# SNP Memo #2021-2022-05

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**COMMONWEALTH of VIRGINIA   
Department of Education**

DATE: August 31, 2021

TO: Directors, Supervisors, and Contact Persons Addressed

FROM: Sandra C. Curwood, PhD, RDN, ***Sandy***

**SUBJECT:** **Collection of Race and Ethnicity Data by Visual Observation and Identification in the Child and Adult Care Food Program and Summer Food Service Program – Policy Rescission**

The purpose of this memorandum is to alert sponsors of the At-Risk portion of the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP) that using the visual observation and identification are no longer allowable practices to satisfy the racial and ethnic data collection program requirements.

The Virginia Department of Education, Office of School Nutrition Programs requested additional guidance from the U.S. Department of Agriculture, Food and Nutrition Service (USDA-FNS) on meeting the requirement without visual observation and identification methods and will provide further guidance once received.

The USDA-FNS reviewed the visual observation and identification policy and determined it was not an appropriate method for collecting this information. CACFP and SFSP policy guidance will be updated to reflect this change. The USDA-FNS recognized that this policy change may cause difficulty in collecting demographic data. The preferred methods for collecting this information are self-identification and self-reporting, and program sponsors are encouraged to continue to discuss the importance of this data with participants. As the memo notes, there are alternative means of racial and ethnic data collection, such as utilizing data from other sources in which the respondent has self-identified race or ethnicity (e.g., school databases).

All USDA-FNS programs must comply with Title VI of the Civil Rights Act of 1964, including ensuring federally funded programs are made widely available and without discrimination. The FNS Instruction 113-1, *Civil Rights Compliance and Enforcement – Nutrition Programs and Activities*, requires recipients of federal financial assistance to ask all program applicants and participants to identify all racial and ethnic categories that apply. USDA-FNS Instruction 113-1, Appendix B, Section F, entitled *Data Collection 2(b) and 3(b)* also states, in reference to the CACFP and SFSP respectively, “Visual identification may be used by institutions/sponsors to determine a beneficiary’s racial or ethnic category…” This data is used to determine how effectively USDA-FNS programs are reaching potential eligible persons and beneficiaries, to identify areas where additional outreach is needed, to assist in the selection of locations for compliance reviews, and to complete reports as required.

The USDA Memo CACFP 11-2021, SFSP 07-2021, *Collection of Race and Ethnicity Data by Visual Observation and Identification in the Child and Adult Care Food Program and Summer Food Service Program – Policy Rescission*, is attached to the email containing this memo.

If you have questions, please contact your assigned SNP regional specialist for schools or CNP regional specialist for community sponsors.

SCC/CEJ/cc