

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

Based on available guidance and options available as of 3/26/2020.
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.

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1. Can we serve meals through the child nutrition programs outside of the usual group (“congregate”) settings to allow for social distancing?

- **Yes.** The COVID-19 Child Nutrition Response Act, part of the broader Families First Coronavirus Response Act ([H.R 6201](#)), gave USDA broad authority to issue waivers from usual program requirements.
- In a memo dated 3/20/20, [COVID-19: Child Nutrition Response #2](#), the USDA issued a nationwide waiver from the congregate meal requirement across all child nutrition programs:

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 and child care closures intended to stop the community spread of the coronavirus that causes COVID-19.

- **National School Lunch Program (NSLP)**
- **School Breakfast Program (SBP)**
- **Summer Food Service Program (SFSP)** and NSLP **Seamless Summer Option (SSO)**
- **Child and Adult Care Food Program (CACFP)**, including both child care and the At-Risk Afterschool Meals component.

- This waiver is available to states without requiring an application or approval of a request to the USDA; states must merely inform their USDA Regional Office that they choose to be subject to the waiver.
 - We strongly encourage all state agencies to do so as soon as possible and to communicate this to program operators.
- Please contact your state agency to verify that they have elected to be subject to the waiver and to begin work on implementation.

2. Are all of the child nutrition programs available to serve kids during unanticipated school and child care closures?

- Typically, SFSP, SSO, and the CACFP At-Risk Afterschool Meals component are available options during unanticipated school closures.
- With the [COVID-19: Child Nutrition Response #2](#) memo, the USDA clearly extended the ability to serve meals in a non-congregate setting through the CACFP.
 - Though not typically permitted to serve meals outside of normal operating hours, we assume that CACFP operators may serve meals during the closure of their care settings due to the coronavirus.
 - At this time, it appears that NSLP and SBP are only available to schools implementing distance learning, not schools that are closed due to the coronavirus. See Question #9 in the USDA's [guidance on meal delivery through SFSP and SSO](#). Please contact your state agency for guidance prior to utilizing NSLP or SBP during a school closure.

3. Do children have to be present to receive a meal, or can a parent or guardian pick up meals on behalf of their children?

- The USDA released [COVID-19: Child Nutrition Response #5](#), offering a nationwide waiver to clarify that children do **not** have to be physically present and that their parent or guardian may pick up meals on their behalf. Additionally, the USDA guidance on [home delivery](#) addresses this.
- States and program operators must still have a plan in place to maintain accountability and integrity, namely verifying that the adult has an eligible child and that duplicate meals are not distributed to any child.
 - The USDA encourages states to work collaboratively with program operators to determine the best method for verification.
 - Potential options may include showing each eligible child's birth certificate, proof of school enrollment, or documentation proving legal guardianship.
- As with all nationwide COVID-19 response waivers, this is available to states without requiring an application or approval of a request to the USDA; states must merely inform their USDA Regional Office that they choose to be subject to the waiver.
 - We strongly encourage all state agencies to do so as soon as possible and to communicate this to program operators.

4. Do we still have to offer supervised enrichment programming in order to serve meals through the CACFP At-Risk Afterschool Meals component?

- **No.** Through the memo [COVID-19: Child Nutrition Response #3](#), the USDA has issued a nationwide waiver of the afterschool activity requirement in both the CACFP At-Risk Afterschool Meals component and the NSLP Afterschool Snack Program. This, along with the waiver of the congregate meal requirement, will support social distancing while supplying children with needed nutrition.
- As with all nationwide COVID-19 response waivers, this is available to states without requiring an application or approval of a request to the USDA; states must merely inform their USDA Regional Office that they choose to be subject to the waiver.
 - We strongly encourage all state agencies to do so as soon as possible and to communicate this to program operators.
- Please contact your state agency to verify that they have elected to be subject to the waiver and to begin work on implementation.

5. Do area eligibility restrictions still apply to SFSP, SSO, CACFP At-Risk Afterschool Meals, and NSLP Area-Eligible Afterschool Snacks?

- Yes. However, it is our understanding that 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 requests.
- For additional information on where programs can operate, see [Question #16](#).

6. Do meal service time restrictions still apply? Can I provide more than one meal at a time or provide meals for multiple days at one time?

- USDA issued a nationwide waiver of meal service time requirements. The memo [COVID-19: Child Nutrition Response #1](#) creates the flexibility needed to distribute multiple meals at once.
- Program operators must still establish a schedule for meal distribution or delivery, and the daily limits on the number of meals per child still apply. See [Question #19](#) for more on that.
- As with the other waivers, this is available to states without requiring an application or approval of a request to the USDA; states must merely inform their USDA Regional Office that they choose to be subject to the waiver.
 - We strongly encourage all state agencies to do so as soon as possible and to communicate this to program operators.
- Please contact your state agency to verify that they have elected to be subject to the waiver and to begin work on implementation.

