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RYAN STEWART, ED.L.D.  
SECRETARY OF EDUCATION

MICHELLE LUJAN GRISHAM  
GOVERNOR

March 27, 2020

**MEMORANDUM**

**TO:** Superintendents, Charter School Directors, Food Service Directors, Food Service Contractors, Food Service Authorities

**FROM:** Deputy Secretary Katarina Sandoval

**RE:** Meal Service During Extended School Closure

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Per the Governor's Executive Order issued this morning, students will not physically attend school for the remainder of the 2019-2020 school year. However, schools will continue to provide breakfast and lunch to students during all weeks of school closure, just as you have already been doing since March 16<sup>th</sup>. We appreciate and thank you for ensuring that New Mexico's children have access to food during these challenging times.

**Length of Service**

Given the extended school closure, you should provide meals from now until your last scheduled instructional day for the 2019-2020 school year. If you are scheduled to be on any holiday breaks between now and your last scheduled instructional day, please plan on providing students with several days' worth of meals on the day before the holiday break. Thank you.

**Updated Feeding Plans**

Please continue to send us any changes/updates to your district/charter feeding plans that include the days/dates, location, and hours during which time your district/charter school distributes meals. We have posted this information on the New Mexico.gov website found here: <https://www.newmexico.gov/education/meal-sites-for-children/>. If there are any updates that need to be made, please email them to Sharona Secatero at [sharona.secatero2@state.nm.us](mailto:sharona.secatero2@state.nm.us).

### **USDA Waivers**

- [Nationwide Meal Pattern Waiver](#): Food and Nutrition Service (FNS) has provided nationwide approval for States to locally waive specific meal pattern requirements as needed to support access to nutritious meals when certain foods are not available due to the coronavirus. **Please complete the attached document titled “Meal Pattern Waiver” and send it to Dawn Garcia at [Dawn.Garcia2@state.nm.us](mailto:Dawn.Garcia2@state.nm.us) no later than Thursday, April 2<sup>nd</sup>.**

- [Nationwide Parent/Guardian Meal Pickup Waiver](#): FNS is allowing States approved for non-congregate feeding to waive the rule preventing parents and guardians from picking up meals for their children, as long as they protect accountability and integrity. **Given this waiver, you may now distribute meals to parents and guardians of students without the student being physically present.** However, USDA does require each district/charter school to submit a plan to PED that demonstrates how you will ensure that parents/guardians are picking up meals for enrolled students. For example, parents/guardians could present their child’s school-issued ID, report card, or other school documents as proof of enrollment. Please note that if parents/guardians are at home caring for sick family members or disabled children, or are at home ill themselves, they may send other family members to pick up meals on their behalf. These family members will still have to present proof of enrollment for the eligible children in order to receive meals. **Please email your plan to Dawn Garcia at [Dawn.Garcia2@state.nm.us](mailto:Dawn.Garcia2@state.nm.us) no later than Thursday, April 2<sup>nd</sup>.**

- [Nationwide Community Eligibility Provision \(CEP\) Data Waiver](#): FNS is extending the deadlines for reporting SY 2019-20 student counts to establish SY 2020-21’s identified student percentage for CEP, as well as for the required LEA and State notifications and CEP election.

### **Meal Counts**

**Please continue to report your daily meal counts through April 6<sup>th</sup>.** A PED employee will continue to call your district every day to obtain daily meal counts for breakfast and lunch. After April 6<sup>th</sup>, we will move to weekly counts; details forthcoming.

### **Food Distribution Flexibilities**

- Meals may be served to all children 18 and under in the household (or 18 and older if they are still enrolled in a public K-12 school) if at least one child attends the school in extended closure.
- You may distribute meals for more than one day at a time, at a maximum of five (5) days’ worth of meals.
- Districts and charter schools at which at least 50% of students are eligible for free/reduced lunch will be reimbursed 100% of their costs for the meals served to students during the closure. Please note that the PED, together with CYFD, has applied for a waiver to the USDA for this requirement, and we are waiting for their formal response. In the interim, PED is re-evaluating certain schools’ eligibility using a variety of socio-economic factors. Please email Michael Chavez at [MichaelA.Chavez@state.nm.us](mailto:MichaelA.Chavez@state.nm.us) if you have any questions regarding eligibility.
- Separate meal counts and records must be maintained for meals served under a COVID-19 waiver.

### **Health & Safety Concerns**

We strongly encourage you to use the resources found here <http://www.lunchassist.org/covid-19.html> that provide best practices when handling food during COVID-19 closures. Please share these with your staff members; thank you.

We know that many districts and charter schools are concerned about the possibility of contagion being spread through the provision of meals. Please note that per the CDC, schools are not expected to screen children, students, or staff to identify cases of COVID-19. Please see here for CDC guidance: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools-faq.html>. Please note that we have confirmed with NMPSIA that if a claimant can prove a direct line of contagion, then there will be NMPSIA coverage.

### **Masks/Gloves**

We will begin distribution of masks and gloves, based on the requests that each district reported to PED, on **Monday, March 30th**. Because there is a shortage of personal protective equipment (PPE) nationally, we ask that you use these masks and gloves judiciously. A PED employee will call your district directly to inform you of the delivery time.

NMPED staff are available to provide technical assistance during this time period. Please call Michael Chavez at (505) 699-4562 or Felix Griego at (505) 660-6203 with any questions you have.

Cc: Secretary Dr. Stewart  
Deputy Secretary Dr. Hand  
Deputy Secretary Dr. Perea Warniment  
Deputy Secretary Delgado  
Deputy Secretary Bobroff  
Michael Chavez, Director of Student Success & Wellness  
Alan Brauer, Director of Charter Schools