

**Arkansas Department of Education
Division of Elementary and Secondary Education
Child Nutrition Unit (CNU)
Agreement & Policy Statement to Administer the
School Breakfast Program, National School Lunch Program,
After School Snack Program, and Seamless Summer Program (as applicable)
school year 2021-2022
Signature Page**

My signature below indicates that I understand and agree to all the terms and conditions contained in the 2021 – 2022 Agreement and Policy Statement to operate the School Breakfast Program, National School Lunch Program, After School Snack Program, and Seamless Summer Program (as applicable) and will ensure all school personnel abide with the provisions set forth in the Agreement and Policy Statement.

[District Name]

[LEA#]

Superintendent:

[Print]

[Signature]

[Date]

Child Nutrition Director:

[Print]

[Signature]

[Date]

Email completed materials to: ADE.CNU-A-PS@ade.arkansas.gov.

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CNU Approval
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Child Nutrition Unit Use Only

Approved by:

Suzanne Davidson, Director
Arkansas Department of Education
Division of Elementary and Secondary Education
Child Nutrition Unit
2020 West 3rd Street, Suite 404
Little Rock, AR 72205

Date

SFA/School District: _____

LEA #: _____

**AGREEMENT 2021-2022 SY
BETWEEN SCHOOL FOOD AUTHORITY (SFA) AND
ARKANSAS CHILD NUTRITION UNIT (CNU)**

NATIONAL SCHOOL LUNCH PROGRAM (NSLP) CFDA# 10.555				SCHOOL BREAKFAST PROGRAM (SBP) CFDA# 10.555/10.553			
<input type="checkbox"/>	Dates:	Start Date	End Date	<input type="checkbox"/>	Dates:	Start Date	End Date
Regular Session	# of serving days:			Regular Session	# of serving days:		
# of serving days in a full week:				# of serving days in a full week:			
<input type="checkbox"/>	Dates:	Start Date	End Date	<input type="checkbox"/>	Dates:	Start Date	End Date
ADE Regular Summer Session	# of serving days:			ADE Regular Summer Session	# of serving days:		
AFTERSCHOOL SNACK PROGRAM (ASSP) CFDA# 10.555				SPECIAL MILK PROGRAM			
<input type="checkbox"/>	Dates:	Start Date	End Date	<input type="checkbox"/>	Dates:	Start Date	End Date
Regular Session	# of serving days:			Regular Session	# of serving days:		
<input type="checkbox"/>	Dates:	Start Date	End Date	<input type="checkbox"/>	Dates:	Start Date	End Date
ADE Regular Summer Session	# of serving days:			ADE Regular Summer Session	# of serving days:		
This program requires a separate Schedule B.				Available only if NSLP and SBP are not available.			
SEAMLESS SUMMER OPTION (SSO) (for Summer 2022) CFDA# 10.555							
<input type="checkbox"/>	Dates:	Start Date	End Date	<input type="checkbox"/>	Dates:	Start Date	End Date
BREAKFAST	# of serving days:			SNACK	# of serving days:		
<input type="checkbox"/>	Dates:	Start Date	End Date	<input type="checkbox"/>	Dates:	Start Date	End Date
LUNCH	# of serving days:			SUPPER	# of serving days:		
This program requires a separate Seamless Summer Schedule C-22. Contact Child Nutrition Unit for details.							
Arkansas CNU FFATA Funding Source for LEA Sub Awards: CFDA Title: Child Nutrition Cluster CFDA#: 10.555 Award Name: Child Nutrition Federal Agency: United States Department of Agriculture School Year: 2021-2022 Funded by Federal Fiscal Year (FFY) 2021 and 2022.							

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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.

This institution is an equal opportunity provider.

AGREEMENT 2021-2022 SY
BETWEEN SCHOOL FOOD AUTHORITY (SFA) AND
ARKANSAS CHILD NUTRITION UNIT (CNU)

The SFA agrees to comply with all rules and regulations in accordance with the Richard B. Russell National School Lunch Act, 79 P.L. 396, 60 Stat. 230; as amended through P.L. 116–94, Enacted December 20, 2019.

