FAQs on Child Nutrition Program Options Available During School Closures Related to the Coronavirus

Based on available guidance and options available as of 3/20/2020. Please defer to the US Department of Agriculture’s guidance and your state agency.

To quickly find what you need, please click on a question to be directed to its answer.

1. What child nutrition programs are available to serve kids during unanticipated school closures?
2. Can meals be served outside of group (“congregate”) settings to allow for social distancing?
3. Can states submit waivers for other requirements?
4. Should states wait for the USDA to make blanket national waivers?
5. Can schools or sponsoring organizations take action on their own?
6. Will schools or sponsoring organizations eventually have to submit waiver requests to their states?
7. Who exactly can operate meal programs during school closures due to the coronavirus?
8. Does this apply to charter or private school closures, and could private and charter schools operate the program?
9. Can new school food authorities or sponsoring organizations be approved?
10. Can new sites be approved? Or can only past SFSP or SSO sites be utilized?
11. Where can these programs operate?
12. What other program requirements will continue to apply?
13. What if a school or school district was scheduled to be on spring break but is now closed? Can meals still be served through the SFSP or SSO?
14. When can meals be served?
15. What options are available for non-congregate meal service?
16. My state or area is under a “shelter in place” or “stay at home” order that limits all but essential services. Can we still prepare and distribute meals? Can families still come to pick them up at distribution points, or do they have to be delivered to homes?
17. What is the Pandemic-EBT authorized by the Families First Coronavirus Response Act (H.R 6201)?
18. If my state implements P-EBT, will my school or sponsoring organization still be able to serve non-congregate meals?
19. Is P-EBT available to children who are affected by child care closures?
1. What child nutrition programs are available to serve kids during unanticipated school closures?
   - At this time, the Summer Food Service Program (SFSP) and the National School Lunch Program Seamless Summer Option (SSO) are available options.
     - SFSP and SSO allow for reimbursable meals – a breakfast and lunch or any one meal and one snack per child per day – to be served during unanticipated school closures.
   - Under other circumstances, such as snow days or teacher strikes, the Child and Adult Care Food Program (CACFP) At-Risk Afterschool Meals component is an option for unanticipated closures.
     - Legally, this is still an option, but this is not currently recommended due to the additional waivers necessary to operate CACFP At-Risk Afterschool while allowing for social distancing, such as waiving the supervised enrichment requirement.
   - The Families First Coronavirus Response Act (H.R 6201) gives the USDA authority to extend options to CACFP operators, including child care providers.
   - At this time, the National School Lunch Program (including NSLP Afterschool Snacks) and School Breakfast Program do NOT allow for meal service during school closures.

2. Can meals be served outside of group (“congregate”) settings to allow for social distancing?
   - According to the USDA’s COVID-19 response page, all states as well as the District of Columbia and Puerto Rico have submitted waiver requests and received approval to authorize non-congregate meal service through the SFSP and SSO.
   - Please contact your state agency to verify the exact contents of the waiver, including:
     - Whether the waiver is statewide,
     - The duration of the waiver (most appear to be through June 30, 2020 or the end of the public health emergency, whichever is sooner), and
     - Whether schools may operate as sites through SFSP or SSO during unanticipated closures. Due to the USDA summer meals memoranda recessions, states must now request this waiver.
   - The Families First Coronavirus Response Act (H.R 6201) extends the authority for USDA to approve non-congregate meal service for the CACFP. The USDA has not yet issued guidance on how this provision will be implemented.

Social distancing is a method of preventing the spread of a contagious disease by limiting the physical proximity and probability of contact between people. Requiring groups of children to eat together defeats the purpose of school closures intended to stop the community spread of the coronavirus that causes COVID-19.
3. Can states submit waivers for other requirements?

- Yes, states may submit requests for waivers from other requirements as necessary and appropriate. These may include requests for waivers from meal pattern requirements, time restrictions for meals service, certain administrative and record keeping requirements, and congregate meal service in the CACFP.

- The Families First Coronavirus Response Act (H.R 6201) gives USDA the authority to waive the area-eligibility requirements for open sites in the SFSP and SSO in response to state waiver requests.


