



## Keep Kids Fed Act: Update & Next Steps

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June 29, 2022





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## Agenda

- Context & Legislative History
- Summary of *Keep Kids Fed Act*
- Implications for the Year Ahead
- Next Steps

## Acknowledging Questions

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# Context & Legislative History





## USDA Nationwide Waivers

- Support safe access to meals in & out of school
- Help address supply chain disruptions
- Streamline operations



## USDA Nationwide Waivers

- Available with authority given to USDA by Congress
  - First given March 2020
  - Renewed several times since
- Broad authority allows measures that
  - Increase overall costs to the government
  - Change meal pattern rules



## What happened with waiver authority?

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- Last renewed at the end of Sept. 2021
- Set to expire June 30, 2022





## What happened with waiver authority?

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- Not in mid-February short-term continuing resolution
- Not in mid-March omnibus appropriations bill





## Action Since March: USDA

- Issued guidance for both Summer 2022 & SY22-23 on:
  - Options for state-requested waivers under usual authority
  - Alternatives for determining area eligibility
  - Calculating eligibility for severe-need breakfast reimbursement and two cent differential lunch reimbursement

## Action Since March: Congress

- Standalone bill introduced late March: *Support Kids Not Red Tape Act* (Sen. Stabenow)
  - Related to earlier bill: *Keeping School Meals Flexible Act* (Rep. Spanberger)
  - Widely co-sponsored but didn't move without a 'vehicle'
- Standalone compromise bill emerged in June: *Keep Kids Fed Act*
  - Passed as a standalone bill June 24<sup>th</sup> & signed into law June 25<sup>th</sup>



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# ***Keep Kids Fed Act*** **Summary**



## What's Included

- Extension of USDA's nationwide waiver authority for SFSP/SSO operations through September 2022
- Meal pattern waiver authority through SY22-23 (June 2023)
- Limited nationwide waiver authority through SY22-23 (June 2023)
- Higher per-meal reimbursement rates in NSLP, SBP and CACFP through SY22-23 (June 2023)
- Higher Tier I reimbursement rates for Tier II family day care homes

## What's NOT Included

- ~~Full extension of nationwide waiver authority for SY22-23~~
- ~~Ability to operate Seamless Summer Option for SY22-23~~
- ~~SFSP rates for meals for SY22-23~~
- ~~Nationwide universal free school meals for SY22-23~~
- ~~Elimination of reduced-price category for school meals for SY22-23~~



## Nationwide Waiver Authority for Summer 2022

- Allows USDA to issue new waivers and extend all nationwide waivers for SFSP and SSO through Sept. 30, 2022
  - Includes area eligibility
  - Includes non-congregate, meal service time, and parent/guardian meal pick-up
- Does **not** extend to summer schools operating through NSLP or schools that begin SY22-23 before Sept. 30, 2022\*
- Does **not** extend to CACFP\*



## Meal Pattern Waiver Authority

- Allows USDA to issue/extend meal pattern waivers
  - For all programs – includes NSLP/SBP, SSO, CACFP
  - Through June 2023
- Note: there has ***not*** been an SFSP meal pattern waiver in effect since last June

## Nationwide Waiver Authority for SY22-23

- Allows USDA to issue/extend no-cost nationwide waivers that fall within their usual authority
  - Covers CACFP in addition to NSLP/SBP
  - Includes non-congregate, meal service time, parent/guardian meal pick-up
  - Includes possibility for other administrative waivers
- Does **not** permit waivers that increase federal costs, change reimbursements for meals\*, or change the provision of free or reduced-price meals





## Increased Per Meal Reimbursements

- Across reimbursement levels, fee categories, and states, increases per-meal reimbursement rates by:
  - 40 cents per lunch through NSLP
  - 15 cents per breakfast through SBP
  - 10 cents per meal through CACFP
- Allows Tier II family day care homes to receive the higher Tier I rates through June 2023



## Additional Provisions

- Confirms that waivers cannot be in effect past the expiration of USDA's authority
- Directs USDA to provide assistance to state agencies and schools to assist parents and school leaders with the transition to operations without waivers

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***Keep Kids Fed Act***  
**Implications for the**  
**Year Ahead**



