

MEMORANDUM

TO: School Food Authorities
FROM: Rosie Krueger, State Director of Child Nutrition Programs
SUBJECT: New USDA guidance on delivery of meals during COVID-19
DATE: March 17, 2020

Purpose

In the absence of clear guidance from USDA on the topic of deliveries using the non-congregate feeding waiver for the Summer Food Service Program (SFSP)/Seamless Summer Option (SSO) during unanticipated school closures, the Agency of Education issued the most [flexible guidance to School Food Authorities](#) around how to handle home delivery of meals to students. USDA has just issued more specific guidance which contradicts some of the AOE's prior guidance. This memo is to clarify two areas around how home delivery should be handled.

Written Permission

USDA has determined that before meals are delivered to a student home address, the School Food Authority must obtain written consent from the household to receive the meals. This can be done electronically, through email, or other means. If pen and paper is used for consent forms, please be mindful of not using a shared pen/clipboard to collect signatures. If the SFA is just delivering meals to bus stops, and not to individual addresses, written consent is not required. This requirement is as a result of student privacy concerns over sharing students' home addresses.

Delivery of Meals to Students in Non-Area Eligible Areas

USDA has clarified that students who do not live in area-eligible areas may only receive delivery of meals if they qualify for free and reduced meals. This contradicts some written and verbal guidance that the AOE has previously provided. Some Vermont SFAs have planned to conduct delivery routes from area-eligible sites throughout their districts, to include either households or bus stops in non-area eligible locations. The new guidance from USDA is clear that when delivering to households in non-area eligible locations, only meals delivered to households who qualify for free and reduced meals may be claimed for reimbursement. The guidance is silent on whether meals served at bus stops in non-area eligible locations by buses which originated at an area eligible school are reimbursable for all children, or only for children who qualify for free and reduced meals. Given this new guidance, the AOE recommends that SFAs collect the names of children served meals at individual household deliveries and at bus stops in non-area eligible locations. If the SFA has free and reduced eligibility documentation on file for these students and other children in their household, these meals may be claimed at the free rate. If the SFA does not have free and reduced documentation for these students, the

meals may not be reimbursable. Several pieces of legislation are currently working their way through Congress, which may change this. The AOE does not advise SFAs that they must stop this type of distribution, but rather that they should keep good documentation of these meals, including the names of students who were served. The AOE further advises SFAs that there is a possibility that the SFA may need to find another source of funds to pay for these meals, such as general fund, donation, or state funding.

Please also be aware that there are several ways of determining whether a specific location is area-eligible. Some student addresses may be located within smaller census tracts that are area-eligible, even if the student's school is not area-eligible. While it would be extremely time consuming to determine the area-eligibility of each students' household, an SFA could take these steps to maximize the amount of reimbursement available. The AOE may provide additional guidance on the tools to establish area eligibility of specific addresses if there is interest from the field.

Finally, SFAs are reminded that area-eligible schools may provide free meals to any children 18 and under as grab-and-go meals, when these meals are served at an area-eligible location. SFAs with some non-area eligible schools may want to direct all families to access the grab-and-go locations at their area-eligible schools.

Other Areas Clarified by USDA Guidance

The new USDA guidance does offer some clarification on some topics that the AOE had not previously advised SFAs on. The guidance includes all types of delivery, including by mail, as allowable types of delivery to individual households. In addition, the guidance clarifies that the student does not need to be present when receiving meals delivered to households. The guidance also clarifies that delivered meals are not required to be non-perishable, and discusses households with children attending multiple schools. SFAs are encouraged to read the full USDA FAQ for additional details. There are several additional state level waivers that the AOE will seek as a result of this guidance to continue allowing SFAs the maximum amount of flexibility to feed students.