

Certification for Performance-Based Reimbursement

Section 2C Update Guide

- October 3, 2014 Updated *Section 2C, Certification for Performance-Based Reimbursement* to incorporate the USDA guidance provided in the following documents:
- *Certification of Compliance with Meal Requirements for the National School Lunch Program Under the Healthy, Hunger-Free Kids Act of 2010, Federal Register, Volume 79, Number 2, Final Rule, (January 3, 2014)*
 - *USDA Memo, 26-2014, New Questions and Answers Related to the Certification of Compliance with Meal Requirements for the National School Lunch Program (March 11, 2014)*
- Provided clarification on the following topics:
- Contact information for TDA
 - Timeline for certification
- July 22, 2013 Updated *Section 9C, Certification for Performance-Based Reimbursement* to incorporate the USDA guidance provided in the following USDA policy memo:
- *USDA Memo, SP 31 2012 (3rd Revision), Questions & Answers Related to Certification of Compliance with Meal Pattern Requirements for National School Lunch Program (January 22, 2013)*
- Provided clarification on the following topics:
- Adjusted timeline for submitting menus for certification
 - Explanation of the different certification requirements for new contracting entities (CEs) and existing CEs
 - Inclusion of information on performance-based reimbursement for Seamless Summer Option (SSO) claims
 - Information on expectations for record retention related to certification.
 - Removal of information on attestation documentation as this requirement is now part of the application/application renewal process
 - Removal of references to validation as monitoring of the new meal pattern implementation is incorporated into the administrative review
 - Renumbered the Certification for Performance-Based Reimbursement section from *Section 9C* to *Section 2C* in order to relocate the information on certification adjacent to *Section 2, Application and Agreement* since certification is now part of the application process
 - Deleted all references to *Section 8N* since that section has been removed from the *Administrator's Reference Manual (ARM)*. CEs must follow the guidance provided in *Section 8, Breakfast* since *Section 8N* applied to SY 2012–2013 only

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**Contact Information for the
Texas Department of Agriculture (TDA), Food and Nutrition**

When contacting TDA by phone, Contracting Entities (CEs) need to have their CE Identification Number (CE ID) (and site ID if applicable). CEs should include their name and CE ID (and site name and ID if applicable) in all communication or documentation.

Website: <http://www.squaremeals.org>

Phone: 877-TEXMEAL, (877) 839 -6985 | **Fax:** (888) 203-6593

Physical Address: 1700 N. Congress, 11th Floor, Austin, TX 78701

Mailing Address: PO Box 12847, Austin, TX 78711-2847

Email Contact:

squaremeals@TexasAgriculture.gov

Email Contact for Issues Related to Applications:

National School Lunch Program, School Breakfast Program, & Special Milk Program

NSLP-SBP.BOps@TexasAgriculture.gov

Seamless Summer Option:

SSO.BOps@TexasAgriculture.gov

Child & Adult Care Food Program

CACFP.BOps@TexasAgriculture.gov

Summer Food Service Program:

SFSP.BOps@TexasAgriculture.gov

Certification for Performance-Based Reimbursement¹

This section is a supplement to *Administrator's Reference Manual (ARM), Section 2, Application and Agreement*. Developed by the United States Department of Agriculture (USDA), the meal pattern requirement certification specifications, are intended to accomplish two purposes:

1. Certify that CEs are demonstrating compliance with the National School Lunch Program (NSLP) and School Breakfast Program (SBP) meal pattern.
2. Provide a process for those CEs that demonstrate compliance with the new meal pattern to receive an additional performance-based reimbursement for lunch meals served.

All contracting entities (CEs) must be certified. New CEs will submit documentation when they apply to operate NSLP or SBP. TDA will monitor compliance with the NSLP and SBP meal pattern during the administrative review (AR) process.

