

Covid-19 Child Nutrition Program Waivers

Resource – Waiver Information by Program

Reference this guide to review which waivers are available for federal child nutrition programs.

Child Nutrition Covid-19 Waiver Information by Program

Updated 9/8/20

Summer Food Service Program (SFSP) & NSLP Seamless Summer Option (SSO) Waivers

- Extended through 12/31/20 **Feeding America is asking FNS to extend through the entire school year 2020-2021.**
 - Extending SFSP and SSO
 - Non-Congregate Feeding
 - Meal Service Time
 - Parent/Guardian Meal Pick-Up
 - Area Eligibility
 - Area Eligibility for Closed Enrolled sites
 - Meal Pattern
 - Offer Versus Serve
 - First Week Site Visits
- Extended through 9/30/21
 - Monitoring Waivers

Child and Adult Care Food Program (CACFP) Waivers

- Afterschool Activity Waiver ended 6/30/20. **Feeding America is asking FNS to extend through the entire school year 2020-2021.**
- Extended through 6/30/21:
 - Non-Congregate Feeding
 - Parent/Guardian Meal Pick Up
 - Meal Pattern
 - Meal Service Time
- Extended through 8/31/21:
 - Monitoring Waivers

Pandemic EBT (P-EBT)

- Pandemic EBT only available through fiscal year 2020 (9/30/20): **Feeding America is asking Congress needs to extend for the entire school year 2020-2021. Please note further guidance below.**



National School Lunch Program (NLSP) and National School Breakfast Program (SBP) Waivers

The NSLP Seamless Summer Option (SSO) waivers mirror the SFSP waivers outlined above.

- Extended through 6/30/21
 - Non-Congregate Feeding
 - Parent/Guardian Meal Pick-Up
 - Meal Service Time
 - Meal Pattern
 - Offer Versus Serve Flexibility for Senior High Schools in NSLP
- Extended through 8/31/21
 - Monitoring Waivers

Fresh Fruit and Vegetable Program (FFVP)

- Extended through 6/30/21
 - Parent Pick Up
 - Alternate Sites

See below for more information about SFSP, CACFP, and Pandemic-EBT. See [this FNS site](#) for more information about other Child Nutrition Programs including NSLP, SBP and FFVP.

HOW TO USE WAIVER OPTIONS

What does my food bank need to do to use these waivers?

1. See which waivers your state has been approved to use [here](#).
2. Some waivers are issued nationwide and some are issued on a state-by-state basis. For nationwide waivers, your state agency simply needs to tell the FNS they would like to use the waiver. For state-by-state waivers, your state agency will have to apply to use the waiver.
3. If your state has been granted a waiver, as a sponsor you should receive written approval from your state agency to use a waiver before putting it into practice. Follow all reporting instructions indicated by your state. If your state has not received a waiver, contact your state agency for further details.

What does my food bank need to do about waiver end dates?

In this document we use the term “end” to indicate when the flexibilities provided by a waiver will no longer be in effect. Some waivers may also expire upon expiration of the federally declared public health emergency, if earlier than the designated date. Be mindful of waiver expiration dates and adjust your meal service accordingly.

Congress provided FNS authority through September 30, 2020 to extend certain waivers.

FNS needs to act before then to ensure that all waivers are extended for the entirety of the upcoming school year to provide much needed certainty to providers and families. See the



advocacy action section below for more information.

SUMMER FOOD SERVICE PROGRAM (SFSP)

OPERATING SFSP DURING SCHOOL YEAR 2020-21

Note: On August 31, 2020 FNS announced that SFSP and SSO can continue to operate through **December 31, 2020** with the below waivers. Typically, SFSP is only available from May through September, although due to virtual and hybrid learning and the need for social distancing, program operators can choose to run SFSP into the traditional school year. [See the official Guidance on Extending SFSP and SSO.](#)

