

ACTION BY: Regional Offices  
State Distributing Agencies  
State Educational Agencies

Use of School Feeding Facilities for  
the Elderly and Other Community Feeding Programs

I PURPOSE

This Instruction clarifies the Department's policy regarding the use of school feeding facilities as community resources for such activities as feeding programs for the elderly, and provides information on the nutrition program for the elderly authorized by Public Law 92-258.

II BACKGROUND

Frequently, school feeding facilities are used to provide meal service to persons ineligible to participate in child nutrition programs. In recent years such facilities are being used, often on a continuing basis, to serve a variety of community purposes such as feeding programs for the elderly. Further, Public Law 92-258, enacted March 22, 1972, amended the Older Americans Act of 1965 and authorized a nutrition program for the elderly under Title VII of the act. This nutrition program is administered at the Federal level by the Administration on Aging (AOA) of the Department of Health, Education, and Welfare (HEW), and at the State level, normally through the same State Agency that administers other titles of the Older Americans Act, i.e., generally the State Administration on Aging.

The AOA has issued regulations for the nutrition program for the elderly (37 F.R. 16844-50). According to these regulations, project areas for nutrition programs for the elderly are selected, by the State Agency based on the number of persons aged 60 or older who have incomes below the poverty nonprofit organizations may be sponsors of project area programs, There is only one sponsor for each project area.

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The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Each project must serve an average of 100 meals daily except that, where justified, fewer meals may be served in rural areas. The projects must serve one hot meal a day for 5 days or more per week except that, where justified, rural area sites may serve meals less than 5 days a week. The meals are to be served at congregate eating sites or, where necessary, delivered to the home. Each meal must meet one-third of the recommended dietary allowances for elderly persons as established by the Food and Nutrition Board of the National Research Council, National Academy of Sciences.

Participants determine for themselves what they can pay for the meals (sponsors establish suggested fees). Sponsors receive Federal funds, either on an advance or reimbursement basis, to pay up to 90 percent of the cost of administering and operating the programs.

### III POLICY

The Department believes that school feeding facilities can be effectively used for community purposes such as nutrition programs for the elderly without impairing the effectiveness of USDA assisted child nutrition programs. Of course, if school feeding facilities are so used, State and local officials must make sure that the integrity of the child nutrition programs is maintained and that the use of school facilities for other purposes does not result in failure to meet child nutrition program requirements established by the Department.

### IV INVOLVEMENT OF CHILD NUTRITION FACILITIES

A Title VII Nutrition Program for the Elderly. The regulations issued by the AOA for the Title VII nutrition program for the elderly indicate that child nutrition program personnel and facilities may be involved in the following ways:

1 Consultation. The AOA regulations provide that State and local personnel involved with nutrition programs for the elderly shall consult with, and utilize as appropriate, the resources of other public and private agencies. Therefore, Regional, State, and local personnel involved in administering and operating the child nutrition programs may be contacted to provide technical and other assistance. The Department encourages Regional, State, and local personnel to provide such consultation and assistance insofar as time and staff permits.

2 Use of School Feeding Facilities. The AOA regulations provide that each project shall have congregate meal sites, preferably within walking distance of older persons. Schools are specifically mentioned as possible sites. The use of school facilities may involve

eating facilities only or full use of all cafeteria facilities for both preparing and serving meals. All Title VII nutrition programs for the elderly are subject to HEW and General Accounting Office audit. Child nutrition program operations are, of course, subject to audit by the Department's Office of the Inspector General and by the General Accounting Office.

When the facilities of schools participating in the National School Lunch, School Breakfast, and/or Special Milk Programs are used for nutrition programs for the elderly, State and local personnel responsible for the child nutrition programs must make sure that the following requirements are met:

a An accounting/recordkeeping system must be established which will permit the costs and revenues associated with the child nutrition programs to be readily distinguished from the costs and revenues associated with the nutrition program for the elderly. The system must also permit a ready distinction of meals (and milk in the case of the Special Milk Program) served under the child nutrition programs from meals served under the nutrition program for the elderly. State school food service directors may want to prescribe the type of accounting/recordkeeping system to be used.

b Meals served to the elderly must not be claimed for reimbursement under the child nutrition programs.

c Costs incurred for the nutrition program for the elderly must not be included in cost figures used for child nutrition programs. For example, if a school merges the preparation of lunches for both the National School Lunch Program and the nutrition program for the elderly, and if it then charges the elderly participants and/or the sponsor a set price for the lunches, the set price must cover, at a minimum, a realistic proportionate share of the same type of direct and indirect costs used for establishing the cost of a lunch under the National School Lunch Program.

3 Use of USDA Donated Foods. The AOA regulations provide that projects shall apply for participation in the Department's food donation programs.

a Sections 32, 416, and 709 Foods.

(1) Eligibility. A recipient of a grant or contract under Title VII is eligible to receive foods acquired under Sections 32, 416, and 709 of price support and surplus removal legislation.

(2) Allocations. If the sponsor of a nutrition program for the elderly desires to receive USDA donated foods, he should notify the State Distributing Agency. The quantities to be made available shall be determined in accordance with pertinent legislation and the program objectives of the Department.

(3) Agreements. State Distributing Agencies shall enter into written agreements with sponsors of nutrition programs for the elderly. Such agreements shall incorporate the requirements and provisions described in Section 250(b) of the regulations governing the food distribution program. Whenever practicable, sponsors should consider executing agreements with local school officials to serve as agents with respect to ordering and storing donated foods, inventory control, and recordkeeping.

b Section 6 Foods. By law, Section 6 foods may be used only for programs operated under the National School Lunch and Child Nutrition Acts; therefore, Section 6 foods may not be used for nutrition programs for the elderly. There may be situations where the preparation of meals for both the, child nutrition programs and the nutrition program for the elderly is merged and Section 6 foods are used for meals served to the elderly. In such situations, school officials must make sure the Section 6 foods are replaced in kind or, where this is not practicable, with similar foods.

B Other Community Feeding Activities. If school feeding facilities are used for any purposes other than the child nutrition programs, State and local personnel responsible for the child nutrition programs should adapt the provisions of paragraph A, above, to the particular situation in order to make sure the following requirements are met:

1 Child nutrition program costs and revenues must be clearly distinguishable from the costs and revenues of other feeding activities.

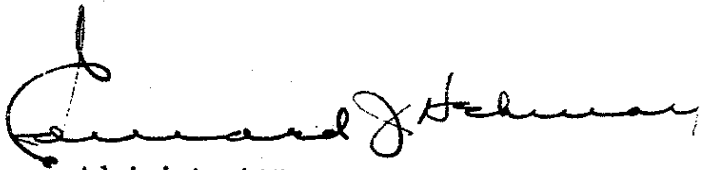
2 Federal child nutrition reimbursement must be claimed only for child nutrition program purposes in accordance with Department regulations.

3 Cost figures used for child nutrition program purposes must not include any costs involved with other feeding activities.

4 The use of USDA donated foods for any purpose must conform with Department regulations and Instructions. Since eligibility of programs for donated foods varies depending upon the nature of the feeding program and the classes of recipient agencies or recipients, local schools considering the use of donated foods for purposes other than child nutrition programs should immediately check with the State Distributing Agency.

V DISASTER FEEDING

The requirements contained herein may be modified to the extent necessary to feed disaster victims, except that any Section 6 foods used must be replaced or an amount equal to the value of the foods used must be paid to the Department.

  
Administrator