# SNP Memo #2020-2021-22


**COMMONWEALTH of VIRGINIA
Department of Education**

DATE: September 4, 2020

TO: Directors, Supervisors, and Contact Persons Addressed

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

## SUBJECT: Updates for School Year 2020-2021

The purpose of this memo is to provide information on the latest waivers and updates from the U.S. Department of Agriculture (USDA) for the upcoming 2020-2021 school year. The USDA released additional waivers that will help further structure the 2020-2021 school year.

### Nationwide Waiver to Allow Summer Food Service Program (SFSP) and Seamless Summer Option Operations (SSO) through December 2020

This waiver allows sponsors to operate the SFSP or the SSO instead of operating the National School Lunch Program (NSLP) through December 2020. If you wish to continue operating the NSLP, continue with completing the information found in this memo. If you are thinking about administering the SFSP or SSO, please refer to SNP Director’s Memo 2020-2021-20: Operating the Summer Food Service Program in the 2020-2021 School Year through December 31, 2020, for instructions to switch meal claiming to SFSP or SSO.

Nationwide Waiver of Onsite Monitoring Requirements in the NSLP and the School Breakfast Program (SBP)

This waiver extends the June 8, 2020, memo that allows state agencies to conduct the required onsite portion of the administrative review offsite. In addition, school food authorities (SFAs) are required to conduct a review of the counting and claiming system and other general areas. This review, the Accountability Review, can be conducted offsite. To assist in offsite monitoring, a new accountability review form is available in the *Download Forms* section in SNPWeb. This waiver remains in effect through June 30, 2021.

### Monitoring/Accountability Forms

The Virginia Department of Education, Office of School Nutrition Programs (VDOE-SNP) has developed monitoring/accountability forms to assist SFAs and non-school sponsors in meeting these new monitoring requirements. The form sets include forms to use when conducting desk audits and offsite monitoring. Monitoring forms for each program can be found in the *Download Forms* section of SNPWeb, in the corresponding program module.

### USDA Question and Answer

On August 21, 2020, the USDA released a set of [Question and Answers](https://www.fns.usda.gov/disaster/pandemic/covid-19/questions-and-answers-child-nutrition-programs-during-sy-2020-21) to provide additional guidance on the upcoming school year. Question number seven revealed important information about the 2018 Final Rule, *Child Nutrition Program: Flexibilities for Milk, Whole Grains, and Sodium Requirements.* The Center for Science in the Public Interest (CSPI) sued the USDA for how they released the Final Rule. The CSPI won the lawsuit therefore nullifying the flexibilities offered in the Final Rule. The school meal pattern must return to the requirements of the 2012 Final Rule and therefore:

* In the NSLP, SBP, and CACFP, flavored milk may only be nonfat;
* In the NSLP and SBP, all grains offered must be whole grain-rich; and
* Lunches in the NSLP and breakfasts offered in the SBP must meet Target 2 weekly sodium levels found in 7 CFR 210.10(c) and 220.8(c).

The VDOE-SNP recognizes the challenges faced for school divisions to implement these requirements at this time. We are providing a survey for SFAs to waive these requirements extended in the 2018 Final Rule.

### Waiver Elections

SFAs and non-schools sponsors that wish to elect the monitoring waivers for the school meals programs must complete the online [2020-2021 Monitoring Waivers Survey](https://www.surveymonkey.com/r/monitoring-waivers).

SFAs requesting to waive the 2012 Final Rule requirements can complete the [2012 Nutrition Standards Final Rule Waiver Survey](https://www.surveymonkey.com/r/final-rule-waiver-survey) .

If you have any questions about the waivers outlined in this memo, please contact your SNP regional specialist.

SCC/BDB/cc

**Attachment**

A: School Year 2020-2021 Waivers - NSLP