

# FAQs for CACFP



## Child Nutrition Nationwide Waiver Update for School Year 2021-2022

### 1. What waiver opportunities are available for CACFP in SY 21-22?

- Waiver to Allow Non-Congregate Meal Service
- Waiver of Meal Times Requirements
- Waiver to Allow Parents and Guardians to Pick Up Meals for Children
- Waiver to Allow Specific Meal Pattern Flexibility in the CACFP
- Waiver of Area Eligibility in Afterschool Programs and for Family Day Care Home Providers
- Waiver of Onsite Monitoring Requirements for State Agencies in the CACFP
- Waiver of Monitoring Requirements for Sponsors in the CACFP

These waivers are posted at: [Child Nutrition Nationwide Waiver Update for School Year 2021-2022](#) | USDA-FNS or <https://www.fns.usda.gov/cn/child-nutrition-response-84>.

### 2. CACFP doesn't operate on a School Year but rather a Program Year, when are these waivers effective and how long do they remain in effect?

The following waivers are effective July 1, 2021 and remain in effect until June 30, 2022:

- Waiver to Allow Non-Congregate Meal Service
- Waiver of Meal Times Requirements
- Waiver to Allow Parents and Guardians to Pick Up Meals for Children
- Waiver to Allow Specific Meal Pattern Flexibility in the CACFP
- Waiver of Area Eligibility in Afterschool Programs and for Family Day Care Home Providers

The following waivers are effective July 1, 2021 and will remain in effect until 30 days after the end of the public health emergency:

- Waiver of Onsite Monitoring Requirements for State Agencies in the CACFP
- Waiver of Monitoring Requirements for Sponsors in the CACFP

### 3. How will Sponsors elect waiver opportunities for SY 21-22?

Sponsors will elect waiver opportunities within KN-CLAIM. The waiver elections will be available on the Applications tab within the CACFP section of KN-CLAIM in both PY 2021 and PY2022. PY2021 elections will be for the period of July 1, 2021 – September 30, 2021, while PY2022 elections will be for the period of October 1, 2021 – June 30, 2022. In order to elect waiver opportunities for both PY2021 and PY2022, the Sponsor must complete the application(s) in both program years. There are two applications Sponsors may complete:

- Child Nutrition Program Waiver Elections for School Year 2021-2022.
- Waiver to Allow Specific Meal Pattern Flexibility in the CACFP for School Year 2021-22

KSDE staff must review and approve waiver applications prior to Sponsors implementing the flexibilities they apply to elect.

### 4. Will CACFP Providers and Centers be reimbursed for a fourth meal and snack in PY2022?

No, the policy suite for SY 2021-2022 did not include provisions for a fourth meal or snack to be reimbursed for CACFP providers and centers.



### Non-Congregate Meal Service for SY 21-22

#### 5. Can Sponsors send meals home with participants if a sponsor, child care center, adult day care center, or day care home were closed or if a participant was unable to attend due to COVID-19?

Yes, if a Sponsor elects to serve non-congregate meals on the Child Nutrition Program Waiver application for SY 2021-22. Non-congregate feeding flexibilities provide Sponsors, child care centers, adult day care centers and day care home providers the opportunity to provide meal pick-up options for participants unable to receive care in person and also facilitate grab-and-go meals for enrolled\* participants.

\* Enrollment is not a requirement for participants accessing CACFP At-Risk Afterschool Meals.

### Meal Times Requirements for SY 21-22

#### 6. Can Sponsors serve multiple meals and/or bulk meals?

Yes, if a Sponsor elects the meal service time waiver as part of the Child Nutrition Program Waiver application for SY 2021-22 meal time requirements are waived which allows flexibilities for Sponsors to determine the service model that works best for their participants and community.

### Parent and Guardian Meal Pick Up for SY 21-22

#### 7. Can Sponsors deliver meals to homes under the waivers available?

Yes, if a Sponsor elects to serve non-congregate meals on the Child Nutrition Program Waiver application for SY 2021-22 all delivery systems available during SY 20-21 are also available in SY 21-22 per the *Nationwide Waivers to Allow for Non-Congregate Meal Service #87*, *Waiver of Meal Times Requirements #88* and the *Waiver to Allow Parents and Guardians to Pick Up Meals for Children #89*.

