



**United States
Department of
Agriculture**

Food and
Nutrition
Service

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SUBJECT: Questions and Answers Related to 6 cents Certification during
School Year 2013-2014

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

Attached are questions and answers related to certification of compliance with meal pattern requirements during School Year (SY) 2013-2014. The Food and Nutrition Service (FNS) has received many comments and questions on the certification process in SY 2013-2014. As a result, in addition to SP 51-2013 issued on August 7, 2013, which provides guidance on certifications during administrative reviews, we are providing these questions and answers to assist States and school food authorities with the certification process during SY 2013-2014.

It should be noted that these questions and answers apply specifically to SY 2013-2014.

State agencies are reminded to distribute this memo and attachment to program operators immediately. School food authorities should contact their State agencies for additional information. State agencies may direct any questions concerning this guidance to the appropriate FNS Regional Office.

Original Signed

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Background

The Healthy, Hunger-Free Kids Act of 2010 (HHFKA) provides the additional 6 cents per lunch reimbursement to school food authorities (SFAs) certified by a State agency to be in compliance with the new meal pattern requirements.

In implementing the new meal requirements, many SFAs have found it challenging to meet the weekly maximum limits for grains and meat/meat alternates. To help SFAs make the transition to the new requirements, the Department of Agriculture (USDA) issued SP 11-2013, FNS Guidance to School Food Authorities: Flexibility in the Meat/Meat Alternate and Grain Maximums for School Year 2012-2013, providing flexibility to SFAs regarding the weekly grains and meat/alternates maximums for SY 2012-2013. These flexibilities were later extended through SY 2013-2014 in SP 26-2013, and USDA recently announced that they will be made permanent. For the purposes of certification for the additional 6 cents reimbursement, State agencies are to consider SFAs compliant with these component requirements even if they have exceeded the weekly maximums.

In general, the certification process in SY 2013-2014 works as follows:

- SFA is certified by one of two methods:
 - 1.) SFA submits certification documentation to State agency; or
 - 2.) SFA is certified during an administrative review
- If SFA submits documentation, State agency makes a certification determination within 60 days
- Certified SFAs must annually attest to ongoing compliance with the meal patterns each year through SY 2014-2015
- Ongoing compliance with the meal pattern requirements is monitored during administrative reviews

Certification in SY 2013-2014

Q1. Can SFAs apply for certification in SY 2013-2014?

Yes, SFAs that have not yet applied for certification may apply for certification in SY 2013-2014. Generally, the certification process will work the same as it did in SY 2012-2013 with SFAs applying for certification as they are ready to be certified. Those SFAs wishing to submit certification documentation should use either Option 1 or 2 for certification (refer to SP 31-2012 for more information on Options 1 or 2). FNS has updated the FNS-developed 6 cents certification tools for lunch and breakfast to reflect new meal pattern requirements in SY 2013-14.

State agencies should conduct an on-site certification of those SFAs that have not yet been certified via Options 1 or 2 when they are conducting administrative reviews of these SFAs in SY 2013-2014. State agencies should refer to SP 51-2013, *Certification and Administrative Reviews in School Year 2013-2014*, for guidance on conducting certifications during an administrative review.

Q2. What process should State agencies follow when conducting on-site certifications during administrative reviews in SY 2013-2014?

When conducting on-site certifications, State agencies should evaluate a menu representing each menu type within the SFA. This includes using a USDA-approved Menu Planning Tool for Certification for 6 Cents Reimbursement to assess meal components. Additionally, State agencies must also conduct a nutrient analysis of calories and saturated fats.

In addition to the usual requirements for administrative reviews, State agencies conducting certification during the administrative review must also visit one school representing each menu type being certified. In each of the visited schools, the State agency will observe a meal service and review production records for the observed meals to ensure they are consistent with the menus on which certification was based and that observed meals meet the updated meal pattern requirements and certification documentation.

State agencies should follow the procedures outlined in SP 51-2013 and in the Administrative Review Guidance Manual when conducting administrative reviews of SFAs that have not been certified.

Q3. May SFAs use and be certified based on a Nutrient Standard Menu Planning approach for breakfasts in SY 2013-2014?

No. The last year for Nutrient Standard Menu Planning for breakfasts was SY 2012-2013. Beginning SY 2013-2014, all schools must adopt a food based menu planning approach for breakfast. If such SFAs were certified in SY 2012-2013 on the basis of the Nutrient Standard Menu Planning approach for breakfast, there is no additional certification required. These SFAs must submit the annual attestation required of all SFAs.

Q4. What certification documentation must be submitted by SFAs for breakfast in SY 2013-2014?

SFAs must submit certification documentation reflective of the meal pattern requirement in effect at the time they apply for certification. Therefore, if an SFA applies for certification in SY 2013-2014, they need to demonstrate compliance with the breakfast requirements in effect for SY 2013-2014. The FNS-provided certification tool has been updated to include the SY 2013-2014 requirements.

The new SY 2013-2014 tool for breakfast also includes a simplified nutrient assessment of calories and saturated fat. During this year of transition for breakfast requirements, FNS will not be approving alternative software for breakfast certification. SFAs wishing to use software other than the FNS-provided breakfast tool should consult with their State agency.

Q5. Can a State agency conduct a validation review in SY 2013-2014?

State Agencies were required to conduct validation reviews of 25 percent of the SFAs certified in SY 2012-2013. If a State agency did not reach the required 25 percent of SFAs certified by June 30, 2013, they must work with their Regional Office to develop a plan to address the shortfall.

Q6. How should State agencies prioritize SFAs for administrative review in the first administrative review cycle?

During SY 2013-2014, State agencies must include any SFA scheduled for review in SY 2012-2013 whose review was postponed. In addition, State agencies are required to conduct an administrative review early in the review cycle for any SFAs that has not applied for certification or whose certification request was denied during the certification process or “turned off” during a validation review for significant meal pattern violations.

It may not be possible for the State agency to review all SFAs that meet the above criteria in SY 2013-2014; therefore State agencies should prioritize SFAs in the following order:

1. SFAs whose review was postponed in SY 2012-2013 or omitted during the last five year review cycle (SY 2008-2009 through SY 2012-2013)
2. SFAs without certification

State agencies are reminded that they are not required to review more than 1/3 of SFAs in any one school year.

Q7. What happens when a State agency conducts an on-site certification during an administrative review but the SFA is unable to be certified?

In this scenario, the State agency, in conjunction with the SFA, should develop a corrective action plan with specific steps, which may include required trainings and/or technical assistance, and reasonable timeframes for the SFA to begin serving meals compliant with the meal pattern requirements and become certified. Please refer to SP 31-2012 and SP 51-2013 for more information on certification and administrative reviews.