New Nationwide Waiver Extensions – Just Issued!

USDA has just issued four (4) nationwide waivers extending flexibilities for the Summer Food Service Program (SFSP) through September 30 or the duration of summer operations, whichever is earlier. As a reminder, SFSP and SSO may no longer be operated once schools are open for student instruction, which includes both in-person and remote learning.

- **COVID–19: Child Nutrition Response #44 -- Nationwide Waiver to Allow Non-congregate Feeding in the Summer Food Service Program – EXTENSION 3**
  
  FNS waives, for all States, the requirement at 42 U.S.C. 1761(a)(1)(D) and 7 CFR 225.6(e)(15) to serve meals through the Summer Food Service Program in a congregate setting. This waiver is effective immediately, and remains in effect through September 30, 2020, or for the duration of summer operations, whichever is earlier. Please note that the National School Lunch Program (NSLP) Seamless Summer Option (SSO) follows the NSLP regulations for congregate feeding. Therefore, EXTENSION 2 also applies to SSO operations for the duration of summer 2020. As a reminder, SFSP and SSO may no longer be operated once schools are open for student instruction, which includes both in-person and remote learning. Planned full or partial building closures are not considered unanticipated school closures for SY 2020-2021.

- **COVID–19: Child Nutrition Response #45 -- Nationwide Waiver to Allow Meal Pattern Flexibility in the Summer Food Service Program – EXTENSION 6**
  
  Under Program regulations at 7 CFR 225.16(d), Summer Food Service Program meals must meet meal pattern requirements. However, FNS recognizes that, in this public health emergency, appropriate safety measures are necessary. Therefore, for all States, FNS extends its waiver of the requirements at 7 CFR 225.16(d) to serve meals that meet the meal pattern requirements. This waiver extension remains in effect until September 30, 2020, or for the duration of summer operations, whichever is earlier. Please note that the National School Lunch Program (NSLP) Seamless Summer Option (SSO) follows the NSLP and School Breakfast Program meal patterns. Therefore, EXTENSION 4 applies to SSO operations for the duration of summer 2020. As a reminder, SFSP and SSO may no longer be operated once schools are open for student instruction, which includes both in-person and remote learning. Planned full or partial building closures are not considered unanticipated school closures for SY 2020-2021.

- **COVID–19: Child Nutrition Response #46 -- Nationwide Waiver to Extend Area Eligibility Waivers – EXTENSION**
  
  Through this nationwide waiver, FNS extends the ability for States to continue operating open sites in areas that are not located in “Areas in which poor economic conditions exist,” as defined at section 13(a)(1)(A) of the Richard B. Russell National School Lunch Act (NSLA) and as referenced in regulation at 7 CFR 225.2, 225.6(c)(2)(i)(G), 225.6(c)(3)(i)(B), 225.6(d)(1)(i), 225.14(c)(3), and 225.16(b)(4), through September 30, 2020, or for the duration of summer operations, whichever is earlier. As a reminder, SFSP and SSO may no longer be operated once schools are open for student instruction, which includes both in-person and remote learning. Planned full or partial building closures are not considered unanticipated school closures for SY 2020-2021. Additionally, FNS reserves the right to withdraw this approval subject to availability of funding.
COVID-19: Child Nutrition Response #47 -- Nationwide Waiver to Allow Parents and Guardians to Pick Up Meals for Children – EXTENSION 3

Under Program regulations at 7 CFR 210.10(a), 220.2 (Breakfast) and 220.8(a), 225.2 (Meals), and 225.9(d)(7), meals must be served to eligible children. The cited regulations envision Program operators providing meals directly to children, not to parents and guardians picking up meals at non-congregate meal sites on behalf of their children. However, FNS recognizes that in this public health emergency, continuing to require children to come to the meal site to pick up meals may not be practical and in keeping with the goal of providing meals while also taking appropriate safety measures. Therefore, under this waiver, Program operators in a State with an approved waiver allowing non-congregate meal distribution during COVID-19-related operations may distribute meals to a parent or guardian to take home to their children. However, State agencies must have a plan for ensuring that Program operators are able to maintain accountability and program integrity. This includes putting in place processes to ensure that meals are distributed only to parents or guardians of eligible children, and that duplicate meals are not distributed to any child. State agencies may want to consult local Program operators when developing their plans, as local Program operators are best situated to determine how to provide these assurances. This waiver is effective immediately and remains in effect until September 30, 2020, or for the duration of summer operations, whichever is earlier. As a reminder, SFSP and SSO may no longer be operated once schools are open for student instruction, which includes both in person and remote learning. Planned full or partial building closures are not considered unanticipated school closures for SY 2020-2021.

Please update your Sponsor and Site Application as well the Waiver Request to opt in to these extensions. Contact your area Child Nutrition Consultant or the Topeka office staff if you have questions.

You are all SFSP Rock Stars!

Preliminary numbers as of June 30 – over 10.7 million meals and snacks have been served by Kansas Sponsors through the SFSP! Thank you for being nimble and resilient and dedicated and awesome as you have fueled Kansas kids since March!

Cheryl, Jill and Julie

For more information, contact:

Cheryl S. Johnson
Director, Child Nutrition & Wellness
(785) 296-2276
www.kn-eat.org
csjohnson@ksde.org

Kansas State Department of Education
900 S.W. Jackson Street, Suite 102
Topeka, Kansas 66612-1212
(785) 296-3201
www.ksde.org

This institution is an equal opportunity provider.

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.

Kansas leads the world in the success of each student.