California Department of Education

Nutrition Services Division

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# School Nutrition Programs Integrity Plan for School Year 2022–23

The purpose for this document is to assist program operators in the development of their standard operating procedures (SOP) or integrity plan for implementing the state agency and nationwide waivers. Program operators are required to maintain written procedures that outline plans to ensure the integrity of the School Nutrition Programs (SNP) while serving, distributing, and claiming meals during the COVID-19 pandemic.

This document lists some of the required documentation program operators must collect and maintain to meet SNP requirements while implementing the state agency and nationwide waivers. It also provides prompting questions program operators should consider and answer in writing when developing their integrity plan to ensure their procedures address and meet all SNP requirements.

These National and State agency waivers are available through June 30, 2023. Flexibilities under these waivers should only be implemented by program operators when congregate meal service is limited and directly impacted by the COVID-19 pandemic.

**COVID-19 Limited Use Waivers:**

The U.S. Department of Agriculture (USDA) approved the California Department of Education (CDE) for Limited Use Waivers for **non-congregate meals, which includes parent or guardian pick-up, meal service times, and offer versus serve; and for the Fresh Fruit and Vegetable Program,** **parent or guardian pick-up and alternate sites** to support access to nutritious meals when SNP operators are faced with meal service disruptions and challenges due COVID-19. **Occasions for the use of these waivers** can include, but are not limited to the following: school or site closure due to COVID-19; classroom quarantine due to COVID-19; student illness or quarantine due to COVID-19; staff shortages due to COVID-19; mandate or recommendation from national, state, or local governing bodies not to congregate due to COVID-19; service to groups where the majority are unvaccinated (For example, immune compromised groups); and documented delays in obtaining supplies and equipment due to COVID-19 that prevents the ability to provide congregate meal service.

For additional information on the limited use waivers, please visit the CDE’s Waivers Affecting School Year (SY) 2022–23 web page at <https://www.cde.ca.gov/ls/nu/waiversaffectingsy202223.asp>.

**SNP operators wishing to use any of these waivers must opt in** by completing the online application for the 2022–23 SY Waiver Elections. The application is available on the CDE SY 2022–23 SNP Waiver Elections web page at <https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.

While you may opt into these waivers at any time during the 2022–23 SY, the CDE recommends that SNP operators proactively complete the application as soon as possible.

You do not need to be experiencing an unanticipated school closure to opt in to these waivers, you may proactively secure these flexibilities so that they are available in the event that you need them. Additionally, you may also update your 2022–23 SY waiver selections by submitting additional applications as needed.

**These waivers should only be used when food service operations have been directly impacted by COVID-19.**

**Program operators should transition back to normal program operations as soon as possible.**

| **Waiver** | **Agency Procedures and Documentation Requirements** | **Integrity Planning Prompting Questions** |
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| **Limited Use Waiver #3****Non-Congregate Meal Service (NSLP and SBP)**Allows flexibility for school food authorities in continuing to offer nutritious meals for consumption off site and outside of group settings when congregate meal service is directly impacted by COVID-19. SNP operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver available through June 30, 2023** | To support access to nutritious meals while minimizing potential exposure, SFAs may opt into a waiver to allow serving meals outside of group settings like grab-n-go, curbside pick-up, mobile/bus routes, and home delivery, etc. When using any of these options, update Meal Counting and Claiming Procedures (MCCP) to demonstrate that the meal service style ensures meals are claimed only for enrolled children by eligibility category (if applicable) and by site and prevents duplicate meals. **To use this waiver, meal service must be impacted by COVID-19**.**Requirements**:Meals must be available for all enrolled students when receiving instruction whether in person or virtually.1. Procedures must be in place to provide special diets to students as a result of medical disability.
2. SFA may provide multiple meals, not to exceed five days at a time to students
3. Provide menus and instructions on meal preparation, portions sizes, and food safety to families receiving bulk meals. Ensure food items can be easily separated into individual meals with minimal preparation.
4. Procedures must be in place to provide special diets for students as a result of medical disability.
 | * Did you opt in to the wiaver?
* Is and how are your food service operations directly impacted by COVID-19?
* Are there written meal counting and claiming procedures for each meal service type (i.e., grab-n-go, curbside pick-up, and bulk pick-up)?
* What is the meal count source document used at the point of service (POS)?
* What is the process to prevent duplicate meals from being distributed or claimed?
* Have households been given information on portions sizes, for meals, food safety and sanitation?
* Is there a system in place for students who require meal accommodation?
* Is the **And Justice for All** poster visible to participants at all meal service locations? Paper copies and 2015 poster may be used. (Best practice—display poster for all mobile routes).
	+ Not required for home deliveries or in classrooms.
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| **Limited Use Waiver #3****Non-Congregate Meal Service (NSLP and SBP) CONTINUED.**Allows flexibility for school food authorities to offer nutritious meals for consumption off site and outside of group settings when congregate meal service is limited and directly impacted due to COVID-19. SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver available through June 30, 2023** | 1. Update Hazard Analysis and Critical Control Points (HACCP) standard operating procedures to include state/local COVID‑19 requirements (i.e., wearing masks, gloves, staying at least six feet apart, and social distancing).
2. **And Justice for All** posters must be visible at meal service facilities and locations. Paper copies and 2015 poster may be used.
3. **Best Practice:** Display poster for all mobile routes.
4. Menu records such as menus, menu production records, Child Nutrition Labels and/or Product formulation labels must be maintained for all meal servicestypes
5. **Grab-n-go, curbside pick-up, and bulk pick-up:**
	* System for recording meals
		+ Maintain meal count source documents (including paper documents that support the meal count consolidation)
	* Meal types served (menu, meal pattern, number of meals/days, unitized, bulk, etc.)
	* Menu Production Records (MPR)
6. **For an SFA offering meals to another SFA:**
* There must be a written agreement between both SFAs to serve children that are enrolled in a different school district.
 | * Is the source document maintained to support the claim for reimbursement?
* Are menu records maintained to document the amount of food prepared to support the number of meals claimed for reimbursement?