Definitions for This Section

For this section, the following terms will be used:

<i>Age/Grade Groups for Breakfast Service</i>	One of the four age/grade spans approved by USDA for breakfast service: K-5, 6-8, 9-12, or K-12.
<i>Age/Grade Groups for Lunch Service</i>	One of the four age/grade spans approved by USDA for lunch service: K-5, 6-8, K-8, or 9-12.
<i>Menu</i>	Descriptive list of all reimbursable meals offered each week, including all serving lines that provide reimbursable meals for each age/grade group and menu type.
<i>Menu Type</i>	Lunch or breakfast.

¹ Each year USDA will release the rate for the new meal pattern performance-based reimbursement in the *Federal Register*. The current rate, and any future adjustments of the rate, reflects changes in the food away from home series of the Consumer Price Index for all Urban Consumers. Each certified CE will receive an additional 6 cents plus the regular reimbursement rate for each reimbursable lunch served.

Preparing for Certification Submission

The following guidance will assist CEs in preparing to submit documentation to become certified:

Texas Unified Nutrition Programs System (TX-UNPS)

All documentation for certification must be submitted to TDA through TX-UNPS using the Meal Pattern Compliance Dashboard. CEs are strongly encouraged to make all necessary updates to their Application Packet before submitting for certification.

TX-UNPS Information Used in Approving Certification. TDA will use the CE-provided information in TX-UNPS Meal Pattern Compliance Dashboard when reviewing the documentation submitted for certification including the following:

- Contact information, including but not limited to the name of the current superintendent, child nutrition director, and other authorized representative(s)
- Names and addresses for all schools operating under the CE
- Correct grades for each school
- Breakfast and lunch meal times
- Menu planning method for breakfast
- Availability of offer versus serve (OVS)

Any application-related correction that needs to be made after certification documentation has been submitted may be delayed until the certification review is completed.

Documentation Needed to Prepare for Certification Submission

CEs will find the following documents helpful in preparing documentation for certification submission:

- One week of menus for each menu type by age/grade group
- Production records, which include the portion sizes for each menu item for each menu type for each age/grade group²
- Standardized recipes for all applicable menu items
- Nutrition Fact Labels and ingredients for all food items
- Child Nutrition (CN) Labels for menu or food items, as applicable
- Whole Grain Statements/Labels for each whole grain menu or food item, as applicable

² Sample food production records can be accessed at <http://www.squaremeals.org>.

- Product Analysis Sheet/Manufacturer’s Statement to Provide for a Grains Product, as applicable
- Product Analysis Sheet/Manufacturer’s Specification for Meat/Meat Alternate (M/MA) Products, as applicable
- *USDA Foods Fact Sheets* for all USDA Foods received
- *USDA Food Buying Guide for School Nutrition Programs* and *Food Buying Guide for Child Nutrition Programs*

Documentation Required for Certification

To receive certification, a CE must submit three types of documents to TDA through the TX-UNPS Meal Pattern Compliance Dashboard. Review of documentation will not begin until TDA has received a complete set of required documents.

Recommendation: Prepare each document and create an electronic file for each one before attempting to upload documentation into TX-UNPS Meal Pattern Compliance Dashboard. When all required documents are ready, upload the entire set into the TX-UNPS Meal Pattern Compliance Dashboard.

1. **One Week of Menus (CE Form)**—CEs must submit one week of menus for each age/grade group and menu type for specific dates of meal service.

Submitted menu must be for served or planned to be served the month before submission, the month of submission, or the month after submission.

For new CEs, the date of submission of menus and the serving week may be extended beyond one month if the CE submits its program application documentation more than 30 days before beginning to serve meals.

For Example: If a new CE submits its application and certification materials in June of 2014, the menus submitted for certification may be the menus that will be served during September of 2014.

A menu will include the names of the entrees served as well as other menu items served with the entree.

