

Wednesday's Wisdom



November 2013



School Breakfast Challenge is launched!

On October 24, 2013 the School Breakfast Challenge was launched at North Hampton Elementary School. All schools in the State of NH are automatically entered into the challenge. Any school that, over the next 2 years, increases its breakfast participation by 25% will win! Please see the below website for more information:

www.nhschoolbreakfast.org

Food Defense Tabletop Exercise for National School Lunch Program

USDA and NFSMI have made a tabletop exercise program available for school districts, titled "Food Defense Tabletop Exercise for the National School Lunch Program". A tabletop exercise, or TTX, involves simulation of an emergency scenario with key emergency management and response personnel. This particular TTX is designed to help schools develop or refine overall emergency management plans for food-related problems, including contamination of foods caused by intentional, unintentional, or natural disaster events. Key participants might typically include school administrators, school nutrition personnel, health department staff, health care personnel, and local emergency management staff. Objectives include addressing role and responsibilities of key participants in an emergency management situation, identifying gaps in existing plans and appropriate corrective actions, and planning risk communication.

NFSMI has funding available to assist a limited number of school districts with execution of this TTX program. The total process to plan and execute a TTX takes approximately 4 - 5 months. The specific time commitment for planning committee members is:

- Initial Planning Conference--2 months prior to the exercise (approx. 2-3 hours)
- Final Planning Conference--1 month prior to the exercise (approx. 2-3 hours)
- Facilitator/Evaluator training--the day prior to the exercise (approx. 2 to 3 hours)
- Food Defense Tabletop Exercise (approx. 6 hours)
- After Action Conference--1 month following the exercise (approx. 3-4 hours)

If you would like more information, please contact Aleshia Hall-Campbell at alhall1@olemiss.edu or (800) 321-3054



SAVE THE DATE

2nd Annual Tri State 2014 Conference

Date: Thursday, April 10, 2014



Killington

Grand Resort, Killington, VT

<http://www.killington.com/winter/plan/lodging/managed/206041127>

*More information to follow in
the coming months...*

Confidentiality in USDA Child Nutrition Programs

Confidentiality is an integral part of the federal Child Nutrition Program free and reduced price meal benefit.

National Assessment of Education Progress (NAEP): Local Education Agencies (LEAs) may disclose, without parent/ guardian consent, children's names and eligibility status to persons directly connected to the administration or enforcement of NAEP because NAEP is a Federal education program. Additionally, LEAs may disclose children's names and eligibility status to persons directly connected with the administration or enforcement of State educational assessment programs to the extent that the State assessment is part of the NAEP or the assessment program is established at the State, not local, level. Other State education programs also are eligible to have access to participants' names and eligibility status, without parent/guardian consent, but the program MUST be established at the State, not local, level.

The term "persons directly connected" for the purpose of disclosure of NAEP includes Federal, State, and local program operators responsible for NAEP program administration or program compliance and contractors of the program operators. This DOES NOT IMPLY that the persons have ROUTINE ACCESS to participants' eligibility status. There MUST be a "need to know" for legitimate NAEP purposes. LEAs are encouraged to inform households when planning to disclose or use eligibility information outside the originating program and to have a written agreement with NAEP officials. USDA provides a form for LEAs to use.

No Child Left Behind (NCLB): Because NCLB is a Federal education program, LEA officials MAY disclose a child's eligibility status to persons directly connected with, and have a NEED TO KNOW, a child's free and reduced price meal eligibility status in order to administer and enforce the No Child Left Behind (NCLB) requirements. However, other information obtained from the free and reduced price school meal application or obtained through direct certification cannot be disclosed. LEA officials MUST keep in mind that the intent of the confidentiality provisions is to limit the disclosure of a child's eligibility status to persons having a "need to know" for proper administration and enforcement of a Federal education program. LEAs MUST establish procedures that limit access to a child's eligibility status to as few individuals as possible.

LEA officials, prior to disclosing information on the eligibility of individual children, should enter into a memorandum of understanding or other agreement to which all involved parties (including both officials administering the school meals programs and officials administering the overall education functions) would adhere. This agreement would specify the names of the individuals that will have access to the information, how the information would be used in implementing NCLB, and how the information will be protected from unauthorized uses and third-party disclosures, and should include a statement of the penalties for misuse of the information.

Family Educational Rights and Privacy Act (FERPA): Federal Department of Education has established that education records are under the purview of FERPA. However, for the USDA school meals programs, the restrictions imposed by the laws governing these programs, not FERPA, apply. Therefore, the free and reduced application is not a part of the student education records due to their confidential nature.

PENALTIES FOR IMPROPER DISCLOSURE: The National School Lunch Act establishes a fine of not more than \$1000, or imprisonment of not more than 1 year, or both, for publishing, divulging, disclosing, or making known in any manner or extent any eligibility information not authorized by Federal law.

PROTECTION OF STUDENTS: Protection of the identity for students eligible for free and reduced price meals must be the top priority. Due to the liability involved for both the district employee and the district, it is prudent for each district to establish a written policy and procedures for protection of the data. Orientation of school staff and consistent administration of the district policy and procedures will provide the best protection of students. Consistent policy implementation can provide some defense if allegations concerning misuse of eligibility information arise. Any information released related to federal or state requirements is by decision of the LEA.

DISTRICTS THAT CHOOSE NOT TO DISCLOSE ELIGIBILITY INFORMATION SHOULD HAVE A WRITTEN POLICY TO THAT EFFECT. It is advised that school districts use the USDA provided Prototype Disclosure Agreement for Federal/State Education Programs for any meal status by the school nutrition program. Request for disclosure must include a written justification of the "Need to Know" and the intended use of the information. If the explanation does not specifically indicate one of the education programs listed in Appendix D of the "Eligibility Manual for School Meals", information CANNOT be disclosed. If the explanation does specifically indicate one of the listed education programs, for example National Association of Education Programs, then both administrators should complete and SIGN the form. All persons receiving the information should be trained on confidentiality of the information and should be made aware of the penalty and fines for disclosure.

LOCAL EDUCATION PROGRAMS (not State or Federal education programs): It is important to understand that local education programs administered by the LEA ARE NOT ELIGIBLE to receive information regarding student meal status. Education programs such as afterschool tutoring or additional training for standardized tests administered by the LEA **ARE NOT ELIGIBLE** to receive student meal status information.