### Specific Meal Pattern Flexibility in the CACFP for SY 21-22

#### 8. Are there meal pattern flexibilities available for SY 21-22?

FNS expects CACFP providers to meet the meal standards to the best of their ability, but recognizes that, in some situations, it might not be possible to meet every component of the meal pattern requirements. COVID-19: Child Nutrition Response #91 allows State Agencies to grant requests from program operators for the following flexibilities:

- That at least one serving per day, across all eating occasions, must be whole grain-rich. If approved, the Sponsor is not required to serve a WGR item each day meals/snacks are served.
- That the crediting of grains by ounce equivalents must be fully implemented by October 1, 2021. If approved, Sponsors may continue to use servings of grain when planning menus.
- That low-fat milk must be unflavored. If approved, the Sponsor can serve flavored low-fat milk to children 6 years old and older and to adult participants.

All other meal pattern requirements remain in effect. In order to elect one or more of these waivers, Sponsors must make the request within KN-CLAIM on the Applications tab, *Waiver to Allow Specific Meal Pattern Flexibility in CACFP for School Year 2021-22*. KSDE must consider approval of this request on a case-by-case basis to ensure the requests are targeted and justified with a demonstrated need, based on plans to support access to nutritious meals while minimizing potential exposure to COVID-19. Requests are effective upon approval by KSDE. Flexibilities provided should only be utilized as needed. Sponsors should seek to meet the meal pattern requirements to the greatest extent possible.

**9. What justification will be needed to be approved for meal pattern flexibilities?**

Sponsors will indicate the justification(s) for each Waiver request in KN-CLAIM. KSDE has provided some pre-populated justifications that Sponsors will check when completing the request. Sponsors will also be required to provide a brief description of why the meal pattern flexibility is needed and how it will be implemented.

**10. What does “use flexibilities for the duration and extent they are needed” mean?**

Sponsors should seek to meet the meal pattern requirements to the greatest extent possible. However, in some situations, it might not be possible to meet every component of the meal pattern requirements. Many Child Nutrition Professionals will continue to face operational constraints in SY 21-22 and therefore will require continued flexibility regarding the CACFP meal requirements. In those instances, Sponsors are encouraged to submit a meal pattern flexibility waiver request. If in the future the Sponsor could again meet the meal pattern requirement(s) that were waived, the Sponsor should meet the meal pattern requirements which emphasizes healthy eating with a focus on fruits and vegetables and whole grains.

**Waiver of Area Eligibility in the Afterschool Programs for SY 21-22****11. Can School Food Authorities (SFAs) serve CACFP At-Risk Afterschool Meals when operating the Seamless Summer Option (SSO) during SY 21-22?**

Yes, SFAs may serve CACFP At-Risk Afterschool Meals and snacks while operating the SSO. SFAs will indicate on its CACFP site application(s) if any sites will participate and serve At-Risk Afterschool Meals and/or snacks through the CACFP. As a result of *COVID-19: Child Nutrition Response #93 – Nationwide Waiver of Area Eligibility in the Afterschool Programs*, all schools, regardless of their location, are able to claim all At-Risk Afterschool Meals and/or snacks at the free rate during SY 2021-22. The CACFP Program Year operates from October 1 – September 30, which is different than the school year. SFAs that wish to serve CACFP At-Risk Afterschool Meals at the start of the 21-22 school year must update the CACFP site applications in PY21 for the months of August and September and then complete CACFP program renewal for PY22 to offer CACFP At-Risk Afterschool Meals after October 1.

**12. Can community organizations that care for school age children serve CACFP At-Risk Afterschool Meals during SY 21-22?**

Yes, community organizations that provide care for school age children can serve At-Risk Afterschool Meals during the 2021-2022 school year through the CACFP. Community organizations will indicate on the CACFP site application(s) that At-Risk Afterschool Meals will be served. Contact your CNW consultant to open up the At-Risk site application in KN-CLAIM. To serve At-Risk Afterschool Meals during the entire 21-22 school year, CACFP Sponsors must update their CACFP site applications in PY21 for the months of August and September and then complete CACFP program renewal for PY22 to offer CACFP At-Risk Afterschool Meals after October 1.

**13. Can community organizations serve CACFP At-Risk Afterschool Meals during Summer 2021?**

No, CACFP At-Risk Afterschool Meals and snacks can only be served during the school year. If a community organization wishes to serve meals during the summer months when school is not in session they must do so through the Summer Food Service Program (SFSP) or through the traditional CACFP.



**14. Can CACFP Sponsors that provide care for school age children after the school day, on school day outs and/or holidays during the school year serve At-Risk Afterschool Meals to school age children at sites that were not previously eligible?**

Yes, due to the *Waiver of Area Eligibility in Afterschool Programs and for Family Day Care Home Providers* all sites are considered area eligible and could serve At-Risk Afterschool meals. However, For-Profit CACFP Sponsors must still meet the program eligibility requirements discussed in the following Q&A.

