

This information is to keep you informed of any changes in policies and procedures and of new communication originating from the State Office this month.

December 16, 2019  
CE Edition

Embedded attachments with this issue

Save the Date for MegaCon 2020!

MEGA CON 2020  
May 11-15

TEXAS DEPARTMENT OF AGRICULTURE  
COMMISSIONER SID MILLER  
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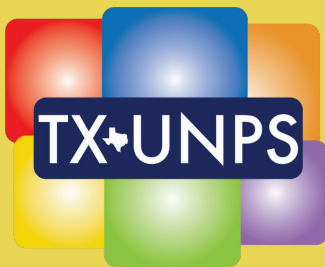
05/2020  
www.SquareMeals.org

## Plan now to join the Texas Department of Agriculture for MegaCon 2020!

At this exciting new conference, you and your peers will learn and collaborate as you explore what it takes to make child nutrition programs successful in Texas. TDA will provide updates on new regulations and procedures, outline best practices, and celebrate the importance of meal programs for the following federal nutrition programs:

- National School Lunch and School Breakfast Programs
- Child and Adult Care Food Program
- Summer Meal Programs

Check the [SquareMeals](http://SquareMeals) website for updates!



## 2020 Texas Summer Mandate Notification and Waiver

Texas legislation requires school districts in which 50% or more of the enrolled children are eligible to receive free/reduced price NSLP meal benefits to participate in a summer meal program, based on the March 2019 claim. All mandated school districts received an email notification of their requirement as well as instructions for submitting their intent in TX-UNPS.

Please submit your intent for summer 2020 or submit a mandate waiver request in TX-UNPS by the January 31, 2020 deadline. Your assistance is greatly appreciated.

More information as well as the instructions, list of mandated CEs per ESC region, and the notification letter that CEs received can be found at on SquareMeals [here](#).

## Policy News

### Forms Release

The following **revised** forms and associated instructions have been posted and released:

- Daily Record/Accuclaim Form | Afterschool Programs
- Daily Record/Accuclaim Form | Community Eligibility Provision (CEP) and Lunch Attendance Factor Calculator
- Daily Record/Accuclaim Form | Provision 2 (P2), Non-Base Year and Lunch Attendance Factor Calculator
- Daily Record/Accuclaim Form and Lunch Attendance Factor Calculator



The forms can be accessed [here](#) in the School Nutrition Programs Forms table.

### Revised ARM

The following **revised** ARM sections have been posted and released:

- Section 8, *Breakfast*
- Section 11, *Pre-Kindergarten (Pre-K) Meal Pattern for School Nutrition Program (SNP) Operators*

Update Guide sections located at the beginning of each ARM section provide detailed information about the topics addressed in each release.

You can find the ARM [here](#).

Please replace any previous versions of ARM Sections 8 and 11 that you may have saved.

### USDA Policy Memos

**SP16-2019 School Breakfast Program - Substitution of Vegetables for Fruit** has been extended until December 20, 2019. See additional guidance below .

### Updated Guidance on Breakfast Meal Pattern Flexibility

The breakfast meal pattern flexibility to substitute any vegetable in place of fruit has been extended through **December 20, 2019**. TDA will provide additional guidance if the flexibility is extended or discontinued in the future.

### Adding Additional Purchases to a Contract

When a contracting entity (CE) or an entity purchasing on behalf of a CE adds additional purchases beyond the quantity and items/services specified in an awarded contract, the cost of the additional purchases is unallowable. The common term for these additional purchases is *piggybacking*. Piggybacking purchases are not allowed. A contract may include an option for additional purchases beyond a quantity stated in the solicitation and contract based on a described expectation of increased participation or need. To be allowable, this expectation must be described in the solicitation and contract. If a CE needs to purchase additional items beyond the quantity and items/services specified in a contract, the CE or the entity purchasing on behalf of the CE must conduct a new procurement for the new quantity and additional items/services.

When a market basket method is used, there is also an exception to this requirement. See the Administrator's Reference Manual (ARM), Section 17, Procurement for additional guidance on the market basket method.

### Update on Nondiscrimination Posters

USDA has not released the updated nondiscrimination posters to state agencies and has not provided guidance on the timeline for use of the updated posters. TDA will release guidance on the updated posters when the guidance is released by USDA.

