



Food and
Nutrition
Service

March 30, 2020

Braddock
Metro
Center

Ms. Amanda Cullen and Ms. Jessica Sharkus
Directors, Community and School Nutrition Programs
Wisconsin Department of Public Instruction
125 S. Webster St,
Madison, Wisconsin 53707

1320
Braddock
Place
Alexandria
VA 22314

Dear Ms. Cullen and Ms. Sharkus,

This letter is in response to the Wisconsin Department of Public Instruction's (WDPI) waiver request to maintain children's access to meals during the novel coronavirus (COVID-19) pandemic, submitted March 28, 2020. WDPI requests a waiver of the restrictions on site eligibility requirements in the Summer Food Service Program (SFSP) and National School Lunch Program (NSLP) Seamless Summer Option (SSO). Specifically, WDPI requests to waive the requirement that open sites must be located in areas where at least 50 percent of NSLP participants are eligible for free or reduced price meals. Instead WDPI requests to waive area eligibility requirements for SFSP and SSO sites to serve meals to children in need that have limited access during the COVID-19 outbreak emergency school closures.

In its request, WDPI asserts that many communities in Wisconsin serve significant numbers of high-need children and families, but are not able to participate under the current area eligibility criteria. The request further asserts that opening more sites will maintain children's access to healthful meals, support families experiencing financial hardship, and alleviate significant financial and administrative burden on schools and community organizations, especially those operating in non-area eligible locations and/or schools without a geographic attendance area. WDPI states that this waiver will maintain children's access to the SFSP and SSO meal service during school closures related to the pandemic. To maintain children's access to meals, and to support families experiencing financial hardship, WDPI requests to waive 7 CFR 225.2, 225.14(c)(3), and 225.6(c)(2)(i)(G).

Pursuant to the waiver authority granted under Section 2102(b) of the Families First Coronavirus Response Act (P.L. 116-127) (the Act) to approve waivers that may increase cost to the Federal Government and have the purpose of providing meals and meal supplements, the Food and Nutrition Service (FNS) approves this request. However, State agencies must have a plan for ensuring that new meal sites are targeting benefits to children in need, for example, children who may be newly eligible for benefits due to the economic impacts of COVID-19. State agencies should work with local Program operators in developing their plans as local Program operators are best situated to determine how to provide these assurances. This approval applies to sites operating during temporary school closures related to COVID-19. Additionally, FNS reserves the right to withdraw this approval subject to availability of funding.

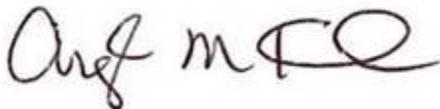
Therefore, effective as of March 28, 2020, this waiver allows SFSP and SSO sponsors in good standing to operate open sites in areas approved by WDPI and consistent with the State plan, but that are not located in areas in which poor economic conditions exist as defined by the NSLA at section 13(a)(1)(A) and regulation at 7 CFR 225.2, 225.6(c)(2)(i)(G), 225.6(c)(3)(i)(B), 225.6(d)(1)(i), 225.14(c)(3), and 225.16(b)(4). This waiver remains in effect until June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier. FNS recognizes that there may be a continued need for this waiver, and will carefully assess the situation on an ongoing basis.

As required by this waiver approval, WDPI must submit a report to the Secretary not later than 1 year after the date such State received the waiver. The report must include:

- A summary of the use of this waiver by the State agency and local Program operators,
- A summary of how new meal sites were targeted to benefits for children who were previously eligible or newly eligible for program benefits due to the economic impacts of COVID-19, and
- A description of whether and how this waiver resulted in improved services to Program participants.

FNS appreciates WDPI's commitment to work with sponsors to meet the nutritional needs of children during a challenging time. If you have questions, please contact the FNS Midwest Regional Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Kline". The signature is written in a cursive, flowing style.

Angela Kline
Director
Policy and Program Development Division

Electronic copy: Samia Hamdan, MWRO