- **Non-Congregate Feeding Waiver:**
 - Allows states to waive the congregate feeding requirements
 - [Guidance for States on Non-Congregate Feeding Nationwide Waiver \[Latest Extension\]](#)
- **Meal Service Time:**
 - Allows meals to be served outside of the standard meal times including offering multiple days of meals at once.
 - [Guidance for States on the Covid-19 Meal Times Nationwide Waiver \[Extension\]](#)
- **Parent/Guardian Meal Pickup Waiver:**
 - Allows parents and guardians to pick up and take home meals for children without the child present
 - [Guidance for States on the Meal Pickup Waiver \[Latest Extension\]](#)
- **Area Eligibility Waiver:**
 - Allows states to apply to allow sponsors to operate open sites in areas in areas other than those areas defined by FNS as “areas in which poor economic conditions exist,” where at least 50 percent of participants are eligible for free or reduced-price meals.
 - [All 50 states](#) applied for and received this state waiver which was extended nationwide. [\[Latest Extension\]](#)
- **Area Eligibility for Closed Enrolled Sites Waiver:**
 - Allows closed enrolled sites to be determined eligible through area eligibility.
 - [Guidance for States on Area Eligibility of Closed Enrolled Sites \[Extension\]](#)
- **Meal Pattern Waiver:**
 - Waives the requirement to serve meals that meet meal pattern requirements. Sponsors must receive state approval and show a disruption in food availability.
 - [Guidance for States on the Meal Pattern Waiver \[Latest Extension\]](#)
- **Offer Versus Serve (OVS) Waiver:**
 - Allows use of OVS parameters for non-SFA and SFA sponsors.
 - [Guidance for States on Offer Versus Serve Flexibilities \[Extension\]](#)
- **First Week Site Visits Waiver:**
 - Waives the requirement that certain SFSP sponsors visit each of their sites at least once during the first week of program operation.
 - [Guidance for States on First Week Site Visits \[Extension\]](#)

ENDING 9/30/21



- Child Nutrition Monitoring Waivers
 - Provides options to waive certain onsite monitoring requirements to maintain program integrity and support social distancing while providing meals.
 - Onsite Monitoring Requirements for Sponsoring Organizations in SFSP
 - Onsite Monitoring Requirements for State Agencies in SFSP
 - [Guidance for States on Monitoring Waivers \[Latest Extension\]](#)

CHILD AND ADULT CARE FOOD PROGRAM (CACFP)

Note: The Afterschool Activity Waiver expired on June 30, 2020. Feeding America is urging FNS to issue this waiver for the duration of school year 2020-21. Without this waiver sponsors have to offer an afterschool activity to provide CACFP At-Risk meals for school year 2020-2021. Contact your state to see if virtual, hybrid, or take-home activities are available to practice social distancing. [See the official guidance for States on the Afterschool Activity Nationwide Waiver.](#)

OPERATING CACFP DURING SCHOOL YEAR 2020-21

ENDING JUNE 30, 2021

- **Non-Congregate Feeding Waiver:**
 - Allows states to waive the congregate feeding requirements
 - [Guidance for States on Non-Congregate Feeding Nationwide Waiver \[Extension 2\]](#)
- **Parent/Guardian Meal Pickup Waiver:**
 - Allows parents and guardians to pick up and take home meals for children without the child present
 - [Guidance for States on the Meal Pickup Waiver \[Extension 2\]](#)
- **Meal Pattern Waiver:**
 - Waives the requirement to serve meals that meet meal pattern requirements. Sponsors must receive state approval and show a disruption in food availability.
 - [Guidance for States on the Meal Pattern Waiver \[Extension 4\]](#)
- **Meal Service Time:**
 - Allows meals to be served outside of the standard meal times including offering days of meals at once.
 - [Guidance for States on the Covid-19 Meal Times Nationwide Waiver \[Extension 2\]](#)

ENDING SEPTEMBER 30, 2021

- **Child Nutrition Monitoring Waivers**
 - Onsite Monitoring Requirements for State Agencies in CACFP
 - Onsite Monitoring Requirements for Sponsors in CACFP
 - Annual Review Requirements for State Agencies in CACFP
 - [Guidance for States on Monitoring Waivers \[Latest Extension\]](#)

PANDEMIC EBT (P-EBT)



Note: On August 20, 2020, FNS informed States that if they wish to operate the Pandemic EBT (P-EBT) program in the school year 2020-2021 through September 30, FNS will consider State requests to extend their P-EBT plans as part of FNS's broader effort to help schools restart their school meal programs.

