk, meat and meat alternates, vegetables, fruits, and grains are required components in the lunch and supper meals. ¹Must serve all five components for a reimbursable meal. Offer versus serve is an option for at-risk afterschool.
- (3) *Snack.* Serve two of the following five components: Fluid milk, meat and meat alternates, vegetables, fruits, and grains. Fruit juice, vegetable juice, and milk may comprise only one component of the snack. ¹Select two of the five components for a reimbursable snack.

12. What is involved in a delivery meal service?

Schools must first obtain written consent from households of eligible children (this could include email or other electronic means) that the household wants to receive delivered meals. In addition, schools should confirm the household's current contact information and the number of eligible children in the household to ensure the correct number of meals are delivered to the correct location.

It is critical that schools protect the confidentiality of students and their households throughout this process. The National School Lunch Act (NSLA) and the Family Educational Rights and Privacy Act (FERPA) do not authorize release of household contact information for children without first obtaining the written consent of the child's parent or guardian. The school must be the entity that makes the first contact about meal delivery with the households of eligible children and must notify the household if contact information will be shared with an external organization, for example, a local non-profit that will provide meal delivery. Once the school receives written consent from the parent or guardian to release contact information, the schools may share the information with other organizations involved with meal delivery. If the school is using a private vendor, then under the regulations implementing the NSLA, they must have a memorandum of understanding (MOU) with the vendor concerning the confidentiality requirements. The MOU should include information such as what will be disclosed, how the information will be used, how the information will be protected from unauthorized uses and disclosures, and penalties for unauthorized disclosure. For further requirements, see 7 CFR 225.15(k)(1)-(2). The school must ensure data is handled appropriately at all times and by all organizations involved with meal delivery to safeguard household confidentiality.

Since home delivered meals require the school food authority to gather income eligibility and confidential information, non-profit SFSP providers would **not be allowed** to participate in home deliver.

13. Can Sponsors be reimbursed for more than one meal?

Yes, Sponsors can be reimbursed for more than one meal, but it must follow the USDA requirements under regulation 225.16

§225.16 Meal service requirements.

- (3) *Restrictions on the number and type of meals served.* Food service sites other than camps and sites that primarily serve migrant children may serve either:
 - (i) One meal each day, a breakfast, a lunch, or snack; or
 - (ii) Two meals each day, if one is a lunch and the other is a breakfast or a snack.
- Per the Code of regulation (CFR) §225 that governs the SFSP, Sponsors are to adhere to this guidance when it comes to the number of meals and snacks that can be served. Sponsors will be allowed to claim for meals and snacks listed in this regulation.

14. Can we add more sites?

If a Sponsor was approved to operate Summer Food Service Program and Seamless Summer Option in 2019 they can be approved to operate the program in 2020. Additional sites would require a pre-operational visit. In the present state of emergency pre-operational visits are extremely difficult. This can only be considered on a case by case basis.

15. Can CACFP at risk set up across from a school and hand out Meals?

No, Since CACFP At Risk meals have not been approved via waiver to be served in a non-congregate setting, children would need to remain on site for the CACFP At Risk meals. So, the answer is that the CACFP meals cannot be served and children take meals with them until something changes to allow CACFP At Risk non-congregate feeding.

16. Can CACFP AT Risk operate during this time?

No, CACFP AT Risk non-congregate feeding has not been approved. Therefore, all meals would have to be served and consumed on site. That may not happen due to social distancing.

**Any questions or concerns related to feeding please contact your State Agency.
Department of Human Services Division of Childcare and Early Childhood Education
501-682-8869**

We are concerned about the Safety, Health and Nutrition of our children first and foremost.