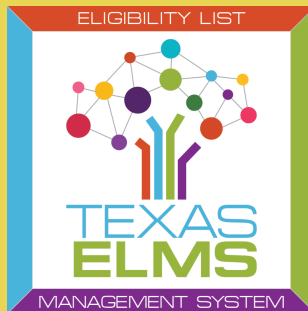
## Food Trucks and Food Trailers

USDA has provided guidance to TDA on the purchase of food trucks and trailers. Child Nutrition Program (CNP) funds cannot be used to purchase a food truck or food trailer. Therefore, TDA will not approve the purchase of food truck or food trailer. Funds may be approved to retrofit a used school bus or regular trailer for meal service in some circumstances. A CE may use a food truck or food trailer that is purchased with non-CNP funds. However, when the food truck or food trailer is purchased with non-CNP funds, CNP funds cannot be used to enhance or add equipment to the food truck or food trailer. The cost of portable equipment used to transport food and meal service items from the preparation area to the food truck or food trailer may be allowable cost in some circumstances.

### Capital Expenditure Reminder

As described in *Administrator's Reference Manual (ARM), Section 14, Financial Information Concerning School Nutrition Funds*, the purchase of any item which costs \$5,000 or more must have TDA approval before the CE purchases the item. Capital expenditures are submitted in TX-UNPS.

## Texas ELMS



### Free Eligible to Medicaid Reduced-Price Applications Verified for Cause

There have been a number of instances where students had been approved for free eligibility by application and then listed as eligible for direct certification based on receiving Medicaid Reduced-Price benefits. As this would be a reduction in benefits, it is necessary for the CE to provide the household with the opportunity to supply documentation in support of the free eligibility.

If the household does not respond, the benefits are reduced from free to reduced-price. The question is how to report this since these applications were verified for cause, and the Results of Verification by Original Benefit Type table (5-8) on the Verification Report does not have a free to reduced-price category.

The results will be reported as directly verified (5-7A and 5-7B on the Verification Report) since the data from an official list was used to determine the correct eligibility category.

The number of applications must be recorded on VC-1 (Verified for Cause) so that the number of applications selected and verified is equal.  $(5-5 + VC-1 = 5-7 + \text{all the applications recorded in 5-8})$ .

## Education

### TDA Online Training Access

If you have concern or issues with TDA online training courses, please contact TDA directly on the Tex-Meal line at (877) TEX-Meal or (877) 839-6925. TDA's online training can be accessed on SquareMeals at the following link: <http://www.squaremeals.org/FandNResources/Training.aspx>



## USDA Foods Updates



### 4th Round Surveys for School Year 2019-2020

All 4th round surveys for USDA Foods closed on Friday, December 6, 2019. TDA is currently analyzing all requests and actively determining what can be ordered.

### Farm to School Deliveries

Farm to School deliveries will resume after the winter break. Farm to School participants should check allocations for citrus to ensure fresh produce is delivered during the week of January 6-10, 2020. If you need to make alternative delivery arrangements for USDA Foods, please contact your TDA Contracted Warehouse. Contact information can be found on your Weekly Commodity Bulletin.

### Contract Packets or School Year 2020 – 2021

TDA will open the SY 2020-2021 Contract Packets in January after USDA has distributed entitlement to the state agencies.

### ***Upcoming Deadlines***

**January 31, 2020:** Deadline for CEs to submit their FDP Contract Packets

**February 06, 2020:** TDA fair share distribution of DoD Fresh Program entitlement to CEs opting in to participate with available minimum entitlement remaining dollars

**March 02, 2020:** Closing date for all surveys

**July 31, 2020:** Closing date for the Farm to School survey

### ***NEW TX-UNPS Enhancement***

Annual Surveys for Regular, USDA Foods (Brown Box items) will allow requests for cases within the month of preference. CEs will have the opportunity to indicate how many cases they wish to arrive at the TDA Contracted Warehouse. Training and technical assistance for this enhancement can be provided by your Education Service Center.

### ***USDA Foods Allocations***

TDA will be allocating USDA Foods at the contracted warehouses on Tuesdays and Thursdays of each week starting the first week of January 2020. This is a change from the current process of only allocating USDA Foods on Thursday afternoons. This change will allow CEs with Monday deliveries the opportunity to place items on orders before their ordering deadline.



[Previous Issue](#)



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