

**MEMO**

**TO:** All Sponsors of School Nutrition Programs, Child and Adult Care Food Program, and Summer Food Service Program

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

**DATE:** April 1, 2020

**SUBJECT:** COVID-19 National Waivers for Monitoring of the Child Nutrition Programs

**MESSAGE:**

On March 27, 2020, the United States Department of Agriculture (USDA) issued five waivers related to the monitoring of Child Nutrition Programs during the novel coronavirus (COVID-19) public health emergency:

- Nationwide Waiver of Monitoring Requirements for Sponsors in the Child and Adult care Food Program
- Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Child and Adult Care Food Program
- Nationwide Waiver of Onsite Monitoring Requirements in the School Meals Programs
- Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Summer Food Service Program
- Nationwide Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in the Summer Food Service Program

The waivers apply to **all** Child Nutrition Programs. The Pennsylvania Department of Education (PDE) has notified USDA that PDE will elect to be subject of these waivers. Below is a summary of the waivers by program; the waivers also are posted on PEARS Download Forms, COVID-19 section for the respective programs.

**Child and Adult Care Food Program (CACFP)**

Under Program regulations at 226.16(d)(4)(iii), CACFP sponsoring organizations must review each facility three times each year and: 1) at least two of the three reviews must be unannounced; 2) at least one unannounced review must include observation of meal service; 3) at least one



review must be made during each new facility's first four weeks of Program operations; and 4) not more than six months may elapse between reviews.

Additionally, State Agencies are required to conduct one scheduled visit of CACFP institutions at not less than 3-year intervals. CACFP regulations at 7 CFR 226.6(m)(6) also require State Agencies to annually review at least 33.3 percent of all CACFP institutions. Additionally, per 7 CFR 226.6(b)(1), State Agencies are required to conduct a pre-approval visit of all new CACFP sponsors.

However, under this public health emergency, suspending onsite monitoring is vital to support social distancing while providing meals. Additionally, with many CACFP facilities closed, monitoring CACFP may not be possible in some instances.

Therefore, CACFP sponsoring organizations may elect to implement the following monitoring requirements for a sponsor's current review year. For this waiver, the "current review year" is defined as the monitoring year each sponsor has identified on the PEARS Sponsor Application.

- CACFP sponsors may conduct two reviews of their CACFP facilities, instead of three reviews as required by regulations.
- CACFP sponsors are required to conduct only one CACFP facility review as unannounced instead of two as required by regulations.
- CACFP sponsors may elect to forgo the onsite meal observation normally required with announced and unannounced reviews.
- CACFP sponsors are not held to the requirement that not more than six months may elapse between reviews.
- CACFP sponsors must conduct at least one review during each new facility's first four weeks of Program operations but this review may be conducted as a desk audit (offsite review of paperwork that would normally be reviewed onsite).

As the State Agency, PDE will continue the review cycle to the maximum extent possible but will conduct reviews offsite until such time that onsite observations can resume. PDE will adjust test months as necessary to be reflective of months of operation. Per Program regulations, fiscal action will be assessed as necessary; however, fiscal action will not be collected/processed until CACFP Sponsors have resumed operations.

This waiver remains in effect until June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier. CACFP sponsors are not required to notify PDE of their intention to implement the above-mentioned monitoring flexibilities.

Questions can be submitted to [RA-CACFP@pa.gov](mailto:RA-CACFP@pa.gov).

### **School Nutrition Programs inclusive of the Seamless Summer Option (SSO)**

Under Program regulations, State Agencies are required to conduct monitoring of the School Meal Programs on a 3-year cycle, unless the State Agency has received a waiver allowing a longer review cycle. As the State Agency, PDE previously obtained a waiver to implement a 5-year review cycle.

However, under this public health emergency, suspending onsite monitoring is vital to support social distancing while providing meals. Additionally, with many schools closed and operating the SSO or Summer Food Service Program (SFSP) during an unanticipated school closure, monitoring school meals may not be possible in some instances.

Therefore, School Food Authorities (SFAs) are not required to conduct onsite monitoring requirements at this time. To the maximum extent practicable, SFAs should continue monitoring activities of Program operations offsite (e.g., through a desk audit, off site review of paperwork that would normally be reviewed onsite, etc.) to maintain oversight and ensure program integrity.

PDE has suspended Administrative and Procurement Reviews at this time as schools are committed to using available resources to serve children nutritious meals through the SSO and SFSP. PDE may reschedule Administrative and Procurement Reviews for a later date in the 2019-20 school year or postpone the review until the 2020-21 school year. If PDE reschedules reviews for this school year, PDE has the option of conducting the entire review offsite.

This waiver remains in effect until June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier. SNP sponsors (inclusive of SSO) are not required to notify PDE of their intention to implement the above-mentioned monitoring flexibilities.

Questions can be submitted to [RA-NSLP@pa.gov](mailto:RA-NSLP@pa.gov).

### **Summer Food Service Program (SFSP)**

Under Program regulations at 225.15(d), SFSP sponsors must visit each of their sites at least once during the first week of operation and sponsors must review food service operations at each site at least once during the first four weeks of operation. PDE previously received a waiver exempting sponsors to visit each of their sites during the first week of operation for existing sponsors and sites that were in good standing. That waiver does not exempt sponsors from conducting the visit prior to the fourth week of operation and sponsors are still required to review food service operations at each site once prior to the fourth week of operation.

However, under this public health emergency, suspending onsite monitoring is vital to support social distancing while providing meals.

Therefore, all existing sponsoring organizations are exempt from visiting sites that operated the previous year and are in good standing. To the maximum extent possible, sponsoring organizations that have new sites or sites that were not in good standing in the previous year,



must conduct a “visit” during the first week of operation and sponsors must conduct a “visit” at each site during the first four weeks of operation.

The terminology “visit” implies a physical observation; however, due to the recommendations for social distancing, oversight that is intended to be accomplished through a visit, can be conducted offsite (e.g., through a desk audit, offsite review or paperwork which is normally reviewed onsite, etc.) to maintain oversight and ensure Program integrity.

This waiver remains in effect until June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier. SFSP sponsors are not required to notify PDE of their intention to implement the above-mentioned monitoring flexibilities.

Questions can be submitted to [RA-SFSP@pa.gov](mailto:RA-SFSP@pa.gov).