**For an SFA offering meals to another SFA:*** Is there a written agreement between the SFAs to serve children from other districts?
 |
| **Limited Use Waiver #3****Non-Congregate Meal Service (NSLP and SBP) CONTINUED.**Allows flexibility for school food authorities in continuing to offer nutritious meals for consumption off site and outside of group settings when congregate meal service is impacted by COVID-19. SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver available through June 30, 2023** | 1. If serving meals to non-enrolled students from other local educational agencies (LEA) at their own sites, include procedures to separate meal counts claimed for students not enrolled.
2. **Mobile bus routes and home delivery:**
	* System for recording meals
	* Maintain meal count source documents (roster of students, tally sheets, clicker, electronic reports)
	* Maintain meal count consolidation reports
	* Meal types served (menu, meal pattern, number of meals/days, unitized, bulk, etc.)
	* MPRs—Transport record by route (includes date of delivery and foods/meal delivered)
3. **Home delivery only:**
	* Documented written consent and an SOP required for when household is not present to receive meal(s).
 | **Mobile bus routes and home delivery:*** Is a roster with student names used to document the number of meals served by meal type for mobile/bus and home delivery?
* Is a household’s written consent on file for home meal delivery to students?
* For households that consent to receive food when no one is home, is only shelf stable food delivered?
 |
| **Limited Use Waiver #4****Parent and Guardian Meal Pick Up (NSLP and SBP)**Waives the requirement that meals may only be served directly to children. Allows parents or guardians to pick up meals for their child when meal service is limited and directly impacted due to COVID‑19.SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver available through June 30, 2023** | Flexibilities under this waiver should only be implemented by Program operators when congregate meal service is limited and directly impacted by the COVID-19 pandemic.To support access to nutritious meals when congregate meal service is limited by COVID-19.**Requirements:** Written procedures must reflect the process by which program accountability and integrity are maintained. SFAs must be able to demonstrate the following:1. Program operators have processes to ensure that meals are distributed only to parents or guardians of eligible children, and that duplicate meals are not distributed

Meal counts are recorded at the POS where distribution occurs and must be claimed by site for enrolled participants  | * Did you opt into the waiver?
* How is your meal service operations directly impacted by COVID-19?
* Does your Integrity plan include a way to identify students when parents or guardians are picking up meals without the child being present?
* Is there a mechanism to track who the parent or guardian has authorized to pick up meals on behalf of their child(ren)?
* Is there a process to indicate that meals picked up are only for eligible, enrolled children?
* What is the process used to prevent duplicate meals being distributed or claimed?