4. Should states wait for the USDA to make blanket national waivers?

- We understand that submitting waiver requests takes additional work and requires additional reporting. However, we encourage all states to be proactive and submit any necessary waiver requests as soon as possible due to the unclear timeline for implementation of the Families First Coronavirus Response Act (H.R 6201) as well as uncertainties about whether some or all flexibilities will be made nationwide versus on a state-by-state basis.

5. Can schools or sponsoring organizations take action on their own?

- No, schools and sponsors cannot submit a waiver request directly to the USDA, nor should they implement non-congregate meal service through the SFSP or SSO or other flexibilities without their state agency submitting a waiver on their behalf.

- However, schools, school food authorities, and sponsoring organizations should begin working in coordination on plans for responding to school closures and proactively communicating with their state agency regarding waiver status, procedures, and any issues encountered that may require additional waivers, such as challenges meeting meal pattern requirements.

6. Will schools or sponsoring organizations eventually have to submit waiver requests to their states?

- School food authorities and sponsoring organizations will need to communicate plans to their state agency in advance, generally in the form of a waiver request.

- School food authorities and sponsoring organizations may need to submit or update their application with the state agency as well.

7. Who exactly can operate meal programs during school closures due the coronavirus?

- SFSP and SSO operators, which include school food authorities and eligible non-profit organizations.

- The Families First Coronavirus Response Act (H.R 6201) gives USDA the authority to approve non-congregate meal service in the CACFP, but the USDA has not yet issued guidance on how this provision will be implemented.
8. Does this apply to charter or private school closures, and could private and charter schools operate the program?

- Yes, this would apply to charter and private school closures, but proactive communication with the state agency is recommended to ensure eligibility, target the students affected by the closure, and coordinate convenient access for students who may not live near the school.

- If public schools in the same area have shut down and are publicly promoting the availability of meals at certain schools, or if non-profit organizations are providing meals in the community, private and charter school students should be able to receive meals at those locations.

9. Can new school food authorities or sponsoring organizations be approved?

- School food authorities are likely able to receive approval to operate SSO even if they have not participated in the past. Working proactively with your state agency is important in this situation.

- Waiver language currently indicates that current SFSP and SSO operators are able to operate non-congregate meal programs.

- School food authorities and non-profit organizations that have operated the SFSP within the current or prior two calendar years are typically permitted, with advance approval, to operate the program during unanticipated school closures. State agencies have the discretion to waive the application in this situation.

- Community-based non-profit organizations that have not participated in the SFSP within the past two calendar years are unlikely to receive approval given the usual training and pre-operational visit requirements. To date, these requirements have not been waived. However, community organizations may seek to partner with school food authorities and SFSP sponsors to help fill any unmet needs.

10. Can new sites be approved? Or can only past SFSP or SSO sites be utilized?

- It is unclear whether new sites could be approved, especially for community locations where health and safety requirements and pre-operational visits may present barriers without additional waivers.

- SFSP and SSO sites from summer 2019 are likely the best sites to reactivate.

- Sponsors should work with their state agency to determine the best course of action.

11. Where can these programs operate?

- Currently, SFSP and SSO meals can only be provided free of charge to all children ages 18 and under at locations that meet the area-eligibility requirement: in an area where at least half of students are eligible for free or reduced-price school meals according to school or census data.

- A school itself does not have to have more than half of its students eligible for free or reduced-price school meals as long as it is within an eligible area.
- You can use the No Kid Hungry Averaged Area Eligibility Map to determine area eligible locations. This is based on USDA guidance around the use of census data.

- If a school cannot qualify as area-eligible, it may be able to operate as a closed enrolled site. This would involve targeting or limiting the program to free and reduced-price eligible students. Advance communication with and approval from the state agency is critical.

- The Families First Coronavirus Response Act (H.R 6201) gives USDA the authority to waive the area eligibility requirement in the SFSP and SSO in response to state requests, which would allow free meals to be served to children in all communities, regardless of area-eligibility. Please work with your state agency to ensure that the waiver has been received.

