

**TO** Sponsors of Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP), and School Nutrition Program (SNP)

**FROM** Vonda Ramp, M.S., R.D.  
State Director, Child Nutrition Programs

**DATE** February 11, 2022

**RE** USDA Waiver Requests for SFSP and Seamless Summer Option

**MESSAGE:**

On October 11, 2018, USDA released Memo SFSP 01-2019, that rescinded a number of national waivers related to the SFSP. The Pennsylvania Department of Education (PDE), Division of Food and Nutrition (DFN) believes the rescission of these waivers will create an undue burden for sponsors, and is therefore requesting a waiver from the following regulations:

- 7 CFR 225.15(d)(2), which requires sponsors to visit each of their sites at least once during the first week of SFSP operation. The waiver request specifically applies to:
  - Sites that have operated successfully in the previous year
  - Sponsors that successfully participate in the CACFP
  - Sponsors that successfully participate in the NSLP
- 7 CFR 225.15(f), which requires closed enrolled sites to collect income eligibility applications to determine that 50 percent of enrolled children are eligible for free or reduced-price meals
- 7 CFR 225.16(c)(1), which places Federal limits on the amount of time that must elapse between the beginning of one meal service and the beginning of the next
- 7 CFR 225.16(c)(2), which places Federal limits on the duration of a meal service
- 7 CFR 225.16(f)(1)(ii), which allows School Food Authorities (SFAs) to apply an “offer versus serve” (OVS) option in SFSP under the rules followed for the NSLP. This waiver would allow SFA sponsors following the SFSP meal pattern, or non-school sponsors, to use OVS.

In addition, to minimize the exposure to COVID-19 for State agency staff, SFSP sponsors staff, and SFSP participants PDE is also requesting waiver requests from the following regulations:

- 7 CFR 225.7(d)(2)(ii) which requires that State agency reviews are conducted onsite and
- 7 CFR 225.15(d) which requires sponsor site visits/reviews are conducted onsite

This is a required public notice that PDE, DFN submitted a request to USDA for waivers from the aforementioned regulations and does not imply the waivers have been approved at this time.

Questions may be directed to Dianne Dabulis at [ddabulis@pa.gov](mailto:ddabulis@pa.gov).