



COMMONWEALTH of VIRGINIA
Department of Education

May 27, 2016

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

SUBJECT: Annual Agreement to Participate in the School Nutrition Programs for 2016-2017

The School Nutrition Programs Web-based system (SNPWeb) will be available for data entry for the 2016-2017 annual agreement beginning Wednesday, June 1, 2016. The Annual Agreement to Participate in the National School Lunch, School Breakfast, Special Milk, and Afterschool Snack Programs must be submitted to the Virginia Department of Education (VDOE), Office of School Nutrition Programs through SNPWeb no later than July 1, 2016.

Federal regulations require each school division to enter into an agreement with the Virginia Department of Education annually in order to participate in these school nutrition programs. The agreement is created and submitted using the SNPWeb system. The division superintendent is the legal signature authority required to sign the agreement and is the individual responsible for compliance with all regulations governing the school nutrition programs.

School divisions that contract with a food service management company (FSMC) for the operation of their school nutrition programs may not delegate this authority to an employee of the food service management company. Federal regulations require that the school division "...retain signature authority on the State agency-school food authority agreement, free and reduced price meal applications, and all claims." (7 CFR 210.16 (a) (5))

In conjunction with the SNPWeb online agreement, the *Annual Agreement to Participate* (Agreement) document must be downloaded and printed from the "Online Forms" section of SNPWeb. Two copies of the Agreement, with original signatures of the division superintendent, must be returned by U.S. Mail to VDOE by July 1, 2016, along with any other supporting documents that require VDOE review and approval. A copy of the annual agreement packet (Agreement and supporting documents), approved and signed by VDOE, will be returned to the school division. This signed document must be maintained on file in the school division and must be readily accessible during federal or state reviews. Federal reimbursement for school nutrition programs cannot be paid for school year 2016-2017 until the annual agreement is fully executed and approved by VDOE.

Updates to Prototype Meal Application, Letters, and Forms

There are two prototype meal applications available for school divisions. The VDOE and USDA prototype meal applications, letters, and forms have been updated for school year 2016-2017. The updated prototype forms will be available for download from the "Online Forms" section of SNPWeb. School divisions electing not to use the prototypes must revise their locally customized forms to reflect these changes. There has been one substantive change to these prototype documents: a revised USDA non-discrimination statement must be used. All school divisions must carefully review their customized documents to assure they accurately reflect the required

information from the VDOE prototypes. All customized forms and any documents used to notify households (e.g., electronic) must be submitted to VDOE for review and approval before being implemented. **Documents may be submitted electronically to SNPWEBDOC@VDOE.virginia.gov; hard copies of documents which require original signatures must be submitted by U.S. Mail.**

As a reminder, income applications require only the last four digits of the social security number (SSN) of the adult who signs the application. No SSN is required for SNAP, TANF, or other categorically eligible household applications.

Eligibility for Meal Benefits and Initial Carryover Eligibility

A child's eligibility is in effect from the date of eligibility determination for the current school year and up to 30 operating days in the subsequent school year or until a new eligibility determination is made. The USDA Eligibility Guidance Manual provides detailed information for eligibility determinations. An electronic copy can be found on the USDA Web site at: http://www.fns.usda.gov/sites/default/files/cn/SP40_CACFP18_SFSP20-2015a.pdf.

Federal regulations require a student's eligibility for free or reduced price meals in the preceding school year to be carried over into the new school year to ensure access to program benefits while current eligibility determinations are made. The carry-over of a student's previous school year eligibility shall be valid for the first 30 operating days of the new school year. This applies to direct certification, categorical determinations, and income applications. A new eligibility determination in the current year supersedes the carry-over eligibility. Eligibility carried over from the previous year must be terminated on the 31st operating day; all students without an approved new school year determination on file must revert to paid status.

Extending Categorical Eligibility for Free Meals

Categorical eligibility for free meals that is determined using a case number for SNAP or TANF applies to all children living in the household. Whether determined through direct certification or the meal application, this categorical eligibility for free meals must be extended to all students in the household, as defined in 7 CFR 245.2, if one member of the household receives assistance through SNAP or TANF. Documentation for extending this categorical eligibility to other students must be maintained by the school division.

Increased Frequency of Direct Certification Data Match

In an effort to increase the number of students directly certified for free meals, VDOE provides school divisions with the Direct Certification data files for matching with the student data base in July, August, September, October, January, and March. The July data files are a complete list. The subsequent uploads to SNPWeb will include only additional eligible households, and any households that have changed geographic locations since the previous list. School divisions are required to use the new data files to update students' eligibility, as appropriate.

Paid Lunch Price Equity (PLE)

The meal price for student full price meals must be gradually adjusted to equal the difference between the annual free reimbursement rate and the full price reimbursement rate. Federal regulations require school divisions participating in the National School Lunch Program (NSLP) to ensure sufficient funds are provided to the nonprofit school food service account for lunches served to students not eligible for free or reduced price meals. The regulations allow two ways to meet this requirement: 1) through the price charged for paid lunches or 2) through other nonfederal sources provided to the nonprofit school food service account. The 2016-2017 Paid Lunch Equity Tool, sent to every school division through Superintendent's Memo No. 073-16, dated March 25, 2016, must be completed to calculate the average paid lunch prices and to determine the required average paid lunch price increase, if necessary. The entire PLE tool (Excel workbook) must be submitted to VDOE electronically at SNPWEBDOC@VDOE.virginia.gov even if a price increase is not required. This PLE tool becomes part of the annual agreement.

Adult Meals

Meals served to adults are not eligible for federal reimbursement, nor do they count toward determining the value of donated food assistance. Federal reimbursements, students' meal payments, and other nonprofit food

service revenues may not be used to subsidize the price of meals served to adults. Meals (breakfast and lunch) served to adults must be priced so the payment is sufficient to cover the entire cost of each meal including the value of donated foods. The minimum adult meal price should reflect the highest price charged to students paying full price, plus the value of the federal lunch reimbursement for paid meals plus the value of USDA donated food assistance (entitlement and bonus), plus the value of state lunch reimbursement. For school divisions that are non-pricing for student meals (due to division-wide implementation of the Community Eligibility Provision), the adult meal price should strive to meet the same standards, using the most recent prior student meal price and should be regularly evaluated and increased as needed to meet the entire cost of producing the meal.

Revenue from Non-Program Foods (À la Carte)

Federal regulations require school divisions to generate at least as great a share of total revenue from non-program foods as non-program foods contribute to total food costs. Divisions must ensure that non-program foods revenue equal at least the same proportion as their food cost. Non-program foods are anything other than reimbursable meals sold in participating schools and purchased with SNP funds. The USDA Non-Program Revenue-Tool must be completed annually by July 31 and maintained on file in the school division. The tool is available for download from the “Online Forms” section in SNPWeb.

Questions regarding the annual agreement may be directed to the school nutrition program specialist assigned to your division or to the Office of School Nutrition Programs staff at (804) 225-2074.

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