12. What other program requirements will continue to apply?
   - At this point, all other usual requirements apply, including:
     - Meal pattern requirements
       - Offer Versus Serve (OVS) is not permitted in the SFSP. Work with your state agency before implementing OVS through SSO.
       - Work with your state agency if you are experiencing issues with sourcing certain items or components.
     - Record keeping requirements
     - Daily limits on meals per child (one breakfast and one lunch or supper, or one meal and one snack in the SFSP or SSO)
     - Accommodating special dietary needs
   - Work with your state agency regarding any other waivers needed.

13. What if a school or school district was scheduled to be on spring break but is now closed? Can meals still be served through the SFSP or SSO?
   - Although SFSP and SSO are not usually options during breaks within the school year (like spring break), if the district or state is now under an unanticipated closure due to the coronavirus, the break may be considered postponed or cancelled so that meals may be served through the SFSP or SSO.
   - Although the CACFP At-Risk Afterschool component is an option during breaks within the school year, states have not, to date, received waivers from the congregate meal requirement or supervised enrichment activity requirement for this program, making it an unrealistic option during closures due to the coronavirus.
   - See the USDA’s Q&As for additional information: https://www.fns.usda.gov/sfsp/covid-19-meal-delivery.

14. When can meals be served?
   - Meals may be served seven days per week through the SFSP and SSO.
• Communicate with your state agency about the options and waivers available regarding meal service times. Your state likely needs to have a waiver to approve simultaneous distribution of two meals or snacks in the same day.

• Establishing service times or delivery times is still required.

15. What options are available for non-congregate meal service?

• Options may include home delivery; delivery along school bus routes; and meal pick-up at schools and other locations, including pick up via drive-through.

• State agencies may offer flexibility on meal times during unanticipated closures. Staggered pick-up times and other measures to minimize the number of people in the same place at one time are recommended. This will support social distancing and minimize spread of the coronavirus.

• Regarding the ability to distribute multiple meals at one time or the distribute meals without a child being present, please work directly with your state agency.

• For additional guidance, particularly regarding home delivery, see the FNS Q&A page: https://www.fns.usda.gov/sfsp/covid-19-meal-delivery.
  o While there is no additional federal funding currently available to support transportation and delivery costs, more funding may become available through flexibilities offered by the Families First Coronavirus Response Act.

• For additional ideas and strategies on non-congregate meal service, see our resource https://bestpractices.nokidhungry.org/resource/emerging-strategies-tactics-meal-service-during-school-closures-related-coronavirus.

16. My state or area is under a “shelter in place” or “stay at home” order that limits all but essential services. Can we still prepare and distribute meals? Can families still come to pick them up at distribution points, or do they have to be delivered to homes?

• So far, all such orders have exempted grocery stores and food outlets offering food for take-out or delivery.

• Likewise, it is generally permitted for people to leave their homes in order to get food at a grocery store or food outlet offering take-out or meals to-go.

• While distribution points offering meals through the SFSP and SSO have not been explicitly called out as exempt from these orders, it is generally accepted that they are permitted to continue operating.

17. What is the Pandemic-EBT authorized by the Families First Coronavirus Response Act (H.R 6201)?

• Pandemic-EBT (Pandemic Electronic Benefit Transfer or P-EBT) is a state option to provide food benefits to all children who would have otherwise received a free or reduced-price meal at school in the event of school closures lasting 5 or more days.
  o This includes all children at schools implementing the Community Eligibility Provision (CEP).
• For children in households that already receive Supplemental Nutrition Assistance Program (SNAP) benefits, the additional P-EBT benefits will be added to their existing EBT card. For children who do not already receive SNAP, state agencies will provide these children with new EBT cards. Benefits can be issued retroactively from the date of application and/or eligibility.

• The law authorizes the information sharing necessary to implement P-EBT.

• States must submit a P-EBT implementation plan to the USDA for approval.

18. If my state implements P-EBT, will my school or sponsoring organization still be able to serve non-congregate meals?

• Yes, it is our understanding that both options could operate concurrently.

19. Is P-EBT available to children who are affected by child care closures?

• At this time, no, P-EBT is not available to children affected by the closure of their child care center or other child care provider, whether those centers or providers operated the CACFP or not.

• Again, non-congregate meal service may be available through the CACFP as a result of the authority granted to the USDA under the Families First Coronavirus Response Act (H.R 6201). Please work with your state agency prior to implementation.