



Feeding Bodies. Fueling Minds.™

August 23, 2021

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Vilsack:

On behalf of our 50,000 members, the School Nutrition Association (SNA) would like to thank you for your ongoing efforts and unwavering support for our nation's child nutrition programs.

On June 30, SNA sent you a letter sharing our concerns regarding the supply chain disruptions facing school nutrition professionals as they return to school and continue to navigate the COVID-19 pandemic. The response from your staff was exceptional, quick, and appreciated. In fact, following our correspondence, USDA/FNS staff immediately reached out to SNA and offered to speak with SNA members to learn more about these disruptions. Within one week, SNA was able to convene three different forums with our members including the SNA Board, SNA Executive Committee and our Industry partners and USDA staff. More than 20 USDA/FNS staff participated in each of these discussions. We greatly appreciated the timely response and as a next step offered to identify areas of *interim* assistance that would help our Association's members during this public health emergency.

As such, SNA takes this opportunity to share several recommendations on specific regulatory requirements that could be eased, waivers under the Families First Coronavirus Response Act (Public Law 116-127) that could be extended and other actions to help to ensure our members can meet the nutritional needs of America's students during this unprecedented continued public health emergency and disruptions to the supply chain. **We would be grateful for your consideration of the following:**

- **Procurement Flexibilities:** Throughout the pandemic, School Food Authorities (SFAs) have struggled with numerous canceled orders, food and supply shortages, product substitutions, price increases, delayed and canceled deliveries, often with little or no advance notice. School nutrition directors nationwide are scrambling to secure the necessary food and supplies in order to feed students as they head back to school, make last-minute menu changes based on product availability, complete required paperwork to utilize waiver flexibility and still meet federal regulatory procurement requirements. Due to these exceptional circumstances, SFAs need *temporary* waivers for off bid purchasing, an increase to the micro purchase threshold and a waiver of Buy American requirements. School nutrition professionals strongly support Buy

American mandates but need short-term relief from additional documentation and record keeping requirements due to market shortages and distribution challenges.

- **Meal Pattern Flexibility:** SNA greatly appreciates USDA's [Nationwide Waiver to Allow Specific School Meal Pattern Flexibility for School Year 2021-2022](#). Given the level of disruption to the supply chain, this waiver should be expanded to cover all meal pattern requirements. In addition, some State agencies have not authorized the waivers USDA has issued. USDA should instruct State agencies to allow all SFAs to implement these flexibilities, just as it did with sodium flexibilities. School nutrition professionals are doing their best to meet meal pattern requirements. In the midst of this public health emergency, programs should not be penalized or face extensive, burdensome paperwork requirements each time a delayed or canceled product delivery forces an unexpected menu adjustment.
- **Onsite Monitoring:** The [Nationwide Waiver of Onsite Monitoring Requirements for School Programs and State Agencies](#) should be assessed and reviewed for further relaxation. SFAs across the country face a very fluid situation with disrupted school operations, staff shortages and quarantines, and COVID outbreaks impacting schools differently across each district. While some State agencies have implemented a virtual or electronic review, others are monitoring in different ways. Waiver implementation should be consistent across states and programs. Coordination of program reviews across the child nutrition programs should also be consistent to minimize the burden on SFAs and State agencies which operate multiple programs. State agencies should be allowed flexibility in developing plans to approach the administration, management, and oversight of programs. With multiple child nutrition programs that have basic principles for operation, State agencies should be able to implement certain review activities across the different programs. By incorporating risk indicators and coordinating administrative reviews, procurement reviews, resource management functions, as well as the other program reviews, State agency functions would be streamlined and concise.
- **Nutrition Reporting Requirements:** The [Nationwide Waiver for Selected Child Nutrition Program Reporting Requirements](#) provided by FNS for SY 2019-20 and SY 2020-21 waived administrative burdens on the many and complex reports required by various regulations. All of these program reporting requirements should be waived for SY 2021-22 as SFA operations continue to be challenged by school closings and other pandemic-related disruptions as well as the supply chain disruptions
- **Professional Standards:** (7 CFR 210.18 (h)(7) and 210.30 amended by Section 306 of HHFKA) Training for school nutrition program personnel at all levels is critical. SFAs are working hard to ensure all staff complete the required professional standards training hours but will face many challenges this school year managing the supply chain challenges and working hard to ensure all students have access to healthy school meals while being short staffed due to labor shortages. In addition, reduced meal participation and revenue and higher pandemic costs will have a negative impact on staff training budgets. Therefore, SFAs would greatly benefit from a waiver or deadline extension to complete required annual training.

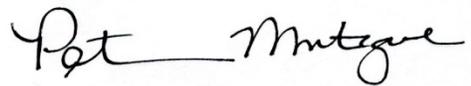
- **Financial Sustainability:** Cost increases across the board for food, packaging, equipment, personal protection equipment and labor as well as supply chain disruptions and severe labor shortages have drastically increased school meal program costs. While SNA greatly appreciates USDA's decision to provide a higher reimbursement rate for SY 2021-22, SFAs need additional emergency funding support. Reimbursement rates are prescribed for lunch in Sections 4, 8 and 11 of the National School Lunch Act and breakfast rates are prescribed in Section 4 of the Child Nutrition Act of 1966.

SNA would welcome the opportunity to discuss these recommendations in greater depth. Thank you for consideration of this request and for your continued commitment to the nutritional health and well-being of our nation's children.

Sincerely,



Beth Wallace, MBA, SNS
SNA President



Patricia Montague CAE
SNA CEO