



# NEBRASKA DEPARTMENT OF EDUCATION

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**TO:** Authorized Representatives of National School Lunch Programs and Summer Food Service Programs

**FROM:** Bev Benes, PhD, RD, Director, Nutrition Services

**DATE:** September 10, 2009

**SUBJECT:** Meal Service During School Closures Due to H1N1 Outbreak

The purpose of this memo is to inform School Food Authorities (SFAs) and Community Organizations (COs) of the opportunity to provide reimbursable meals to low-income children during school closures due to the H1N1 influenza virus. Such closures follow a declaration of a public health emergency under section 319 of the Public Health Service Act. When school is not in session, meals cannot be claimed through the National School Lunch and/or Breakfast Programs. However, meals served during a school closure can be claimed through either the Summer Food Service Program (SFSP) or the National School Lunch Program's Seamless Summer Option (SSO).

The Richard B. Russell National School Lunch Act authorizes the provision of meal service to children who are not in school during non-summer months due to an unanticipated school closure. The United States Department of Agriculture (USDA) is providing added flexibility using program waiver authority in an effort to address concerns regarding the loss of school meals to low-income children, many of whom may not have access to other sources of food when schools are closed. Thus, the requirement of serving meals in a congregate setting will be waived for these H1N1-related school closures in order to provide meals to low-income children. All meals served to children 18 years of age and under will be reimbursed at either the SFSP rate or the National School Lunch Program's free meal rate for districts participating in the SSO.

Any school food authority (school district) or eligible community organization that wants to provide reimbursable meals to low-income children in schools closed due to the H1N1 virus must complete the following to participate: 1) Agreement with the Nebraska Department of Education - Nutrition Services, and 2) Waiver Request to Operate during H1N1 Outbreaks. These two forms can be downloaded from our web site at:

**[www.nde.state.ne.us/ns/nslp/H1N1/H1N1.htm](http://www.nde.state.ne.us/ns/nslp/H1N1/H1N1.htm)**

All Agreements and Waiver Requests must be submitted to Nutrition Services for review and approval. Interested school districts or community organizations should complete and return the forms to our office by mail as soon as possible in anticipation of possible school closures this coming school year.

An informational chart comparing the two programs (SFSP and SSO) is also available on our web site. Please share all of this information with your district's Food Service Director.

The content of this memo reflects the most current information available from USDA. If you have any questions, please contact Nutrition Services at 800-731-2233 or 402-471-2488.

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