



Food and
Nutrition
Service

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DATE: April 21, 2020

CODE: COVID-19: Child Nutrition Responses #14 - 17

SUBJECT: Nationwide Waivers for the Summer Food Service Program and National School Lunch Program Seamless Summer Option¹

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

Issuing Agency/Office:	FNS/Child Nutrition Programs
Title of Document:	Nationwide Waivers for the Summer Food Service Program and National School Lunch Program Seamless Summer Option
Document ID:	
Z-RIN:	
Date of Issuance:	April 21, 2020
Replaces:	N/A
Summary:	(1)The four waivers referenced allow closed enrolled sites to be determined eligible through area eligibility; waive the requirement for sponsors to visit each of their sites at least once during the first week of operation under the program; expand the use of offer versus serve under the rules of the Summer Food Service Program; and waive requirements that place Federal limits on meal service times. (2) These waivers apply to State agencies administering and local organizations operating the National School Lunch Program Seamless Summer Option and the Summer Food Service Program. (3)This document relates to requirements under section 13 of the Richard B. Russell National School Lunch Act at 42 U.S.C. 1761(a)(1)(A)(i)(III) and 42 U.S.C. 1761(f)(7) and Summer Food Service Program regulations at 7 CFR 225.15(d), 7 CFR 225.15(f), 7 CFR 225.16(c)1) and (c)(2), and 7 CFR 225.16(f)(1)(ii).
Disclaimer:	The contents of this guidance document have the force and effect of law as authorized by the Families First Coronavirus Response Act (the Act) (P.L. 116-127).

¹ Pursuant to the Congressional Review Act (5 U.S.C. §801 et seq.), the Office of Information and Regulatory Affairs designated this waiver as *not major*, as defined by 5 U.S.C. § 804(2).

Pursuant to the Families First Coronavirus Response Act (the Act) (P.L. 116-127), and based on the exceptional circumstances of this public health emergency, the Food and Nutrition Service (FNS) is establishing additional nationwide waivers to support access to nutritious meals while minimizing potential exposure to the novel coronavirus (COVID-19).

The following waivers apply automatically to the Summer Food Service Program (SFSP), and in two cases, to the National School Lunch Program Seamless Summer Option (SSO), in all States that elect to use them, without further application:

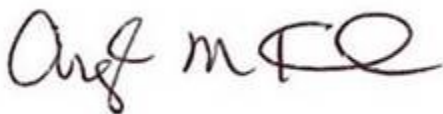
- Closed Enrolled Site Eligibility – SFSP and SSO: Child Nutrition Response #14
- First Week Site Visits – SFSP: Child Nutrition Response #15
- Offer Versus Serve – SFSP: Child Nutrition Response #16
- Meal Service Time Restrictions – SFSP and SSO: Child Nutrition Response #17

FNS is issuing these nationwide waivers due to the current public health emergency. Since 2019, FNS has accepted requests to waive these specific Program requirements on a State-by-State basis. However, FNS recognizes that during this public health emergency, waiving these requirements nationwide would reduce administrative burden on State agencies and sponsors while, simultaneously, ensuring appropriate safety measures are taken for the purpose of providing meals and meal supplements.

FNS continues to stand ready to provide assistance to areas impacted by the COVID-19 pandemic and intends to continue supporting access to nutritious meals during this public health emergency. These waivers are effective immediately, and will remain in effect through September 30, 2020. Please note that the Nationwide Meal Service Time Waiver for multiple Child Nutrition Programs, previously issued on March 30, 2020, is being reissued for SFSP and SSO with an extended expiration date.

FNS appreciates the exceptional effort of State agencies and local Program operators working to meet the nutritional needs of participants during a challenging time. State agencies should direct questions to the appropriate FNS Regional Office.

Sincerely,



Angela M. Kline
Director
Policy and Program Development Division