7. Can states submit waivers for additional requirements?

- Yes, states may submit requests for waivers from other requirements as necessary and appropriate. These may include requests for waivers from the area eligibility

requirement for SFSP and SSO, in-person monitoring, and administrative or record keeping requirements.

- To submit a waiver, see <https://www.fns.usda.gov/cn/child-nutrition-program-waiver-request-guidance-and-protocol-revised>.
- You can view the status of waivers by state at <https://www.fns.usda.gov/disaster/pandemic/covid-19/cn-waivers-flexibilities>.

8. Should states wait for the USDA to issue more nationwide waivers?

- We understand that submitting waiver requests takes additional work. However, until further guidance is provided regarding the implementation of the Families First Coronavirus Response Act ([H.R 6201](#)), we encourage all states to be proactive and submit any necessary waiver requests as soon as possible.
- It is unclear whether some or all flexibilities will be made nationwide versus on a state-by-state basis. Our understanding is that the area eligibility requirement for open sites in SFSP and SSO may only be waived upon a state's request.

9. Can program operators take action to request or implement waivers on their own?

- Program operators should **not** implement any of the flexibilities available through nationwide waivers without first confirming that their state agency has elected to be subject to the waiver.
- If your state agency has **not** elected to be subject to one of the nationwide waivers, or if you need another waiver that your state has not requested, then you may be able to submit a waiver request on your own using the protocols outlined at <https://www.fns.usda.gov/cn/child-nutrition-program-waiver-request-guidance-and-protocol-revised>.
 - Your state agency would still need to elevate your request to the USDA Regional Office. Please keep in mind that state agencies and regional offices are likely to be busy at this time.
- Program operators should begin working in coordination on plans for responding to school and care provider closures and proactively communicating with their state agency regarding waiver status, procedures, challenges meeting meal pattern requirements, and any issues encountered that may require additional waivers.

10. Will program operators eventually have to submit waiver requests to their states?

- Program operators generally need to communicate plans to their state agency in advance, which may be in the form of a waiver request.
 - For flexibility on the meal pattern requirements, operators will need to request and receive approval. See [Question #17](#) for more information.
- We encourage states agencies to make available flexibilities as easy and quick as possible for program operators to adopt and implement.

- School food authorities and sponsoring organizations may also need to submit or update their application information with the state agency to operate SFSP or SSO.

11. Who exactly can operate child nutrition programs during school and care closures due the coronavirus?

- All child nutrition program operators in good standing, which include school food authorities, eligible public and private non-profit organizations, and eligible for-profit care providers, may be approved to operate during school and care closures.

12. Does this apply to charter or private school closures, and could private and charter schools operate the child nutrition programs?

- 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.

13. Can new school food authorities or sponsoring organizations be approved to operate child nutrition programs and utilize these flexibilities?

- Current program operators are generally best positioned to utilize these flexibilities to serve children during school and child care closures caused by the coronavirus with some exceptions:
 - **SFSP:** School food authorities and public and private 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.
 - **SSO:** 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.
- Child care providers that are do **not** currently participate in the CACFP and community-based non-profit organizations that are **not** current CACFP sponsors **nor** SFSP sponsors within the past two calendar years are *unlikely* to receive approval given the usual training and pre-operational visit requirements. These requirements have not been waived to date. However, community organizations may partner with school food authorities and approved sponsors to help fill any unmet needs.

14. Can new sites be approved? Or can only current CACFP sites or past SFSP or SSO sites be utilized?

- It is unclear whether new sites could be approved, especially for community locations and child care providers 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.
- For information on home delivery, see [Question #22](#).

15. In addition to breakfast and lunch through SBP and NSLP, my school used to serve supper through CACFP At-Risk Afterschool and/or snacks through CACFP At-Risk Afterschool or NSLP Afterschool Snacks. Can we continue to do so in addition to serving breakfast and lunch through SFSP or SSO?

- It is unclear whether a school food authority or school would be approved to operate CACFP At-Risk Afterschool concurrently with SFSP or SSO during a school closure.
- However, once your state adopts and implements the waivers needed to operate CACFP At-Risk Afterschool (see Questions [#1](#), [#2](#) and [#4](#)), a school food authority could partner with a non-profit sponsor to serve afterschool suppers and/or snacks at school sites that are offering meals through SFSP or SSO.
- Schools serving through SBP and NSLP may be able to operate CACFP At-Risk Afterschool and/or NSLP Afterschool Snacks as they usually would. At this time, the area eligibility requirement still applies to CACFP At-Risk Afterschool and NSLP Area-Eligible Afterschool Snacks.

