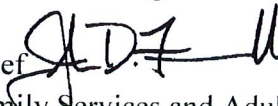




STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Sponsors of the National School Lunch Program

FROM: John D. Frassinelli, Bureau Chief 
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: January 22, 2020

SUBJECT: Operational Memorandum No. 05-20
Process for Submitting the Healthy Food Certification (HFC) Statement for
School Year 2020-21

This memo addresses the requirements for submitting the 2020-21 HFC Statement to the Connecticut State Department of Education (CSDE). Under HFC, public school districts that participate in the NSLP may choose to follow the Connecticut Nutrition Standards (CNS) and receive additional state funding. This memo also provides information on the Connecticut Nutrition Standards (CNS), HFC resources, and state beverage requirements for public schools.

In summary, districts must use the appropriate motion language and schedule the required votes at a meeting of the board of education or governing authority that occurs **before April 30, 2020**, so the district can submit the *final board-approved meeting minutes* to the CSDE by **July 1, 2020**. The three votes include whether to:

- adopt the healthy food option under HFC;
- allow food exemptions to the healthy food option under HFC (if the district votes to implement the healthy food option); and
- allow beverage exemptions under Section 10-221q of the Connecticut General Statutes (C.G.S.) (if the district chooses to allow beverage exemptions).

Please carefully review this memo for detailed information on each requirement. Districts must follow the specified instructions to ensure timely submission and CSDE approval of the 2020-21 HFC Statement.

Requirement for Annual HFC Statement

C.G.S. Section 10-215f requires that each local board of education or governing authority for all Connecticut public school districts participating in the National School Lunch Program (NSLP) must *take action annually* to certify whether all food items sold to students separately from reimbursable meals will or will not meet the CNS. Public schools include all public schools,

regional educational service centers, the Connecticut Technical High School System, charter schools, interdistrict magnet schools, and endowed academies.

For school year 2020-21, the HFC period is July 1, 2020, through June 30, 2021. All public school districts participating in the NSLP **must** submit the online Healthy Food Certification Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)) by **July 1, 2020**. The vote by the board of education or governing authority on whether to participate in HFC must occur by July 1, 2020, or the district is ineligible for HFC during school year 2020-21.

HFC Application Process for 2020-21

The annual HFC Statement will be completed online in the CSDE's Connecticut Online Application and Claiming System for Child Nutrition Programs (CNP System), as part of the district's 2020-21 application module for the U.S. Department of Agriculture's (USDA) Child Nutrition Programs. The 2020-21 CNP application module is expected to be available in the CNP System in **May 2020**. The CSDE will notify sponsors when the 2020-21 CNP application module is open, at which time the HFC application module will also be available.

All public school sponsors of the NSLP **must follow the procedures below** to ensure timely submission of the 2020-21 HFC Statement by the deadline of July 1, 2020.

1. Schedule the HFC votes at a meeting of your board of education or governing authority that occurs **before April 30, 2020**, so the district can submit the **final board-approved meeting minutes** to the CSDE by **July 1, 2020**. **Note:** The CSDE cannot accept **draft meeting minutes** to approve the HFC application. Be sure to schedule the initial board meeting early enough to enable timely submission of the **final board-approved meeting minutes**. If the board of education conducts the HFC votes in June, and final board approval of the June minutes does not occur until the next board meeting in July or August, the district will not be able to submit the final board-approved June minutes by July 1, 2020.
 - A. **Vote for healthy food option:** The board of education or governing authority for each public school that participates in the NSLP must vote "yes" or "no" on whether to implement the healthy food option of C.G.S. Section 10-215f, i.e., follow the CNS for all foods sold to students separately from reimbursable meals. The board motion and final board-approved meeting minutes must include the following specific criteria for the healthy food option required by C.G.S. Section 10-215f:

Motion language for healthy food option: Pursuant to C.G.S. Section 10-215f, the board of education or governing authority certifies that all food items offered for sale to students in the schools under its jurisdiction, and not exempted from the Connecticut Nutrition Standards published by the Connecticut State

Department of Education, will comply with the Connecticut Nutrition Standards during the period of July 1, 2020, through June 30, 2021. This certification shall include all food offered for sale to students separately from reimbursable meals at all times and from all sources, including but not limited to school stores, vending machines, school cafeterias, culinary programs, and any fundraising activities on school premises sponsored by the school or non-school organizations and groups.

