The Feeding America Government Relations Team is providing a checklist and information on nationwide and state waivers to provide guidance on what waivers are available and what actions to take to ensure waiver use in a state.

**Child Nutrition COVID-19 Checklist and Information**

Use this checklist to keep track of waivers and options adopted by your state:

**Nationwide**
- □ Non-Congregate Feeding waiver
- □ Parent/Guardian Meal Pickup waiver
- □ Meal Times waiver
- □ Meal Pattern waiver
- □ Child Nutrition Monitoring waivers
- □ Afterschool activity waiver
- □ Pandemic EBT program option
- □ Community Eligibility Provision (CEP) data waiver

**State-by-State**
- □ Area eligibility waiver

What does my food bank need to do to ensure these waivers are adopted and used in my state? Contact your State Agency and ask them to notify FNS of their plan to use each nationwide waiver. For state-by-state waivers and Pandemic EBT, your State Agency must apply to FNS and be approved.

What does my food bank need to do to operate using these waivers? Sponsors should ask and receive State approval to operate SFSP and to operate utilizing applicable waivers.

**CHILD NUTRITION PROGRAM WAIVER INFORMATION AND ACTION STEPS**
NATIONWIDE WAIVERS for SBP, NSLP, SFSP, and CACFP

Non-Congregate Feeding Waiver
- **How this waiver works:** This waiver allows states to waive the congregate feeding requirements for programs, enabling all child nutrition programs to serve meals in a non-congregate setting and at school sites during school closures related to the coronavirus.
- [Guidance for States on Non-Congregate Feeding Nationwide Waiver](#)

Parent/Guardian Meal Pickup Waiver
- **How this waiver works:** This waiver allows parents and guardians to pick up and take home meals for children without the child present. State agencies are required to create a plan that ensures accountability and program integrity.
- [Guidance for States on the Meal Pickup Waiver](#)

Meal Times Waiver
- **How this waiver works:** This waives the requirements to serve meals that meet meal pattern requirements to ensure flexibility. While the waiver is available to all states, program sponsors must submit requests to their state agency for approval that demonstrate disruptions to the availability of food products.
- [Guidance for States on the Meal Times Nationwide Waiver](#)

Meal Pattern Waiver
- **How this waiver works:** This waives the requirement to serve meals that meet meal pattern requirements to ensure flexibility; sponsors must receive state approval and show a disruption in food availability.
- [Guidance for States on the Meal Pattern Waiver](#)

Child Nutrition Monitoring Waivers
- **How these waivers work:** Waives the requirements for certain onsite monitoring requirements to maintain program integrity and support social distancing while providing meals.
- [Guidance for States on Monitoring Waivers](#)

NATIONWIDE WAIVER for NSLP and CACFP
Afterschool Activity Waiver

- **How this waiver works?** This waiver removes the requirement that an educational or enrichment program be required in afterschool snacks through NSLP and at-risk afterschool meals and snacks through CACFP.
- [Guidance for States on the Afterschool Activity Nationwide Waiver](#)

**HOW FOOD BANKS CAN ACT:**

- Contact your State Agency and ask them to notify FNS of their plan to use each nationwide waiver listed above.
- Sponsors should ask and receive State approval to operate SFSP and to utilize the waivers that apply above.

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**NATIONWIDE OPTION for PANDEMIC EBT**

**Pandemic EBT**

- **How this option works:** In the case of schools being closed for 5 consecutive days due to COVID-19, States can request use of P-EBT to provide meals to children eligible for free/reduced priced lunch. As a result of the Families First Coronavirus Response Act of 2020, children who would receive free or reduced price meals if not for school closures are eligible to receive assistance under this provision.

  - [FNS Guidance for States on Pandemic EBT](#)
  - [FRAC Resource on Pandemic EBT](#)

**HOW FOOD BANKS CAN ACT:**

- Ask your State Agency to submit a plan to FNS to operate a Pandemic EBT program in your state.
- Work with your state to create and implement a plan that utilizes technology to limit unnecessary burdens on eligible families or state agencies. See [FRAC’s resource on Pandemic EBT](#) for things to consider.

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**NATIONWIDE WAIVER for SBP and NSLP**

**Community Eligibility Provision (CEP) Data Waiver**

- **How this waiver works:** This waiver extends the April 1 deadline to calculate the Identified Student Percentage to anytime between April 1 and June 30; the April 15 notification deadline from April 15 to June 15; the May 1 deadline for States to notify school districts that they are eligible or near-eligible to June 15; and the June 30
deadline for school districts to elect community eligibility to August 31. This will, importantly, allow the state to account for changes in SNAP caseloads.

- [Guidance for States on the CEP Waiver](#)

### HOW FOOD BANKS CAN ACT:

- Contact your State Agency and ask them to notify FNS of their plan to use this nationwide waiver.
- Contact your local school districts and make sure they are aware of these extended deadlines, especially if FNS is extending CEP election, notification and reporting and deadlines for School Year 2020-21.

### STATE-BY-STATE WAIVERS for SFSP

#### Area Eligibility Waiver

- **How this waiver works:** States may request waivers from the area eligibility requirements for SFSP and SSO meal sites, allowing all children to be served without further administrative burden in areas impacted by school closures due to COVID-19. Without this waiver, eligibility is limited for sites not operating in areas where at least 50 percent of participants are eligible for free or reduced price meals – requiring added confirmation of participant eligibility, which is uniquely challenging while maintaining social distancing.
- We continue to urge USDA to issue this as a nationwide waiver. Until then, States which have not received this waiver should continue to request it from USDA.
- [Guidance Pending](#)

### HOW FOOD BANKS CAN ACT:

- Contact your State Agency and make sure they apply for this waiver through FNS as soon as possible.
- If your state receives this waiver, sponsors should ask and receive State approval to operate SFSP using this waiver.
- Ensure that all sites operating SFSP are aware of the changes to help more children access food and decrease administrative burdens.
ADDITIONAL RESOURCES

- **USDA FNS Response to COVID-19** – USDA’s primary website with regular updates to waiver availability and approval across all nutrition programs

- **USDA Waivers**:
  - [FNS Child Nutrition Program State-by-State COVID-19 Waivers](#)
  - [FNS WIC State-by-State COVID-19 Waivers](#)
  - [Feeding America Guide on Federal Programs In COVID-19](#)
  - [Guide: Nationwide Waivers](#) (FRAC)

- **Waivers for WIC**: The National WIC Association has [resources on WIC and COVID-19](#), including [recommendations for WIC Waivers](#). No nationwide WIC waivers have been issued, food banks can [see what waivers have been issued in their state](#) and urge their state to expand program flexibility.

- **Other**
  - [COVID-19 Child Nutrition Guidance and Meal Sites by State](#) (FRAC)
  - [Report: Ensuring Access to the Child Nutrition Programs In the Event of School Closures](#) (FRAC)
  - [Map: Coronavirus and School Closures](#) (EdWeek)
  - [CACFP Guidance during COVID-19](#) (FRAC)
  - [Child and Adult Care Food Program: New USDA Waivers](#) (FRAC)
  - [Pandemic EBT Fact Sheet](#) (FRAC)

If you have questions, contact [policy@feedingamerica.org](mailto:policy@feedingamerica.org).