To submit menus,

- Prepare a copy of the week’s menus for each age/grade group and menu type for specific dates of meal service using the format that is typically used by the CE.
 - Save or scan the file into a word document (.doc file) or .pdf file format.
 - Upload the file to the TX-UNPS Meal Pattern Compliance Dashboard. (See *Recommendation under Documentation Required for Certification* subsection in this section.)
2. **Certification Menu Worksheet Spreadsheet (USDA Approved Form or Software)**—CEs must use the Excel *Certification Menu Worksheet (Worksheet)* developed by USDA or another USDA approved software tool³—to provide detailed information on the meals to be

³ The *Worksheets* used for certification are located at <http://www.squaremeals.org>. Approved USDA software forms can be found at <http://healthymeals.nal.usda.gov/menu-planning/nutrition-standards-school-meals/menu-planning-tools-approved-certification-six-cent>.

served under the new meal pattern This *Worksheet* has been designed to allow users to enter menus by day of the week and by the five required food components.

CEs will need the information contained in the documents collected in preparation for the certification process to complete the *Worksheet* or any of the tools using approved software.

Worksheet Navigation. The sheet tabs at the bottom of the *Worksheet* screen allow the user to access the following sheets:

- *Instructions*—Brief directions for completing the *Worksheet*
(NOTE: A more detailed set of directions for completing the *Worksheet* can be found at <http://www.squaremeals.org>.)
- *Week's menu*—A series of text boxes and drop down items that allow the CE to enter a descriptive list of all meals offered for that week
- *Daily menu*—A series of text boxes and drop down items that allow the CE to designate the menu items to be served day by day
- *Option veg bar*—A series of text boxes and drop down items that allow the CE to designate menu items to be served on the vegetable bar by the week and day
- *Notes page*—A text box that allows the CE to provide additional information required by TDA as well as other information the CE deems applicable to TDA's approval of the *Worksheet*.
- *Weekly report*—A tool within the *Worksheet* that allows the CE to view a report based on the menu items entered in comparison to the required components
- *Simplified Nutrient Assessment*—A tool to create a nutrient assessment for those CEs not using a nutrient analysis software

To submit the *Certification Menu Worksheet* spreadsheet,

- Download the *Worksheet* and directions from <http://www.squaremeals.org>.
- Enter the food items and their portion sizes for one week of menus for each menu offered by age/grade group for both lunch and breakfast reimbursable meals, if applicable, into the worksheet.

For Example: A CE creates four (4) *Worksheet* files:

- A total of three (3) lunch *Worksheets* files, one for each of the different age/grade groups: K–5, 6–8, and 9–12
- One (1) breakfast *Worksheet* file for age/grade group K–12

If a CE has multiple sites with the same age/grade group (i.e., three different high schools) and each site serves a different menu, the CE will need to create a separate *Worksheet* file for each of these sites.

- Save the document as an Excel file (.xls file).
- Upload the file to the TX-UNPS Meal Pattern Compliance Dashboard. (See *Recommendation under Documentation Required for Certification Step 3* below.)

(NOTE: If a CE is using the Simplified Nutrition Assessment *incorporated* into the Worksheet, the CE will wait to upload the Worksheet until after completing the Simplified Nutrient Assessment described in the Step 3 on this section.)

3. **Nutrient Analysis⁴ or Simplified Nutrient Assessment⁵**—CEs must provide nutrient information through one of two options: (1) the simplified nutrient assessment tool incorporated in the *Worksheet* or (2) a nutrient analysis (using a USDA approved software) for all planned meals:

To submit the menu nutrient information,

- Use the nutrition facts, product labels, and product manufacturing documents to provide nutrient information about the food items served on each menu.
- Choose one of the following options to provide nutrient information:

Option 1: Simplified Nutrient Assessment

CEs that choose to use this tool will not need to prepare a nutrient analysis. The *Simplified Nutrient Assessment* tool is incorporated within the *Worksheet* spreadsheet. Some of the food items, portions/serving amounts will prepopulate the *Simplified Nutrient Assessment* tool after completing menu entry. However, there are still questions that the CE must answer about each of the prepopulated entries. If CEs use Option 1, they will complete all sheets (tabs at the bottom of the page) in the worksheet.