Are meal counts recorded at the POS where distribution occurs and are they claimed by site and eligibility category? |
| **Limited Use Waiver #5** **Meal Service Times (NSLP and SBP)**Waives requirements that set mealtime parameters for school lunch and breakfast.SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver available through June 30, 2023** | Flexibilities under this waiver should only be implemented by Program operators when congregate meal service is limited and directly impacted by the COVID-19 pandemic.**Requirements:**1. Report and update meal service times in the CNIPS
2. Update the written procedures
3. If serving multiple meals and snacks together at the same time, meal counts must be recorded for each meal type
4. **Note:** Claim only meal types approved in the CNIPS.
 | * Did you opt into the waiver?
* How is your meal service operations directly impacted by COVID-19?
* Is the CNIPS updated to reflect current operations for serving days, mealtimes, and meal types?
* Has the updated MCCPs for current operations been submitted in the CNIPS?
* Does the MCCP include all points of service for all locations for all approved meal types claimed?
* Is there a communication system in place that informs students and parents of the serving days, mealtimes, and distribution locations?
 |
| **Limited Use Waiver #6****Offer Versus Serve (NSLP)**Waives the mandatory lunch OVS at Senior High schools for on-site consumption and delivery or pick-up models.SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver available through June 30, 2023** | **Requirements:*** Waives the requirement to serve school lunches to senior high school students using offer versus serve.
* Update the CNIPS to indicate the site is not implementing OVS.

Update meal counting and claiming procedures. | * Did you opt into the waiver?
* How is your meal operations directly impacted by COVID‑19?
* Does the MCCP include serving all required meal components, if not implementing OVS?
* Is the CNIPS site application updated to indicate the site is not implementing OVS?
* If prepackaged meals are provided are all required components in the minimum amounts offered? If not, is there a waiver on file for missing or component shortages?
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| **National Waiver #7** **Local School Wellness Policy Triennial Assessments**Allows program operators a one-year extension to conduct the triennial assessment of their local school wellness policy (LSWP) from June 30, 2020, to June 30, 2023SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver effective:** June 30, 2022**Waiver expires:** June 30, 2023 | **Note:** This waiver does not waive the LSWP triennial assessment requirement, it only extends the deadline by which schools must complete the assessment.**Requirements:**1. SFAs must complete the LSWP assessment by June 30, 2023. The assessment must include:
	* The extent to which the LEA's LSWP compares to model wellness policies
	* The extent to which schools under the jurisdiction of the LEA are in compliance with the LSWP
	* Would complete a second triennial assessment by June 30, 2026
* A description of the progress made in attaining the goals of the LSWP
 | * Was the LSWP Triennial Assessment waiver submitted to the CDE on or before June 30, 2022?
* Does the LEA have documentation demonstrating their participation in this waiver?
* Is there a plan in place to ensure that the assessment is completed by June 30, 2023?
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| **National Waiver #8** **Food Service Management Company (FSMC) Contract Duration** Pursuant to the waiver authority granted at Section 12(l) of the NSLA, FNS waives Title 7, *Code of Federal Regulations* (*CFR*), 210.16(d) and 7 *CFR*, 225.6(h)(7) to permit SFAs and SFSP sponsors to extend existing FSMC contracts that would not otherwise be eligible for extension through SY 2022‑23 or June 30, 2023.SNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver effective:** July 1, 2022**Waiver expires:** June 30, 2023 | **Note:** This waiver allows State and local Program operators to overcome administrative challenges resulting from COVID-19 and to appropriately allocate their limited staffing resources to meal service to best ensure safe service of meals to children as they respond to and recover from the COVID-19 pandemic. FNS expects program operators to use the flexibility for only the duration and extent that they are needed.* Provides flexibility to the federal requirement that FSMC contracts may not exceed one base-year plus four one-year extensions.
* SFAs may enter into a one-year contract with FSMCs through a noncompetitive proposal.
* SFAs must obtain prior approval from the CDE.
 | * Has the SFA opted into the waiver?
* What is the direct impact of COVID-19 that warrents using this waiver?
* Is your FSMC contract near the end of its last renewal year?
* Has the current FSMC met the contract requirements?
* Are you satisfied with the current FSMC’s performance?
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| **National Waiver #9****Administrative Review Onsite Requirements (NSLP and SBP)**Pursuant to the waiver authority granted at Section 12(l) of the NSLA, FNS waives 7 *CFR*, 210.8(a)(1), 210.9(c)(7), 210.16(a)(3), 210.18, 220.7(d)(1)(iii), and 220.11(d)(1), this waiver excludes the onsite monitoring requirements for the State Agency and SNP OperatorsSNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver effective:** July 1, 2022**Waive expires:** June 30, 2023 | Waives the requirement to conduct on-site monitoring and to complete the onsite portion of the review for SNP Program Operators and the State Agency **Note**: In both cases, monitoring is still requiredSFAs with at least with more than one site must complete monitoring of all their lunch sites and 50 percent of their breakfast sites completed by February 1 of each year.Afterschool Snack Program must be monitored during the first weeks and twice per year In lieu of the in-person site visit, a desk review is required. Desk review documentation may include interviewing staff and technology methods such as:* Scanned copies of documentation
* Picture(s)
* Video(s)