16. 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.
- CACFP At-Risk Afterschool Meals can only be served at locations that qualify as area eligible based on school 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 whether a location is area-eligible for SFSP or SSO. This is based on USDA guidance around the use of census data. This does **not** apply to CACFP At-Risk Afterschool.
- If a school **cannot** qualify as area-eligible, it may be able to:
 - Operate as a closed enrolled site in the SFSP. 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.

- Operate the NSLP and SBP, although this may only be an option if the school is implementing distance learning and not closed. See Question #9 in the USDA's [guidance on meal delivery through SFSP and SSO](#).
- For information on home delivery, see [Question #22](#).
- 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.
- There are no location-based restrictions in the NSLP, SBP, or other components of the CACFP, but all other eligibility requirements of those programs still apply for operators, sites, and participants.

17. Is there any flexibility on the meal pattern requirements, especially with issues related to supply and availability?

- In [COVID-19: Child Nutrition Program Response #4](#), the USDA offered a nationwide waiver from the meal pattern requirements across all of the child nutrition programs.
- As with all nationwide COVID-19 response waivers, this is available to states without requiring an application or approval of a request to the USDA; states must merely inform their USDA Regional Office that they choose to be subject to the waiver.
 - We strongly encourage all state agencies to do so as soon as possible and to communicate this to program operators.
- Unlike other nationwide COVID-19 response waivers, the USDA explicitly requires operators to receive approval from their state agency prior to implementing this. This waiver may only be granted on a case-by-case basis.
- Additionally, state agencies must inform their USDA Regional Office when and where this waiver is in effect and for what food components.
- The guidance from the USDA tells states to consider whether the request is due to supply issues and encourages them to maintain and meet the nutritional standards of meals to the greatest extent possible.
- Also unlike the other nationwide waivers, the national meal pattern waiver is only available through **April 30, 2020** or the end of the public health emergency, whichever is earlier. The other waivers are available until June 30, 2020 or the end of the public health emergency, whichever is earlier.

18. Is there any flexibility on procurement requirements to help us source food from other vendors that may have what we need?

- Yes, [COVID-19: Child Nutrition Program Response #4](#) includes a reminder that Federal procurement regulations allow procurement by noncompetitive proposals when there is a public emergency.

19. What other program requirements will continue to apply?

- At this point, unless your state agency communicates that they have received additional waivers, **all other usual requirements apply**, including but not limited to:
 - Health, sanitation, and safety requirements
 - Accommodating special dietary needs
 - Record keeping requirements
 - Deadlines to submit claims for reimbursement
 - Daily limits on meals per child
 - SFSP or SSO: one breakfast and one lunch or supper, **or** one meal and one snack
 - CACFP At-Risk Afterschool: any one meal and one snack
 - CACFP child care or family day care home: breakfast, lunch or supper, and snack, **or** two snacks and any one meal
 - NSLP: one meal per child
 - SBP: one meal per child
- Work with your state agency regarding any other waivers needed.

20. 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.
 - See the USDA's Q&As for additional information:
<https://www.fns.usda.gov/sfsp/covid-19-meal-delivery>.
- The CACFP At-Risk Afterschool Meals component is an option during breaks within the school year. Contact your state agency to ensure that the necessary waivers of the congregate feeding and enrichment programming requirements are in place.

21. When can meals be served?

- Usually, meals may be served seven days per week through the SFSP and SSO as well as through the CACFP if programming or care is provided on weekends. Check with your state agency before serving meals on or for weekends to ensure that your program qualifies to serve meals seven days per week.
- See [Question #6](#) regarding meal service time waivers.
- Establishing service times or delivery times is still required.

22. 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.
- Regarding the ability to distribute multiple meals at one time, please work directly with your state agency.
- See Question [#3](#) for information about distributing meals without a child being present.
- For additional guidance, particularly regarding home delivery, see the FNS Q&A page: <https://www.fns.usda.gov/sfsp/covid-19-meal-delivery>.
 - Transportation and delivery costs are allowable program expenses that may be covered with meal reimbursements. There is no additional federal funding currently available to specifically offset transportation and delivery expenses. The Families First Coronavirus Response Act does authorize the USDA to issue waivers that increase federal costs. Please contact the USDA or your state agency to determine whether this could be leveraged to provide additional funding for transportation and delivery.
- 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>.

23. 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?

- While distribution points offering meals through the child nutrition programs have not always been explicitly called out as exempt from these orders, it is generally accepted that they are permitted to continue operating.
- 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.

24. 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 in the event of school closures lasting 5 or more days to all children who would have otherwise received a free or reduced-price meal at school.
 - 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.

25. 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.

26. 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.