- Use the *Simplified Nutrient Assessment* sheet tab at the bottom of Worksheet entry section to provide nutrient information.
- Answer all questions and provide additional information as required.
- Save the Worksheet as an .xls file. This single file will contain both the *Certification Menu Worksheet* and the *Simplified Nutrient Assessment* information.
- Upload the file to the TX-UNPS Meal Pattern Compliance Dashboard. (See *Recommendation under Documentation Required for Certification* subsection in this section.)

⁴ Approved list of software available at <http://healthymeals.nal.usda.gov/menu-planning/nutrition-standards-school-meals>.

⁵ The Simplified Nutrient Assessment is considered a proxy for a complete nutrient analysis.

Option 2: Nutrient Analysis

CEs that choose to use a USDA approved software to determine the nutrient content for their menus should use this option. However, CEs are not required to purchase nutrient analysis software. Any CE that does not have USDA approved software⁴ should use Option 1. CEs that choose Option 2 will not complete the *Simplified Nutrient Assessment* incorporated into the *Worksheet* (sheet tab at the bottom of the page).

- Submit a nutrient analysis of calories and saturated fat for each menu type by age/grade group for each day as well as the week using software approved by USDA for this purpose.
- Save (or scan) the nutrient analysis as a .doc file or .pdf file.
- Upload the file to the TX-UNPS Meal Pattern Compliance Dashboard. (See *Recommendation under Documentation Required for Certification* subsection in this section.)

Other Tools to Help With Certification

TDA has developed additional tools to assist CEs in preparing for certification. The following documents are located in the School Nutrition Programs Forms table at

<http://www.squaremeals.org>:

- *CE Resource Checklist: Preparing for Certification for Performance-Based Reimbursement*— A resource to assist the CEs applying for certification
- *Certification for Performance-Based Reimbursement Checklist Card*— An abbreviated checklist of documents and actions to take in getting ready for certification
- *Food-based Menu Portion Planning Template* (Developed by National Food Service Management Institute)— A planner to help in creating menus that meet the new meal pattern requirements

Decision Timeline

TDA will respond within 60 days from the date of receipt of all required documentation to approve or deny certification.

Seamless Summer Option

CEs that are certified are eligible for performance-based reimbursement for meals served during their Seamless Summer Option beginning in the summer after their certification.

For Example: A CE that is certified during SY 2013–2014 will be eligible for performance-based reimbursement for meal served during its Seamless Summer Option program during the summer of 2014.

Compliance

The administrative review (AR) process includes monitoring of the implementation of the updated meal patterns and certification activities. If a CE is found to be out of compliance with the meal pattern during an AR, TDA may stop the CE's performance-based reimbursement off and/or recover previous payments made for performance-based reimbursement.

Appeal Rights

CEs may not appeal a decision to deny certification for performance-based reimbursement. However, a CE may appeal TDA's decision to stop a CE's performance-based reimbursement or to recover previous payment made for performance-based reimbursement.⁶

Records Retention

CEs must retain documentation related to certification. All documentation or records must be kept on file for a minimum of five years for public and charter schools or three years for private schools, nonprofit organizations, and residential child care institutions after the end of the fiscal year to which they pertain. If audit findings have not been resolved, the records must be maintained as long as required for the resolution of the issues raised by the audit. For more information on records retention, see the *Administrator's Reference Manual, Section 3, Record Retention*.

Information Box 1

Records Retention

Public and charter schools are required to keep documentation related to school nutrition programs for 5 years.

Private schools, nonprofit organizations, and residential child care institutions (RCCIs) are required to keep documentation for 3 years.

⁶ Appeal procedures are set out in 7 CFR 210.18(q) and Title 4, Part 1, Chapter 1, Subchapter P, Division 3 and 6 of the Texas Administrative Code.