



Current Summary of USDA's Child Nutrition Waivers in Response to COVID-19

The [Families First Coronavirus Response Act](#) (subsequently extended by the [Continuing Appropriations Act of 2021](#) and [Keep Kids Fed Act of 2022](#)) gives the U.S. Department of Agriculture (USDA) the authority to issue [nationwide waivers](#) to ensure access to meals through the child nutrition programs as communities respond to the COVID-19 pandemic. In order for a state to use a nationwide waiver, the State child nutrition agency must notify their USDA Regional Office that it elects to use the waiver. Prior to implementing any of the following waivers, schools and other program operators should receive approval from their State child nutrition agency in order to ensure that the meals served will be reimbursed. Additional waivers and Q&As are available on USDA's [website](#).

Waiver	Expires	Description	Programs
Summer Meals Operation During the School Year	Expired 6/30/22	Allows the National School Lunch Program (NSLP) Seamless Summer Option (SSO) to continue to operate through the 2021-2022 school year in any community.	Seamless Summer Option (SSO)
Summer Food Service Program Reimbursement Rates for the Seamless Summer Option (Summer 2022)	9/30/22	Allows schools operating the Seamless Summer Option to receive the higher Summer Food Service Program reimbursement for meals served in Summer 2022.	SSO
Non-Congregate Feeding	SFSP/SSO: 9/30/22 NSLP, SBP, CACFP: As needed during SY 22-23 through individual waivers	Allows meals to be provided outside of a congregate feeding setting. Meals can be distributed at a site where families pick up the meals, as well as be delivered to children's homes.	School Breakfast Program (SBP), National School Lunch Program (NSLP), SFSP, and Child Adult Care Food Program (CACFP)
Meal Service Times	SFSP/SSO: 9/30/22 NSLP, SBP, CACFP: As needed during SY 22-23 through individual waivers	Provides flexibility to the meal service time requirements by allowing meals to be served outside of the standard meal times.	SBP, NSLP, CACFP, SFSP, SSO

Waiver	Expires	Description	Programs
<u>Fiscal Action Flexibility for Meal Pattern Violations</u>	6/30/23	Waives the requirement that fiscal action be applied for missing food components or repeated violations involving milk types and vegetable subgroups in the event of supply chain disruptions.	SBP, NSLP
Parents and Guardians to Pick Up Meals for Children	SFSP/SSO: 9/30/22 NSLP,SBP, CACFP: As needed during SY 22-23 through individual waivers	Allows a parent or guardian to pick up meals to take home to children. State agencies are required to create a plan that ensures accountability and program integrity.	SBP, NSLP, SFSP, SSO, CACFP
Meal Pattern Flexibility in the Child Nutrition Programs	SFSP: Expired 9/30/21 NSLP,SBP, CACFP: Nationwide waiver expired on 6/20/22; state waivers may be available	Waives the requirements to serve meals that meet the meal pattern requirements.	SSO, SBP, NSLP, SFSP, CACFP
Summer Food Service Program <u>Area Eligibility</u>	9/30/22	Allows states to waive the requirement in the SFSP that "open site" meal service is limited to areas with at least half of the children in the area are low-income households.	SFSP
<u>Eligibility for SFSP Closed Enrolled Sites</u>	4/30/23	Waives the requirement that closed enrolled sites collect income eligibility applications to determine eligibility.	SFSP, SSO
CACFP At-Risk Afterschool Meal Program <u>Area Eligibility</u>	Expired 6/30/22	Allows schools and afterschool care centers, regardless of their location, to service at-risk afterschool meals and snacks to students.	CACFP

Waiver	Expires	Description	Programs
Monitoring Requirements for School Food Authorities and State Agencies in the School Meals Programs	Until 30 days after the end of the public health emergency	Waives for all school food authorities (SFAs) and State agencies the requirement that monitoring must be conducted on-site. SFAs and State agencies should continue monitoring activities remotely.	SBP, NSLP, SSO
Monitoring Requirements for Sponsors and State Agencies in the Child and Adult Care Food Program	Until 30 days after the end of the public health emergency	Waives for CACFP sponsors and state agencies the requirement that monitoring be conducted on-site. This includes new sponsor, annual, and pre-approval reviews. State agencies should continue monitoring activities remotely.	CACFP
Monitoring Requirements for Sponsors and State Agencies in SFSP	Nationwide waiver expired 6/30/21; state waiver available	Waives for all sponsors and State agencies the requirement that SFSP monitoring be conducted on-site. This includes new sponsor, annual, and pre-approval reviews. Sponsors and State agencies should continue monitoring activities remotely.	SFSP
Local School Wellness Policy Triennial Assessments	6/30/23 (state waiver available)	Waives the requirement that school districts conduct an assessment of local school wellness policy.	NSLP, SBP
Food Service Management Contract Duration in NLSP and SFSP	6/30/23 (state waiver available)	Allows SFA and SFSP sponsors to extend existing food service management company contracts through June 30, 2023 <i>as needed</i> .	NSLP, SBP, SSO, SFSP

<u>Reimbursement for Meals Served Prior to Notification of Approval and Pre-approval visits</u>	Expired 6/30/21	Waives the requirement that reimbursement cannot be provided for meals served before the sponsor has received written notification that the site has been approved for participation. Waives the requirement that state agencies conduct pre-approval SFSP sponsors and sites.	SFSP, SSO
<u>Community Eligibility Deadline Waiver</u>	Nationwide waiver expired 9/30/21; state flexibilities available	Extends the deadline to calculate the Identified Student Percentage from April 1 to June 30; the deadline to notify state agencies from April 15 to June 30; the deadline for states to notify school districts that they are eligible or near-eligible from April 15 to June 30; and the deadline for school districts to elect community eligibility from June 30 to September 31.	SBP, NSLP
<u>First Week Site Visits in SFSP</u>	4/30/23 (state waiver available)	Waives the requirement that SFSP sponsors visit each of their sites at least once during the first week of operation.	SFSP
<u>Offer Versus Serve (OVS) in SFSP</u>	4/30/23 (state waiver available)	Waives the requirement that the OVS option be limited to SFAs.	SFSP

FRAC will update this document as additional nationwide waivers are issued. For more information on efforts and opportunities to ensure children have access to nutritious meals during COVID-19 school closures, visit [FRAC's website](#).