# SNP Memo #2019-2020-45

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**COMMONWEALTH of VIRGINIA   
Department of Education**

DATE: May 12, 2020

TO: Directors, Supervisors, and Contact Persons Addressed

FROM: Sandra C. Curwood, PhD, RDN, ***Sandy***

## SUBJECT: Review of Waivers

The purpose of this memo is to provide information for operating the Summer Food Service Program (SFSP), the Seamless Summer Option (SSO) in 2020, and the Child and Adult Care Food Program (CACFP). The Virginia Department of Education (VDOE) is electing four nationwide waivers available for the SFSP and SSO. These waivers reinstate flexibilities that were rescinded in memorandum SFSP 01-2019 dated October 11, 2018. Please note that these waivers were also in place last program year. In addition, this memo also reviews the waivers that detail the monitoring requirements for SFSP and CACFP.

### WAIVERS for SFSP

#### Waiver to Allow Area Eligibility for Closed Enrolled Sites

This waiver allows closed enrolled sites participating in the SFSP and SSO to determine site eligibility without collecting income eligibility applications.

#### Waiver to Waive the First Week Site Visits in the SFSP

SFSP sponsors in good standing that have successfully participated in the CACFP or National School Lunch Program (NSLP) and SFSP sponsors that have successfully operated the program last year, are not required to complete the required first week site visit.

#### Waiver of Meal Service Time Restrictions in the SFSP and SSO

Federal regulations for the SFSP and SSO require three hours to elapse between the beginning of one meal service and the beginning of another, except that four hours must elapse between the service of a lunch and supper when no snack is served between them. Supper must begin no later than 7:00 p.m. and extend beyond 8:00 p.m. In addition, meal service for lunch and supper is limited to two hours and breakfast and snack meal service is limited to one hour. This waiver eliminates the required minimum elapsed times between meal service. In addition, it eliminates the time limits of individual meals.

#### Waiver to Allow Offer Versus Serve (OVS) Flexibilities in SFSP

This waiver allows School Food Authorities to implement OVS in SFSP. This waiver also allows the VDOE to approve all non-SFA sponsors to use OVS.

OVS is designed for a congregate setting. When using OVS in a non-congregate setting, it will take thoughtful planning and consideration. The ability of all sponsors to follow appropriate safety measures and allow students to make choices are factors to consider when choosing OVS. OVS is not intended to be a way to circumvent meal pattern requirements, or eliminate specific components, like milk. Sponsors must be able to meet the following parameters with OVS.

Breakfast: The following four food **items** must be offered:

* one serving of fruit/vegetable,
* one serving of bread/breakfast 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 of the food items offered must be different from each other. A child must take at least three 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 or vegetable (two different food items),
* one serving bread/bread alternate, and
* one serving of fluid milk.

All of 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.

Sponsors should indicate on their application if they would like to implement OVS in the SFSP.

### Monitoring Requirements for SFSP and CACFP

#### Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in SFSP

SFSP sponsors must visit each of their sites at least once during the first week of operation and sponsors must review site food service operations at least once during the first four weeks of operation. Under the COVID-19 waiver, sponsors are still required to monitor sites but the monitoring does not have to be conducted onsite. We encourage, to the maximum extent practicable, that sponsors conduct all monitoring offsite (e.g., through a desk audit).

* **Sponsors that are not continuing SFSP during normal summer operations (June through August)** are required to complete their monitoring visits before the end of the COVID-19 pandemic. Sponsors can complete the monitoring visits either onsite or offsite through a desk audit. The Virginia Department of Education (VDOE) has developed monitoring forms for completing the monitoring visits. These forms are attached and are available in SNPWeb download forms. The monitoring forms are provided as a sample and are not required to be used. However, site monitoring forms used by the sponsor must meet all required monitoring elements.
* **Sponsors that will operate the SFSP after the COVID-19 pandemic (i.e., during summer months, June through August)** may postpone required site visits until summer 2020. The VDOE encourages sponsors to complete monitoring visits as soon as possible to ensure program integrity.

#### Waiver of Monitoring Requirements for Sponsors in CACFP

During normal circumstances CACFP sponsors are required to monitor each site three times each year. When conducting these monitoring visits, two of the three visits must be unannounced. When conducting the unannounced monitoring visits, one of them must include the observation of a meal service. When conducting the unannounced monitoring visits, one of them must include the observation of a meal service. When the CACFP sponsor opens a **new** site, the sponsor must conduct a monitoring visit during the first four weeks of operation. When conducting the required monitoring visits, not more than six months can elapse between visits.

Under the COVID-19 CACFP monitoring wavier:

* CACFP sponsors of the At-risk Afterschool Program may conduct only **two** monitoring visits of their sites between October 2019 and September 2020.
* Only **one** of the visits must be unannounced.
* The unannounced visit **does not have to include the observation of a meal service**.
* The required visit of the new facility during the first four weeks of operation **does not have to be onsite**. The sponsor can conduct an offsite monitoring review, such as a desk audit. The VDOE encourages sponsors to complete the first new site visit onsite, as it can be very informative and provide an excellent training opportunity for a new site and staff.
* **Six months can elapse** between each visit. The unanticipated closure of all schools in March created barriers for sponsors to complete their visits without having six months or more elapse between visits. Sponsors can complete the two required monitoring visits at any time during the program year between October 2019 and September 2020.

All sponsors should evaluate the number of monitoring visits that have been completed as of the date of this memo. If additional monitoring is needed, the sponsor should determine if the visits can be conducted onsite or offsite, announced or unannounced.

VDOE is providing three monitoring forms for both CACFP and SFSP monitoring: The Onsite Meal Observation Review Form, The Onsite Review Form (Without Meal Observation) and The Offsite Desk Review. These forms will walk you through completing a review of your program to determine deficiencies and implement corrective action if needed.

If you have any questions, please contact the SNP or CNP specialist assigned to your region or email [SNPPolicy@doe.virginia.gov](mailto:SNPPolicy@doe.virginia.gov).

SCC/BDB/cc

**Attachments**

1. COVID-19 At-Risk Afterschool Meals ProgramDesk Review Form
2. COVID-19 At-Risk Afterschool Meals ProgramDesk Review Form (Example)
3. COVID-19 At-Risk Afterschool Meals ProgramSponsor Monitoring Report with Meal Observation
4. COVID-19 At-Risk Afterschool Meals ProgramSponsor Monitoring Report with Meal Observation (Example)
5. COVID-19 At-Risk Afterschool Meals ProgramSponsor Monitoring Report without Meal Observation
6. COVID-19 At-Risk Afterschool Meals ProgramSponsor Monitoring Report without Meal Observation (Example)
7. COVID-19 Summer Food Service ProgramDesk Review Form
8. COVID-19 Summer Food Service ProgramDesk Review Form (Example)
9. COVID-19 Summer Food Service ProgramSite Review Form with Meal Service Observation
10. COVID-19 Summer Food Service ProgramSite Review Form with Meal Service Observation (Example)
11. COVID-19 Summer Food Service ProgramSite Review Form without Meal Service Observation
12. COVID-19 Summer Food Service ProgramSite Review Form without Meal Service Observation (Example)