



**State of Arizona
Department of Education**

Health and Nutrition Services Division

HNS # 27-2020

MEMORANDUM

To: School Food Authorities (SFAs) and Community Organizations (COs) Operating the Summer Food Service Program (SFSP) or the Summer Seamless Option (SSO)

From: Melissa Conner, Associate Superintendent
Arizona Department of Education, Health & Nutrition Services

Date: May 22, 2020

Subject: SFSP/ SSO Waivers during Unanticipated School Closure and Waiver Expiration Dates - UPDATED

Original Signed

This memo provides a summary of waivers made available to SFAs and COs who are operating the SFSP and SSO during unanticipated school closures related to the COVID-19 pandemic. These waivers have been provided by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) through the Arizona Department of Education (ADE). Additionally, this memo provides SFSP and SSO program operators notice regarding the updated expiration dates of these waivers. This memorandum updates and replaces HNS# 25-2020. For additional information regarding current waivers, please review USDA's Guidance [SP 18-2020 SFSP 10-2020](#) dated May 19, 2020.

Waivers

The first group of waivers are specific to operating the SFSP or SSO during the recent unanticipated school closure related to the COVID-19 pandemic. The referenced program regulations found in the Code of Federal Regulations are to be met once the waivers expire.

1. Area Eligibility/Eligibility of SFSP and SSO sites with less than 50% F/R

Arizona was granted a waiver to the regulations at 7 CFR 225.14(c)(3) to conduct a regularly scheduled food service in "areas in which poor economic conditions exist." This permitted SFAs in good standing to apply to operate SFSP or SSO at non-area eligible sites during unanticipated school closures due to the economic impact of the COVID-19 pandemic. ADE has submitted an extension request to the FNS to continue use of this waiver. At this time, ADE does not have the authority to approve SFSP or SSO meal service locations at non-area eligible sites for operations past June 30, 2020. Should the request be approved, ADE will notify all operators.

Kathy Hoffman, Superintendent of Public Instruction

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Effective July 1, 2020, ADE no longer has the authority to approve SFSP or SSO meal service locations at sites with less than 50% of the population qualifying for free or reduced-priced meal benefits.

2. SFSP Sponsor Monitoring

The current requirement is that monitoring shall be conducted by the sponsor at meal service sites to the maximum extent practicable, however the onsite portion of monitoring located at 7 CFR 225.15(d) has been waived. To support off-site monitoring efforts, ADE has created site visit forms specifically for use at this time. These forms are available online at <https://www.azed.gov/hns/sfsp/sfspforms/> under the Operating sub-section.

Effective July 1, 2020, SFAs and COs must conduct on site monitoring of all sites in operation.

3. [Updated] Congregate Meal Service; allowance for non-congregate meal services

Under the current waivers, meals provided do not have to be consumed at the meal service location per 7 CFR 225.6(e)(15). This, in combination with the Meal Service Times waiver, allows for multiple meals and multiple days of meals to be served at one time, and for meals to be picked up and taken at home for consumption. The allowance for home delivery of meals for SFAs only, is also included under this waiver. This waiver has been extended through August 31, 2020.

4. [Updated] Parent Pickup of Meals at SFSP and SSO meal service locations

SFAs and COs may distribute meals to a parent or guardian to take home to their children once a plan is developed for ensuring accountability and program integrity. This includes assurances that meals are only distributed to parents or guardians of eligible children. The maximum number of meals that may be offered are up to two meals or one meal and one snack **per child, per day.** If SFAs and COs elect to operate under the waiver for parents and guardians to pick up meals for children, they must [submit their meal distribution plan and assurances to ADE using this link](#). This waiver has been extended through August 31, 2020.

One waiver, which pertains to the Meal Pattern, is now in effect until June 30, 2020.

5. [Updated] Meal Pattern Waiver

ADE is permitted to provide SFSP and SSO meal reimbursements when the SFA or CO providing meals is unable to meet the meal pattern due to shortages and/or supply chain issues. SFAs and COs must maintain daily records of meals with meal pattern deficiencies by component, per meal service. To support the claim for reimbursement of meals, the SFA/CO is required to [provide a meal pattern waiver request form to ADE using this link](#) which was provided previously in ADE guidance, [HNS# 21-2020](#). Effective July 1, 2020, all meals claimed for reimbursement must meet the meal pattern.