**15. Can For-Profit CACFP Sponsors that provide care for school age children after the school day, on school day outs and/or holidays during the school year provide CACFP At-Risk Afterschool Meals and/or Snacks?**

A for-profit child care center may receive reimbursement for the At-Risk Afterschool Meals component of the CACFP if the center is eligible to participate in CACFP through the traditional child care center, meaning that at least 25 percent of the children served by the for profit center through its traditional child care component are eligible for free or reduced price meals based on their family income; or receive benefits under title XX of the Social Security Act and the center receives compensation under title XX. This 25 percent threshold is based on the center's enrollment or the licensed capacity, whichever is less. In determining a for-profit center's eligibility for At-Risk Afterschool Meals reimbursement, only the enrollment and/or licensed capacity of the traditional child care component of the center may be considered in calculating whether the center meets the 25 percent criterion.

**16. In reference to COVID-19: CN Response #93 – Nationwide Waiver of Area Eligibility in the Afterschool Programs and for Family Day Care Home Programs in SY 2021-22. As of July 1, when Sponsors can tier a Tier 2 provider as Tier 1 by waiver, can these homes claim their own children for reimbursement when other children are present for care at the day care home?**

KSDE has requested guidance from USDA regarding this question and will let Sponsoring Organizations of Homes know when an answer is received.

**17. Should Sponsoring Organizations of day care homes continue trying to tier providers by School or Census data beginning July 1, 2021?**

KSDE encourages Sponsors to continue trying to tier day care home providers by school or census even after July 1, 2021 when the *Nationwide Waiver of Area Eligibility for Family Day Care Home Providers in School Year 2021-22* goes into effect. Eligibility for providers that are tiered by school or census is extended for five years from the date in which the provider is tiered; whereas Tier 1 determinations will expire on June 30, 2022 for providers in which the area eligibility waiver is used to Tier the provider as Tier 1.

**Monitoring Requirements in SY 21-22**

**18. Can Sponsoring Organizations conduct both on-site and desk audits?**

Up until 30 days after the end of the federally declared public health emergency, Sponsoring Organizations can conduct on-site and/or desk audits. This flexibility is made available through the *COVID-19: Child Nutrition Response #96: Nationwide Waiver of Onsite Monitoring Requirements for Sponsors in the CACFP*. The requirements included in 7 CFR 226.16(d)(4)(iii) are still required but can be conducted offsite as a desk audit.

**19. Will KSDE be conducting onsite monitoring of Sponsors?**

KSDE will conduct both offsite and onsite monitoring of Sponsors in SY 21-22. During SY 21-22, KSDE will conduct CACFP Administrative Reviews on one-third of CACFP Sponsors as required by USDA. USDA has provided flexibility for State Agencies to conduct Administrative Reviews offsite until 30 days after the end of the public health emergency. KSDE staff may also complete reviews onsite during SY 21-22. Each Child Nutrition Consultant will work individually with the Sponsors in which KSDE will be monitoring to determine how the CACFP Administrative Review will be conducted.

**SNP Sponsors Serving PreK Students During the School Day****20. In previous school years, our school has offered CACFP meals and/or snacks to PreK students. For SY 21-22, can PreK students eat meals and snacks through the Seamless Summer Option (SSO) rather than through the CACFP?**

Yes, PreK students enrolled in the district can eat meals through the SSO. Please note that children can only receive up to 2 meals/snacks during the school day under the SSO.

**21. Can SNP Sponsors offer a breakfast through the SSO, an AM snack through the CACFP and then a lunch through the SSO to PreK students?**

No, Sponsors cannot switch between both the SNP/SSO and the CACFP during the school day for the same students.

**22. In previous school years, our school has offered CACFP meals and/or snacks to a child care center that is affiliated with our school, can the children attending the affiliated child care center eat meals through the Seamless Summer Option (SSO) rather than through the CACFP in SY 21-22? Can infants be served through the SSO?**

Yes, children attending a child care center that is affiliated with a school can eat meals through the SSO. Please note that children can only receive up to 2 meals/snacks during the school day under the SSO. KSDE has requested guidance from USDA regarding whether infants can be served meals through the SSO. KSDE will let Sponsors know when an answer is received.

**23. Can Head Start program participants enrolled in the school district receive meals through the SSO?**

A Head Start program participant enrolled in the school district can receive up to 2 meals and/or snacks through the SSO during SY 21-22. Head Start programs should seek guidance from Head Start regarding any Head Start meal requirements.



For more information, contact:

Child Nutrition & Wellness  
785-296-2276  
[cnw@ksde.org](mailto:cnw@ksde.org)



Kansas State Department of Education  
900 S.W. Jackson Street, Suite 102  
Topeka, Kansas 66612-1212  
[www.ksde.org](http://www.ksde.org)

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (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](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.