# SNP Memo #2019-2020-50

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**COMMONWEALTH of VIRGINIA   
Department of Education**

DATE: June 29, 2020

TO: Directors, Supervisors, and Contact Persons Addressed

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

## SUBJECT: Waivers for School Year 2020-2021

The purpose of this memo is to provide information on the recent release of five waivers from the U.S. Department of Agriculture (USDA) for the National School Lunch Program (NSLP), School Breakfast Program (SBP), and the At Risk portion of the Child and Adult Care Food Program (CACFP). These memos will assist in planning for the upcoming school year (SY). The Virginia Department of Education (VDOE) will be providing additional details on how to apply for these waivers during part two of the Virtual SNP Director/Sponsor Conference Series on

July 8, 2020, and in future correspondence. These waivers do **NOT** apply to the Summer Food Service Program (SFSP). The SFSP and the Seamless Summer Option (SSO) can only operate during an anticipated closure of schools in the planned SY. Planned full or partial building closures are not considered an unanticipated closure of schools. These waivers are intended to support access to nutritious meals while minimizing potential exposure to COVID-19 for SY 2020-2021.

### Nationwide Waiver to Allow Non-congregate Feeding in the Child Nutrition Programs

This is an extension of the waiver granted on May 14, 2020. Program regulations specify that meals must be served in a congregate setting and must be consumed by participants onsite. For SY 2020-2021, this requirement is waived and meals served through the CACFP, NSLP, and SBP may now be served in a non-congregate setting. This waiver is effective July 1, 2020 through June 30, 2021.

### Nationwide Waiver to Allow Meal Service Time Flexibility in the NSLP, SBP, and CACFP

This is an extension of the waiver granted on May 14, 2020. Program regulations require that meals must be served within certain timeframes. This waiver allows sponsors to serve meals that best meet their program needs and sponsors no longer have to meet specific meal service times. This waiver applies to the CACFP, NSLP, and SBP and is effective July 1, 2020, through June 30, 2021.

### Nationwide Wavier to Allow for Parents and Guardians to Pick up Meals for Children

This is an extension of the wavier granted on May 14, 2020. Program sponsors with an approved non-congregate waiver may distribute meals to a parent or guardian to take the meal home to their children. Program sponsors must have a plan for ensuring that accountability and program integrity are maintained. Processes must be in place to ensure meals are distributed only to parents or guardians of eligible children, and that duplicate meals are not distributed to any child. This waiver applies to the CACFP, NSLP, and SBP and is effective July 1, 2020, through June 30, 2021.

### Nationwide Waiver to Allow Meal Pattern Flexibility in the Child Nutrition Programs

This is an extension of the waiver granted on June 8, 2020. Program regulations mandate sponsors serve meals that meet the meal pattern requirements in the NSLP, SBP, and CACFP. This waiver allows the VDOE to grant flexibilities in the meal pattern when sponsors are unable to meet the meal pattern requirements due to COVID-19 related issues. The VDOE will accept these requests on a case-by-case basis. Sponsors must continue to maintain and meet the nutrition standards to the greatest extent possible. This waiver applies to the CACFP, NSLP, and SBP and is effective July 1, 2020, through June 30, 2021.

### Nationwide Waiver to Allow Offer Versus Serve (OVS) Flexibility for Senior High Schools in the NSLP for SY 2020-2021

Regulations require that all senior high schools must participate in OVS in the NSLP. Due to the COVID-19 pandemic waiving the OVS requirement will support safe access to nutritious meals. This waiver will enable high schools to offer complete meals for delivery or pick up without having to adhere to the complexities required with OVS. This waiver applies to the NSLP and is effective July 1, 2020, through June 30, 2021.

Implementation and election details for these waivers will be provided in a future correspondence. If you have any questions please contact Denise Branscome by phone at (804) 225-2330 or by email at [barbara.branscome@doe.virginia.gov](mailto:barbara.branscome@doe.virginia.gov) or your assigned SNP regional specialist.

SCC/BDB/cc