- B. **Vote for food exemptions:** If the board of education or governing authority votes “yes” for the healthy food option in 1A above, the board of education or governing authority must also vote on whether to allow food exemptions. (**Note:** If the board of education or governing authority votes “no” for the healthy food option, a vote on whether to allow food exemptions is not required.) The board motion and final board-approved meeting minutes must include the following specific criteria for the food exemptions required by C.G.S. Section 10-215f:

Motion language for food exemptions: The board of education or governing authority will allow the sale to students of food items that do not meet the Connecticut Nutrition Standards provided that the following conditions are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the food items are not sold from a vending machine or school store. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and interscholastic debates are events but soccer practices, play rehearsals, and debate team meetings are not. The “regular school day” is the period from midnight before to 30 minutes after the end of the official school day. “Location” means where the event is being held, and must be the same place as the food sales.

- C. **Vote for beverage exemptions:** The beverage requirements of C.G.S. Section 10-221q apply to *all public schools*, regardless of whether the district certifies for the healthy food option of HFC under C.G.S. Section 10-215f or participates in the USDA’s Child Nutrition Programs. Additional information on the beverage requirements is available on the CSDE’s [Beverage Requirements](#) webpage.

Beverage exemptions under C.G.S. Section 10-221q are not part of the annual HFC Statement, which applies only to food sales. If a public school district chooses to allow beverage exemptions, the CSDE recommends that the board of education or governing authority conducts the vote on beverage exemptions at the *same time* as the HFC votes. If the district does not have a beverage exemption in place, noncompliant beverages can never be sold to students on school premises. The board motion and final board-approved meeting minutes must include the following specific

results of the HFC votes for the healthy food option and food exemptions (and beverage exemptions, if applicable), as outlined in step 1.

- A. The final board-approved meeting minutes must indicate whether the board of education or governing authority voted “yes” or “no” to implement the healthy food option, and must include the *specific language* under “Motion language for healthy food option” in step 1A on page 2.
 - B. If the board of education or governing authority voted “yes,” for the healthy food option, the final board-approved meeting minutes must also indicate whether the board of education or governing authority voted “yes” or “no” to allow food exemptions, and must include the *specific language* for either “Motion language for food exemptions” under step 1B on page 3, or “Motion language for combined food and beverage exemptions” under step 1D on page 4.
 - C. If the board of education or governing authority voted to allow beverage exemptions, the final board-approved meeting minutes must include the *specific language* for either “Motion language for beverage exemptions” under step 1C on page 4, or “Motion language for combined food and beverage exemptions” under step 1D on page 4.
3. In **May 2020**, when the CSDE notifies districts that the CNP System is open and the HFC application module is available, complete the online HFC application module and upload the *final board-approved meeting minutes* indicating the results of the HFC votes for the healthy food option and food exemptions (and the vote for beverage exemptions, if applicable). The CSDE will e-mail school nutrition programs when the 2020-21 HFC application module of the CNP System is available. Instructions on how to access the HFC application module will be provided at that time. **Note: Please do not access the CNP System prior to receiving this notification from the CSDE.**

For additional guidance on the HFC application process, review the CSDE’s presentation, [Application Procedures for HFC](#), and visit the “[Apply](#)” section of the CSDE’s HFC webpage.

