

**05-071 DEPARTMENT OF EDUCATION**

**COMMISSIONER OF EDUCATION**

**CHAPTER 52: Grant Application and Award Procedure: Fund for School Meal Equipment and Program Improvement**

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**SUMMARY:** This rule governs the application for, and awarding of, funds from the School Meal Equipment and Program Improvement Fund. Grants are intended to assist in the financing of local initiatives to purchase or replace school kitchen or cafeteria equipment and to support improvements to the National School Lunch Program and the School Breakfast Program. This grant also includes funds for the reimbursement of food costs related to medically necessary dietary restrictions for students.

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**1. Purpose and Scope**

- A. Purpose:** funds are awarded to support the costs of school kitchen or cafeteria equipment and to support improvements, maintenance, and expansion of school nutrition programs and provide reimbursement for the food costs related to medically necessary dietary restrictions for students pursuant to Public Law 2023, Chapter 45 (codified at 20-A M.R.S.A. §6664).
- B. Scope:** This rule provides specific instructions applicable to all school administrative units seeking to submit applications for the grants. The rule establishes the eligibility requirements, application process, award criteria, and review process, as well as any reporting requirements that may be necessary.

**2. Definitions**

- A. Fund:** Means the Fund for School Meal Equipment and Program Improvement created in Title 20-A M.R.S.A. §6664 and governed by this rule.
- B. National School Lunch Program:** "National School Lunch Program" is a federally funded, state-administered program that provides food and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs.
- C. School Breakfast Program:** The School Breakfast Program is a federally assisted meal program under 7 Code of Federal Regulations, Part 220 which operates in public and nonprofit private schools and residential childcare institutions.
- D. Equipment:** Means any tangible and durable property and assets such as machinery, parts, components, and/or spare parts that are necessary to the operation of a school kitchen or cafeteria. Items included on the pre-approved listing of equipment may qualify as an eligible purchase. Please inquire with the DOE. Eligible food service equipment does not include:
  - i. Land, buildings, or structural improvements that may be required for purchased equipment.

- E. Replacement Equipment:** Means a piece of equipment that replaces another piece of equipment that performs essentially the same functions as the replaced equipment.
- F. Medically Necessary Dietary Food Costs:** Means costs included on a Child Nutrition statement requesting special dietary accommodations authorized by a doctor, physician's assistant, nurse practitioner or Doctor of Osteopath

### 3. Applications

#### A. Eligible entities

The following entities are eligible to apply for funding under this rule:

- i. School Administrative Units that participate in the National School Lunch Program under 7 Code of Federal Regulations, Part 210 and School Breakfast Program under 7 Code of Federal Regulations, Part 220; and
- ii. That meets federal compliance requirements established by the United States Department of Agriculture for those programs as evidenced by being in good standing with the Department of Educations' Child Nutrition Team.

#### B. DOE announcement:

The open application announcement by the DOE based on the availability of funding.

- i. For each funding opportunity, the DOE shall establish the opening date for the acceptance of applications.

#### C. Application form:

Applications for grants must be filed in accordance with this rule and any instructions provided by the DOE.

#### D. Allowable Use:

Grant funding may be used to:

- i. Purchase school kitchen and cafeteria equipment needed to serve healthy meals that meet federal nutrition standards.
- ii. Improve food safety in school kitchens and cafeterias.
- iii. Support maintenance and expansion of the National School Lunch Program and the School Breakfast Program within the school administrative unit; and
- iv. Reimburse food costs related to medically necessary dietary restrictions of students.

### 4. Requirements and Criteria

#### A. Requirements

A grant application must:

- i. Be filed by an eligible entity.
- ii. Be filed in accordance with this rule, and any guidance provided by the DOE in calling for applications.
- iii. Include a project description that describes the anticipated timeline for project completion and meets the allowable uses set forth in Section 3(E) above.
- iv. For reimbursement for medically necessary food costs the SAU must submit an application form, receipts, and attestation from the SAU indicating that the proper medical documentation as required by the National School Lunch Program is on file.

#### B. Budget criteria for evaluating grant applications

- i. An application that meets the requirements of subsection A may include delivery and installation costs.
- ii. The maximum grant allowable under the fund is \$25,000 per school. In cases where projects describe expenses in excess of \$25,000 per school, the SAU will be responsible for the remaining balance.

**5. Review and Evaluation**

**A. Order of awarding grants**

Grant awards will be made to applicants in the order in which a complete application is received by the DOE. SAUs that submit incomplete applications will be notified by the DOE and will have an opportunity to resubmit.

**B. Form of agreement for grant**

Awards will be made by means of a standardized State agreement subject to approval by the DOE.