The last group of waivers, numbers 6-9 below, are in effect for the duration of the 2020 SFSP Program year, which ends on September 30, 2020. These waivers are as follows:

6. Offer versus Serve (OVS)

SFAs and COs must be able to follow the SFSP OVS meal service parameters in its entirety as stipulated below. OVS is designed for congregate feeding and, if used in a non-congregate setting, while permitted, through August 31, 2020, must be done so with thoughtful planning and consideration. The conditions under which sponsors are operating and their ability to follow appropriate safety measures in providing meals are factors to consider. OVS is not intended to be a way to circumvent meal pattern requirements, or eliminate specific components.

SFSP OVS meal service parameters:

Breakfast: The following four food items must be offered:

- One serving of fruit/vegetable,
- One serving of bread/bread alternate,
- One serving of fluid milk, and
- One additional serving of fruit/vegetable, bread/bread alternate, or a serving of a meat/meat alternate.
- All the food items offered must be different from each other.
- A child must take at least three of any of the four food items offered and may choose to take all four items.

Lunch or Supper: The following four food components must be offered through at least five different food items:

- One serving of meat/meat alternate,
 - Two servings of fruit and/or vegetables (two different food items),
 - One serving of bread/bread alternate, and
 - One serving of fluid milk.
 - All the food items offered must be different from each other.
 - A child must take at least three food components and may choose to take all five items.
- Lunch or supper OVS requirements differ from breakfast in that a child must take at least three food components, rather than items, listed above from the five food items offered. Three food components are required for an adequate nutritious meal for children.
 - Offering two servings of the same food item is not permissible under OVS in SFSP. All food items offered must be different from each other. For example, a breakfast menu that includes a serving of milk, a serving of fruit, and two servings of toast is not a reimbursable meal under OVS in SFSP because the toast is two of the same food item. Similarly, if the breakfast menu included two different kinds of cereal rather than toast, it would still not be a reimbursable meal because the cereals, although not identical, are the same food item. Additionally, a larger food item that is worth two servings in weight, such as a two-ounce muffin, counts as only one food item under OVS in SFSP, not two.
 - Servings of all food items must adhere to the serving sizes in the SFSP meal patterns at 7 CFR 225.16(d).

7. Meal Service Times

SFAs and COs are permitted to serve SFSP and SSO meals outside of the standard meal times

established under program regulations at 7 CFR 225.16(c)(1) and (2), 210.10(l), and 220.8(l). This waiver permits SFAs and COs to offer multiple meals through one non-congregate meal service. For example, a site may serve all allowable meals for that day or for multiple days at one meal service.

8. Closed enrolled sites establishment of eligibility

ADE can determine the eligibility for SFSP and SSO closed enrolled sites based on area eligibility. SFAs and COs may use all mechanisms available to establish the eligibility for closed-enrolled sites, such as school-level data or census tract data, in addition to the option to collect and process income applications.

9. First week site visits

SFAs and COs are permitted to forgo site visits in the first week of operations which are required under Program regulations at 7 CFR 225.15(d)(2), for sites that operated successfully in the previous year. This requirement is also waived for SFAs and COs in good standing that had successfully participated in the Child and Adult Care Food Program (CACFP) or the National School Lunch Program (NSLP).

Program Year 2020 –Standard SFSP and SSO Application Process

- USDA has not waived the application requirements for SFSP and SSO but has provided guidance that allows operations of the SFSP/SSO to continue under an unanticipated school closure waiver through June 30, 2020. Current meal services for unanticipated school closures through the SFSP/SSO are approved based on the *Intent to Operate* notifications submitted by SFAs and COs to ADE at the beginning of the unanticipated school closures.
 - All SFAs and COs operating the SFSP/SSO under the unanticipated school closure waiver, must update CNPWeb applications for SFSP/SSO to provide unanticipated school closure meal service end dates for all sites, which extends only through June 30, 2020.
- To operate beyond June 30, 2020, SFAs and COs must submit applications in the CNP Management Plans and Budgets system by May 31, 2020. SFAs are required to submit a management plan, COs must submit both a management plan and budget. Detailed information about the process of submitting an application in the CNP Management Plans and Budgets system is available online at <https://www.azed.gov/hns/sfsp/howtoapply/> under Complete CNP Management Plans and Budgets. CNPWeb site applications must also be updated for these sites to include operating dates in Section 4, Program Period 2.

Please contact your Program Specialist at ADE with questions concerning this guidance. Your assigned specialist can be found at the top of the Sponsor application in CNPWeb. You may also send an email to SFSP@azed.gov or call 602-542-8700, and select option 1.

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