Pennsylvania
Department of Education

MEMO

TO Sponsors of the School Nutrition Programs

FROM Vonda Ramp, M.S., R.D.
State Director, Child Nutrition Programs

DATE January 17, 2024

RE Public Notice: Resource Management Review of Non-Program Foods

MESSAGE:

The Pennsylvania Department of Education (PDE), Division of Food and Nutrition (DFN), has requested a waiver from the following regulations for the upcoming 5-year Administrative Review Cycle beginning with the 2024-25 School Year.

> 7 CFR §210.18 (h)(1) *Resource management.* The State agency must conduct an off-site assessment of the school food authority's nonprofit school food service to evaluate the risk of noncompliance with resource management requirements. If risk indicators show that the school food authority is at high risk for noncompliance with resource management requirements, the State agency must conduct a comprehensive review including, but not limited to, the following areas using procedures specified in the FNS *Administrative Review Manual*…(iii) *Revenue from nonprogram foods.* The State agency must ensure that all non-reimbursable foods sold by the school food service, including but no limited to, a la carte food items, adult meals, and vended meals, generate at least the same proportion of school food authority revenues as they contribute to school food authority food costs, as required in §210.14(f). PDE, DFN, has requested to use an alternative approach to assessing compliance.

This is a required public notice that PDE, DFN submitted a request to USDA for a waiver to use an alternative approve to assess compliance with the aforementioned regulation and guidance and does not imply the waiver has been approved at this time. Detailed guidance and instructions will be provided to School Nutrition Program Sponsors if USDA approval is granted.

Questions may be directed to Vonda Ramp at vramp@pa.gov.