



DEPARTMENT OF EDUCATION

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Secretary of Education
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March 30, 2020

MEMORANDUM

TO: Summer Food Service Program Sponsors

FROM: Aimee F. Beam, RD, LDN *AFB*
Education Associate, Nutrition Programs

SUBJECT: **SY 2020 – 2021 Operational Memo #13**
Nationwide Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in the Summer Food Service Program

USDA has released “COVID-19 Child Nutrition Response #10 - Nationwide Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in the Summer Food Service Program”. The memo is attached for your review.

Please note:

Therefore, FNS waives, for all SFSP sponsoring organizations that elect to be subject to this waiver, that SFSP monitoring requirements included at 7 CFR 225.15(d) be conducted onsite. Please note that to ensure Program integrity during this time, SFSP sponsoring organizations should, to the maximum extent practicable, continue monitoring activities of Program operations offsite (e.g., through a desk audit). For SFSP sites who operate the Program during normal summer operations (May through August), SFSP sponsors may also postpone required site visits until summer 2020. This waiver is effective immediately, and remains in effect through June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier.

Sponsors should inform Aimee Beam at aimee.beam@doe.k12.de.us if they are choosing to delay monitoring activities per this memo.

If you have any questions or need assistance, please contact us at 302-857-3356.

Attachment

cc: Nutrition Team



Food and
Nutrition
Service

Braddock
Metro Center

1320
Braddock
Place
Alexandria
VA 22314

DATE: March 27, 2020

CODE: COVID-19: Child Nutrition Response #10

SUBJECT: Nationwide Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in the Summer Food Service Program¹

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 Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in the Summer Food Service Program
Document ID:	
Z-RIN:	
Date of Issuance:	March 26, 2020
Replaces:	N/A
Summary:	(1) FNS waives, for all SFSP sponsoring organizations, that SFSP monitoring requirements included at 7 CFR 225.15(d) be conducted onsite. To ensure Program integrity during this time, SFSP sponsoring organizations should, to the maximum extent practicable, continue monitoring activities of Program operations offsite (e.g., through a desk audit). (2) This waiver applies to State agencies administering and local organizations operating the: Summer Food Service Program.
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).

Pursuant to section 2202(a) of the Families First Coronavirus Response Act (the Act) (P.L. 116-127), and in light of the exceptional circumstances of this public health emergency, the Food and Nutrition Service (FNS) is granting a nationwide waiver to help minimize potential exposure to the novel coronavirus (COVID-19). This waiver applies to monitoring of schools and institutions operating Summer Food Service Program (SFSP) during an unanticipated school closure.

Section 2202(a) of the Act permits the Secretary of Agriculture to establish a waiver for all States for the purposes of providing meals under the Child Nutrition Programs, with appropriate safety measures, as determined by the Secretary.

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).

Under Program regulations at 225.15(d), SFSP sponsors must visit each of their sites at least once during the first week of operation and sponsors must review food service operations at each site at least once during the first four weeks of operation. However, FNS recognizes that in this public health emergency, suspending onsite monitoring is vital to support social distancing while providing meals.

Therefore, FNS waives, for all SFSP sponsoring organizations that elect to be subject to this waiver, that SFSP monitoring requirements included at 7 CFR 225.15(d) be conducted onsite. Please note that to ensure Program integrity during this time, SFSP sponsoring organizations should, to the maximum extent practicable, continue monitoring activities of Program operations offsite (e.g., through a desk audit). For SFSP sites who operate the Program during normal summer operations (May through August), SFSP sponsors may also postpone required site visits until summer 2020. This waiver is effective immediately, and remains in effect through June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier.

Consistent with section 2202(a)(2) of the Act, this waiver applies automatically to all States and local operators that elect to use it, without further application. State agencies must inform their FNS Regional Office if they elect to be subject to the waiver. State agencies should inform local Program operators of the flexibilities provided by this waiver as quickly as possible, and work in partnership with local operators to ensure their safety.

As required by section 2202(d), each State or local operator that receives this waiver must submit a report to the Secretary not later than 1 year after the date such State received the waiver that includes:

- A summary of the use of this waiver by the State agency and local program operators, and
- A description of whether this waiver resulted in improved services to children.

FNS stands ready to provide assistance to areas impacted by COVID-19, and intends to continue supporting access to nutritious meals during this public health emergency.

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

Sincerely,



Sarah Smith-Holmes
Director
Program Monitoring and Operational Support Division