

Waiver of Area Eligibility Requirements for SFSP/SSO During COVID-19

Purpose

On March 29, 2020, the USDA granted Vermont a waiver of area eligibility requirements site in the Summer Food Service Program and Seamless Summer Option during unexpected school closures associated with COVID-19. The waiver requires that the State agency 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. The waiver is retroactive to March 20, 2020. The following is the state's plan for ensuring that new meal sites utilizing the waiver are targeted to benefit children in need. Also included in the document is information for sponsors electing to use the waiver on how to add additional sites.

Area Eligibility Waiver Extensions

On June 10, 2020 USDA extended the area eligibility waiver through August 31, 2020 via [COVID-19: Child Nutrition Response #32: Nationwide Waiver to Extend Area Eligibility Waivers through August 31, 2020](#).

On August 20, 2020 USDA extended the area eligibility waiver until September 30, 2020 via [COVID-19: Child Nutrition Response #46: Nationwide Waiver to Extend Area Eligibility Waivers- EXTENSION](#).

On August 31, 2020 USDA extended the area eligibility waiver until December 31, 2020 via [COVID-19: Child Nutrition Response #52: Nationwide Waiver to Extend Area Eligibility Waivers- EXTENSION 2](#).

On October 9, 2020 USDA extended the area eligibility waiver until June 30, 2021 via [COVID-19: Child Nutrition Response #60: Nationwide Waiver to Extend Area Eligibility Waivers- EXTENSION 3](#).

On March, 2021 USDA extended the area eligibility waiver until September 30, 2021 via [COVID-19: Child Nutrition Response #77 Nationwide Waiver to Extend Area Eligibility Waivers for Summer 2021 Operations – EXTENSION 4](#)

Closed-Enrolled Sites

On April 21, 2020 USDA granted the nationwide waiver to allow closed-enrolled sites to be determined eligible through area eligibility until September 30, 2020 via [COVID-19: Child](#)



[Nutrition Response #14: Nationwide Waiver to Allow Area Eligibility for Closed Enrolled Sites in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option.](#)

On August 31, 2020 USDA extended the ability for closed-enrolled sites to be determined eligible through area eligibility until December 30, 2020 via [COVID-19: Child Nutrition Response #48: Nationwide Waiver to Allow Area Eligibility for Closed Enrolled Sites in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option- EXTENSION.](#)

On October 9, 2020 USDA extended the ability for closed-enrolled sites to be determined eligible through area eligibility until June 30, 2021 via [COVID-19: Child Nutrition Response #64: Nationwide Waiver to Allow Area Eligibility for Closed Enrolled Sites in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option- EXTENSION 2.](#)

On March 9, 2021 USDA extended the ability for closed-enrolled sites to be determined eligible through area eligibility until September 30, 2021 via [COVID-19: Child Nutrition Response #80 Nationwide Waiver to Allow Area Eligibility for Closed Enrolled Sites for Summer 2021 Operations – EXTENSION 3](#)

Sponsors and Sites Eligible Under the Waiver

School-Based Sites in Counties Where Businesses Have Been Closed Due to COVID-19

Child Nutrition Programs will allow any existing Child Nutrition Program sponsor or new sponsor to become a Summer Food Service Program (SFSP) sponsor if their site is located at a school.

Child Nutrition Programs will allow new open or closed-enrolled sites located at any school, public or independent, which is located in a county where businesses have been ordered to close, significantly alter business operations, or cease in-person operations for at least one week during the duration of the COVID-19 pandemic, beginning mid-March 2020 and continuing through the remainder of Program Year 2020-2021. Therefore, as of Friday, March 20, 2020 (effective date of waiver) any Vermont school may operate as an open or closed-enrolled site. Further, any of these sites may conduct in-person, grab 'n go and household or bus stop distribution out of these sites to reach any child age 18 and under for open sites, and any enrolled child for closed-enrolled sites.

Vermont Executive Orders and Emergency Declarations:

- On March 13, 2020 Governor Scott declared a State of Emergency.
- On March 15, 2020 Governor Scott ordered the dismissal of all schools no later than March 18, 2020.
- On March 16, 2020 Governor Scott issued Addendum 2 to executive Order 01-20, which ordered that bars and restaurants in all regions of the state should not permit on-premises consumption of food or drink, effective from March 17, 2020 until April 6, 2020.
- On March 21, 2020 Governor Scott announced the closure of close-contact business and further restricts the size of mass gatherings to 10 or less.

- On March 24, 2020 Governor Scott issued a “Stay at Home, Stay Safe Order”, directing additional business closures.
- On March 26, 2020 Governor Scott ordered schools dismissed for the remainder of the 2019-2020 School Year.
- On March 30, 2020 Governor Scott issued an order on travel and lodging restrictions to ensure compliance with “Stay Home, Stay Safe” Order.
- On April 7, 2020 Governor Scott submitted a request for federal disaster declaration and this was approved on April 8, 2020.
- On April 10, 2020 Governor Scott extended the State of Emergency until May 15, 2020.
- On May 15, 2020 Governor Scott extended the State of Emergency until June 15, 2020.
- On June 15, 2020 Governor Scott extended the State of Emergency until July 15, 2020.
- On July 15, 2020 Governor Scott extended the State of Emergency until August 15, 2020.
- On July 31, 2020 Governor Scott signed an Executive Order setting September 8, 2020 as Universal School Opening Date.
- On August 14, 2020 Governor Scott extended the State of Emergency until September 15, 2020.
- On September 11, 2020 Governor Scott extended the State of Emergency until October 15, 2020.
- On October 15, 2020 Governor Scott extended the State of Emergency until November 15, 2020.
- On November, 2020 Governor Scott extended the State of Emergency until December 15, 2020.
- On December 15, 2020 Governor Scott extended the State of Emergency until January 15, 2021.
- On January 15, 2021 Governor Scott extended the State of Emergency until February 15, 2021.
- On February 15, 2021 Governor Scott extended the State of Emergency until March 15, 2021.
- On March 16, 2021 Governor Scott extended the State of Emergency until April 15, 2021.
- On April 15, 2021 Governor Scott extended the State of Emergency until May 15, 2021.
- On May 19, 2021 Governor Scott extended the State of Emergency until June 15, 2021.