Interschool Agreements for HFC Schools

A public school or district (recipient site) that receives meals under contract from a HFC district (providing sponsor) may choose to certify for the healthy food option and follow the CNS for all foods sold to students separately from reimbursable meals. This must be indicated in section 3 of the Full-service Interschool Agreement Form between the recipient site and the providing sponsor district.

In order for the providing sponsor to receive HFC payments for any recipient sites, the interschool agreement must be submitted to the CSDE by **July 1, 2020**. If the CSDE receives the interschool agreement *after* this date, the CSDE will *not* include the recipient site's lunch counts in the total number of reimbursable lunches used to determine HFC payments for school year 2020-21. For more information, see CSDE [Operational Memorandum No. 4-20: Interschool Agreements for School Year 2020-21](#).

Schools must e-mail copies of the completed interschool agreements to the CSDE. Interschool agreements are not submitted through the CNP System. The interschool agreements for school year 2020-21 are available in the "[Interschool Agreements](#)" section of the CSDE's [Forms for School Nutrition Programs](#) webpage.

Connecticut Nutrition Standards (CNS)

The CSDE did not change the CNS for school year 2020-21. For a summary of the CNS, see the CSDE's handout, *Summary of Connecticut Nutrition Standards for Foods in Schools*. Additional information on the CNS is available on the CSDE's [CNS](#) webpage. The CSDE's [HFC](#) webpage provides numerous resources to assist districts with implementing HFC including:

- [Complying with HFC \(Presentation\)](#);
- [Ensuring District Compliance with HFC](#);
- [Guide to Competitive Foods in HFC Public Schools](#);
- [List of Acceptable Foods and Beverages](#);
- [Questions and Answers on Connecticut Statutes for School Food and Beverages](#);
- [Requirements for Competitive Foods in HFC Public Schools](#);
- [Requirements for Food and Beverage Fundraisers in HFC Public Schools](#);
- [Requirements for Foods and Beverages in School Stores in HFC Public Schools](#);
- [Requirements for Foods and Beverages in Vending Machines in HFC Public Schools](#); and
- [Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools](#).

For questions or additional information, please contact Susan Fiore at 860-807-2075 or susan.fiore@ct.gov or Teri Dandeneau at 860-807-2079 or teri.dandeneau@ct.gov.

JDF:sff

Important: This is a numbered Connecticut State Department of Education (CSDE) operational memorandum that contains important program information. Please read carefully and retain for future reference. All CSDE operational memoranda are posted on the CSDE's [Operational Memoranda for School Nutrition Programs](#) webpage.

criteria for beverage exemptions required by C.G.S. Section 10-221q:

Motion language for beverage exemptions: The board of education or governing authority will allow the sale to students of beverages not listed in Section 10-221q of the Connecticut General Statutes provided that the following conditions are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity. The “school day” is the period from midnight before to 30 minutes after the end of the official school day. “Location” means where the event is being held, and must be the same place as the beverage sales.

- D. **Option to combine food and beverage exemptions:** Instead of the two separate food and beverage motions in steps 1B and 1C above, the district may choose to combine food and beverage exemptions in one motion by using the language below.

Motion language for combined food and beverage exemptions: The board of education or governing authority will allow the sale to students of food items that do not meet the Connecticut Nutrition Standards and beverages not listed in Section 10-221q of the Connecticut General Statutes provided that the following conditions are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the food and beverage items are not sold from a vending machine or school store. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and interscholastic debates are events but soccer practices, play rehearsals, and debate team meetings are not. The “regular school day” is the period from midnight before to 30 minutes after the end of the official school day. “Location” means where the event is being held.

For more information on food and beverage exemptions, see the CSDE’s [*handout, Exemptions for Foods and Beverages in Public Schools*](#).

2. Conduct the HFC votes for the healthy food option and food exemptions (and the vote for beverage exemptions, if applicable) at the scheduled meeting of the board of education or governing authority in spring 2020. Until the CNP System opens (anticipated in May 2020), **maintain a copy of the *final board-approved meeting minutes*** indicating the