- **How it works:** P-EBT provides nutritional resources to families who have lost access to free or reduced-price school meals due to school closure. Families receive money on a new or existing EBT card to help fill the school meals gap. The average benefit is \$5.70/day per student, retroactive to when school initially closed.
- **Background:** In March 2020, the Families First Coronavirus Response Act of 2020 established the Pandemic Electronic Benefit Transfer (P-EBT). All children who would otherwise receive free or reduced-price meals in school are eligible to receive P-EBT if the school is closed for at least 5 consecutive days in fiscal year 2020.
- **State Opt-In:** Every state has been approved to issue P-EBT for, although states differ in how they administer this program. Contact your state for details.
- **Advocacy:** Feeding America is urging Congress to extend P-EBT for the entire school year 2020-2021.
- **How food banks can help:** Learn how your state is administering P-EBT and help ensure program access. This may include helping families apply, sharing information about how to participate, and troubleshooting issues. Use this opportunity to encourage families to apply for free/reduced price meals and for SNAP. Let [immigrant families](#) know that P-EBT is available regardless of immigration status and not considered in the public charge test.
- [FNS Guidance for States on Pandemic EBT](#)

ADVOCACY ACTIONS

We know that ensuring children have meals in the 2020-21 school year will be more difficult than ever. Amid the increase in child food insecurity and need to continue practicing social distancing, many schools are making the tough decision to operate virtually and may not be able to get meals to children every day. Feeding America is urging the FNS and Congress to provide maximum program flexibilities to ensure that schools, food banks and other community partners can help.

Specifically, Feeding America is asking the FNS and Congress to:

- Allow the Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) to be used to feed children throughout the whole upcoming school year.
- Extend all nationwide waivers for SFSP and SSO, including the non-congregate and area eligibility waivers, through the entire school year.
- Waive the Afterschool Activity Requirement for the Afterschool Meal Program and the Snack Programs available through the Child and Adult Care Food Program (CACFP) and National School Lunch Program (NSLP).
- Allow those providing meals through the Summer Food Service Program or Seamless Summer Option to also utilize Afterschool Meal and Snack Programs.
- Extend Fresh Fruit and Vegetable Program flexibilities and waivers through the school year.



- Extend the Pandemic EBT (P-EBT) program throughout the summer and through the 2020-2021 school year.
- Provide continued flexibility around Supplemental Nutrition Assistance Program (SNAP) and WIC program operations.

See these letters Feeding America recently sent to the FNS for more information:

- [National Partner Sign-On Letter](#)
- [National State and Local Sign-On Letter](#)

HOW YOU CAN HELP

- FNS's authority to extend key waivers will end on September 30th, 2020. We have been working with coalition partners, but with the days dwindling down, it is time for a full-scale public campaign to ensure the Administration extends the waivers.
- **Our ask:** We need an immediate extension of all child nutrition program waivers until the end of the school year (June 30, 2021). We ask that FNS use its existing waiver authority available through the Families First Coronavirus Response Act for an immediate extension of all child nutrition program waivers. **Key times of activation:** The remainder of September.
- **How you can help:**
 - *Email Members of Congress and ask them to tell FNS to extend the child nutrition waivers:* Contact your congressional delegations with this urgent ask.
 - *Write an LTE:* Write a letter to the editor in your local paper to tell FNS the importance of the waivers and how without them, children in your community will go hungry.
- Let your Member of Congress know why it's so important to extend P-EBT in the next Covid-19 legislative package. Include the need to extend P-EBT in all advocacy or lobbying efforts.
- Share information about your child nutrition programs and their impact with Feeding America at policy@feedingamerica.org, to help us learn more about your programs and provide information for future advocacy.

ADDITIONAL INFORMATION

- FNS
 - [Child Nutrition Program: Covid-19 Waivers by State](#)
 - [Child Nutrition Q&As](#)
 - [Response to Covid-19](#)
- Feeding America Action
 - [Federal Nutrition Programs Information](#)
 - [Legislation Resources](#)
- Program-Specific Guides
 - [FRAC CACFP Resources](#)



- [FRAC Pandemic EBT Webpage](#)
- Find Meal Sites
 - [SOS Find Summer Meals Near You](#)
 - [FNS Find Meals for Kids](#)
 - [Feeding America Find Your Local Food Bank](#)

If you have questions, please contact policy@feedingamerica.org.