Sponsoring organizations should continue to record details of the off-site monitoring including, but not limited to: * The time and date the review was conducted
* The names and contact information of site staff that participated in the visit
* Technical assistance provided
 | * Did you opt into this waiver?
* Was at least one lunch monitoring for all sites completed prior to or by February 1?
* Was at least one breakfast monitoring for 50 percent of sites completed prior to or by February 1?
* Was the Afterschool Snack Program monitored during the first four weeks and at least twice per school year
* Does each site have written meal counting and claiming procedures and is the site staff following them?
* Does the meal served meet the menu plan requirements, if not, is there an approved waiver?
* Does the system accurately count meals by category at the POS?
* Are food safety, sanitation, and HACCP guidelines being followed?
* Are a la carte items, adult, second, and unpaid meals being accurately accounted?
* Are all civil rights guidelines being followed?
* Does the system prevent overt identification?
* Are meal counts being totaled and claimed by category accurately?
* Are edit checks being used to validate the daily meal counts by category?
* Is there a system in place to prevent duplicate meal counts?
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| **Limited Use Waiver #14****Parent and Guardian Pick Up (FFVP)**Allows the State agency to approve SFAs participating in the FFVP to provide FFVP foods to parents or guardians of children whose elementary school is closed due to COVID-19 PandemicSNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver effective:** July 1, 2022**Waiver expires:** June 30, 2023 | **Requirements:**The service of Fresh Fruit and Vegetable Program must be directly impacted by COVID-19* Must have procedures for distributing FFVP to parents or guardians without the student being present

FFVP may be distributed with other meals when FFVP site is closed due to COVID-19 pandemic | * Did you opt into the waiver?
* How has COVID-19 directly impacted your operations of FFVP?
* Does the SFA have procedures for distributing FFVP to parents or guardians of eligible students?
* How are FFVP accounted for at distribution sites?
* How are duplicate counts prevented?
* How are you ensuring there is no increased cost in the distribution of the FFVP?
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| **Limited Use Waiver #15****Alternate Sites (FFVP)**Allows the State agency to approve SFAs participating in the FFVP to provide FFVP foods at sites that are not FFVP elementary schools when FFVP elementary schools are closed due to COVID-19 PandemicSNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver effective:** July 1, 2022**Waiver expires:** June 30, 2023 | * Flexibilities under this waiver should only be implemented by Program operators when congregate service is limited by the COVID-19 pandemic
* SFAs may be approved to serve FFVP at non-FFVP sites when the approved FFVP site is closed due to COVID‑19.
 | * Has the SFA opted into the waiver?
* How has COVID-19 direclty impacted the operation of FFVP?
* How are FFVP accounted for at distribution sites?
* How are FFVP eligible elementary students identified?
* How are duplicate counts prevented?
* How are you ensuring there is no increased cost in the distribution of the FFVP?
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| **National Waiver #110:****Fiscal Action Flexibility for Meal Pattern Violations** Waives the requirement for the CDE to take fiscal action for meal pattern violations related to COVID-19 supply chain disruptionsSNP Operators must opt-in by completing the online application for the 2022–23 SY waiver election application at:<https://surveys3.cde.ca.gov/go/sy2223snpwaivers.asp>.**Waiver effective:** June 30, 2022**Waiver expires:** June 30, 2023 | **Requirements**:* SFAs must keep important documentation supporting supply chain disruptions.
 | * Does the SFA have documentation supporting supply chain disruptions?
* Has the SFA opted into this waiver

How has COVID-19 impacted compliance with meal pattern requirements?  |

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1. Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
2. Fax: 202-690-7442; or
3. Email: program.intake@usda.gov.

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