# CACFP Operations

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## CACFP Operations

- Tier II day care homes qualify for Tier I meal reimbursement rates  
July 1, 2022 – June 30, 2023
- All CACFP operators receive 10 extra cents per meal & snack  
July 1, 2022 – June 30, 2023
- **\*Potential\*** for meal pattern flexibility
- **\*Potential\*** waivers for congregate service, meal service times, parent/guardian meal pick-up, other administrative requirements



## **\*Potential\* means**

- USDA must issue waivers and guidance
- States must opt into waivers and determine procedures
- Operators must determine capacity and follow state procedures



# Summer Operations

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## Summer 2022 Operations

- **\*Potential\*** to operate like last summer:
  - Delivery, curbside pick-up, weekly bundles, etc.
  - Regardless of area eligibility
  - SSO meal pattern flexibility as needed



# School Year 2022-2023 Operations

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## School Year 2022-2023 Operations: School Meals

- Return to National School Lunch Program / School Breakfast Program
  - Collecting free/reduced-price meal applications  
*Unless the school elects CEP*
  - Charging for meals  
*Unless the student is eligible for free meals or the school elects a non-pricing provision \*or\* your state has universal free meals*
- **\*Potential\*** for meal pattern flexibility
- **\*Potential\*** waivers for congregate service, meal service times, parent/guardian meal pick-up, other administrative requirements

# NSLP Reimbursement Rates

<p style="text-align: center;"><i>SCHOOL PROGRAMS</i></p> <p style="text-align: center;"><i>MEAL, SNACK AND MILK PAYMENTS TO STATES AND SCHOOL FOOD AUTHORITIES</i></p> <p style="text-align: center;"><i>Expressed in Dollars or Fractions Thereof</i></p> <p style="text-align: center;"><i>Effective from: July 1, 2021 - June 30, 2022</i></p>							
NATIONAL SCHOOL LUNCH PROGRAM <sup>1</sup>		LESS THAN 60%	LESS THAN 60% + 7 cents <sup>2</sup>	60% OR MORE	60% or MORE + 7 cents <sup>2</sup>	MAXIMUM RATE	MAXIMUM RATE + 7 cents <sup>2</sup>
CONTIGUOUS STATES	PAID	0.35	0.42	0.37	0.44	0.43	0.50
	REDUCED PRICE	3.26	3.33	3.28	3.35	3.43	3.59
	FREE	3.66	3.73	3.68	3.75	3.83	3.90
ALASKA	PAID	0.57	0.64	0.59	0.66	0.68	0.75
	REDUCED PRICE	5.54	5.61	5.56	5.63	5.79	5.86
	FREE	5.94	6.01	5.96	6.03	6.19	6.26
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	PAID	0.41	0.48	0.43	0.50	0.49	0.56
	REDUCED PRICE	3.88	3.95	3.90	3.97	4.07	4.14
	FREE	4.28	4.35	4.30	4.37	4.47	4.54

# NSLP Reimbursement Rates - ESTIMATES

SY21-22 Rates			SY22-23 Estimate	SY22-23 with KKFA
NATIONAL SCHOOL LUNCH PROGRAM <sup>1</sup>		LESS THAN 60%		
CONTIGUOUS STATES	PAID	0.35	→ \$0.38	→ \$0.78
	REDUCED PRICE	3.26	→ \$3.50	→ \$3.90
	FREE	3.66	→ \$3.93	→ \$4.33

## School Year 2022-2023 Operations: Afterschool

- CACFP At-Risk Afterschool
  - No area eligibility waiver
- 10 extra cents per snack and meal served
- **\*Potential\*** for meal pattern flexibility
- **\*Potential\*** waivers for congregate service, meal service times, parent/guardian meal pick-up, other administrative requirements



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## Next Steps

## For Operators

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- Await USDA and state agency guidance
- Consider budget, staff capacity, procurement and community needs



## For State Agencies

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- Prepare to opt in to nationwide waivers
- Consider systems and resources needed





## For Leaders and Partners

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- Encourage adoption of all available waivers (once known)
- Support state agencies & operators



A young boy with freckles, wearing a blue baseball cap and an orange hoodie, is smiling broadly while sitting at a table. He is eating from a yellow tray that contains a sandwich, a small container of white sauce, and some orange-colored food. The background is slightly blurred, showing other people and what appears to be a school or community center setting.

## QUESTIONS?

Please type any questions  
into the Q&A box.