The SFA and participating schools under its jurisdiction shall comply with all provisions related to federal, state, and local applicable laws including, but not limited to:

- 7 CFR 15 – Non-Discrimination
- 7 CFR 210 – National School Lunch Program
- 7 CFR 215 – Special Milk
- 7 CFR 220 – School Breakfast Program
- 7 CFR 245 – Free & Reduced Price Eligibility
- 7 CFR 250 – Food Distribution Program
- 2 CFR 200 & 400– Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards
- 2 CFR 415 – General Program Administrative Regulations
- 2 CFR 416 – General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments
- 2 CFR 417 – Non procurement Debarment and Suspension
- 2 CFR 418 – New Restriction on Lobbying
- 2 CFR 421 – Requirements for Drug-Free
- Civil Rights Compliance and Enforcement – Nutrition Programs and Activities, 113-1,11/8/2005
- A.C.A. § 6-18-705 - Breakfast Program
- A.C.A. § 6-18-715 - Hunger-Free Students' Bill of Rights Act
- A.C.A. § 6-20-7 – School Lunch Program
- A.C.A. § 20-7-134, § 20-7-135 – Powers and duties; Nutrition and physical activity standards - Implementation.
 - Arkansas Division of Elementary and Secondary Education Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools
 - Arkansas Department of Education Rules Governing the Certification and Continuing Professional Development of Child Nutrition Directors, Managers, and Workers

Menu Planning

The SFA agrees to comply with the meal pattern requirements in effect for school year 2021-2022, in accordance with 7 CFR Part 210.10, 220.8, and 226.20, as applicable.

Pre-K students who eat in the cafeteria and are co-mingled (mixed in with) kindergarten and higher grades may follow the NSLP, SBP, and ASSP meal patterns. Pre-K students who enter the cafeteria and can be separated in any way are NOT considered co-mingled (mixed in) and must use the Child and Adult Care Food Program meal pattern outlined in 7 CFR 226.20.

Food Safety Plan

The SFA agrees to be comply with the Facilities Management requirements in accordance with 7 CFR 210.13 which includes obtaining two food safety inspections during each school year and developing a written food safety plan based on Hazard Analysis Critical Control Points (HACCP).

Procurement

The SFA agrees to comply with federal, state, and local procurement requirements in accordance with 2 CFR 200, 7 CFR 210.20, 7 CFR 220.16, 7 CFR 250.31, Arkansas Procurement Laws and Rules, AR Code § 6-21-304, and all other applicable procurement regulations. Purchases must be conducted with the most restrictive procurement threshold.

Further details related to Procurement can be found in an upcoming Commissioner's Memo.

Local School Wellness Policy

The SFA agrees to comply with the local school wellness policy requirement in accordance with 7 CFR Part 210.31, AR Code. § 20-7-134, 20-7-135, and Arkansas Division of Elementary and Secondary Education Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools (October 2020).

Further details related to the Local Wellness Policy can be found in Commissioner's Memo CNU-20-22, CNU-20-23, CNU-19-024, LS-18-080.

On Line Claim for Reimbursement

The SFA shall establish internal controls which ensure the accuracy of meal counts prior to the submission of the monthly Claim for Reimbursement in accordance with 7 CFR 210.8(a). There must be three (3) separate people involved in the entry, submission, and approval for the claim for reimbursement.

Further details related to the Claim for Reimbursement can be found in an upcoming Commissioner's Memo.

Professional Standards

The SFA agrees to comply with the Professional Standards for School nutrition programs personnel in accordance with 7 CFR 210.30, AR Code. § 20-7-134, 20-7-135, and Arkansas Department of Education Rules Governing the Certification and Continuing Professional Development of Child Nutrition Directors, Managers, and Workers.

Civil Rights

The SFA agrees to comply with FNS Instruction 113-1.

Data Collection

The SFA agrees to comply with the Department of Justice Regulations in accordance with 28 CFR Part 42 on the collection and reporting of data on the actual number of children applying for free and reduced price meals or free milk, by ethnic/racial group.

Further details related to Civil Rights can be found in Commissioner's Memo CNU-21-TBD.

Accommodating Children with Disabilities

The SFA agrees to accommodate children with disabilities consistent with the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 as amended, the Individuals with Disabilities Education Act of 1990, and in accordance with 7 CFR 15b Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance.

For further guidance, <https://www.fns.usda.gov/cn/2017-edition-accommodating-children-disabilities-school-meal-programs>.

Further details related to Civil Rights can be found in an upcoming Commissioner's Memo.

Civil Rights Assurances

"The program applicant hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.); all provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 28 CFR Part SO.3 and 42; and FNS directives and guidelines, to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity for which the program applicant receives Federal financial assistance from FNS; and hereby gives assurance that it will immediately take measures necessary to effectuate this agreement."

"By accepting this assurance, the Program applicant agrees to compile data, maintain records, and submit reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review such records, books, and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Program applicant, its successors, transferees, and assignees as long as it receives assistance or retains possession of any assistance from USDA. The person or persons whose signatures appear below are authorized to sign this assurance on the behalf of the Program applicant."

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of, and the permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Institution by USDA. This includes any Federal agreement, arrangement or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, cash assistance for purchase or rental of food service equipment, or any other financial assistance extended in reliance on the representations and agreements made in this assurance.