Non School-Based Sites Operated by Existing Sponsors

Child Nutrition Programs may allow existing child nutrition sponsors to use this waiver to add additional sites that are not located at schools. To use this waiver for these sites, the sponsor must email Child Nutrition Programs describing why the new site is well-located to serve children who are in need as a result of COVID-19. An existing child nutrition sponsor is any sponsor who has operated any of the child nutrition programs in the last 2 program years.

How to Use the Waiver

Site Applications

A program agreement, organization application (exceptions outlined in [COVID-19: Child Nutrition Response #69: Nationwide Waiver to Allow Reimbursement for Meals Served Prior to Notification of Approval and Provide Flexibility for Pre-Approval Visits in the Summer Food](#)

[Service Program- EXTENSION](#)), and site application (exceptions outlined in “Summer Food Service Program (SFSP) Application Packet Approval and Allowable Changes Procedure”) must be approved and on file with Child Nutrition Programs before reimbursable meals may be served at the new site. Other than as outlined in this document, meals served before the site application has been initially approved are not eligible to be claimed for reimbursement through the SFSP or SSO.

Program Year 2019-2020 Operation

Sites that Started After March 20, 2020

Previously non-area eligible sites, located at schools, who began operations on March 20, 2020 or later may update their site application to be an open site by making the changes described in [Application Changes](#), below. All meals served to children age 18 and under may be claimed.

Sites that Started Prior to March 20, 2020

Previously non-area eligible sites who began operations prior to March 20, 2020 have several options:

- If 50% or more of the children served prior to March 20th were free and reduced-price status children, the sponsor may update their site application to make the site an open site by making the changes described in [Application Changes](#), below. The site must maintain the documentation showing that more than 50% of the children served prior to March 20th were free and reduced-price status children. In this case, the site type prior to March 20th would technically be “Closed Enrolled in a Non-Needy Area”, however, the CNP Web System is not capable of showing different site types for different dates on the same site application, and the reimbursement is the same for both site types.

Sites electing this choice will be required to submit meal count and eligibility documentation to the State Agency to prove 50% of the children served were free and reduced-price status children. Upon re-approving the application packet, a member of the Child Nutrition Programs team will send a secure email to the sponsor administrator indicated in the organization application. This email will request the consolidated counts for meals served up until March 20, with a benefit issuance list indicating each student’s status. If the benefit issuance list is coded, please include the key, e.g. 1 = free, 2 =reduced, 3= paid. If siblings were served, please indicate on the list which names belong to each household. If this information is not submitted by April 15, the State agency may require that the start date of the site be changed to March 20, and not allow meals served prior to March 20, to be claimed.

- If fewer than 50% of the children served prior to March 20 were free and reduced-price status children, the sponsor should change the end date on their first site application (non-residential camp site type) to March 19, 2020, and submit a new site application for an open site with March 20 as the start date. Follow the instructions in [Application Changes](#), below to complete the new site application. Please name this new site the same

name as the original site with “-Open” added at the end (i.e. “Hometown Middle School – Open”). The system will issue a warning message that “Breakfast start date cannot be in the past” and “Lunch start date cannot be in the past”. These are only “warnings”, not “errors,” and will not prevent the sponsor from saving or submitting.

Code	Warning Description
203312	Breakfast start date cannot be in the past.
203372	Lunch start date cannot be in the past.

Meals served prior to March 20 would be claimed under the non-residential camp site and based on student status. All meals served to children, age 18 and under, on March 20 and later would be claimed under the new open site.

- If fewer than 50% of the children served prior to March 20 were free and reduced-price status children and the sponsor does not want to enter a new site application, they can change the site type of the application to “open” by following the instructions in [Application Changes](#), below, and change the start date of the original site application to March 20. If the sponsor chooses not to make a new site application, they may not claim federal reimbursement for any meals served prior to March 20. In this case, other non-federal funds would need to be found to cover the cost of the meals served prior to March 20.

Application Changes

Changing Site Type to “Open”

- In question 28, select “Open” as the Site Type.
- In question 29:
 - Eligibility Method, please select “School Data”.
 - For School District, please enter your SU or SD name.
 - For School Name, please enter the school name.
 - For Percentage of Enrollment Eligible for Free and Reduced-price Meals, please enter your school’s current Free and Reduced percentage, which can be found in the [Free and Reduced Report](#) on our Child Nutrition Programs webpage.
- You will receive a warning message that “The school’s free and reduced percentage must be greater than or equal to 50%”. This is only a “warning”, not an “error,” and will not prevent you from saving or submitting.

Code	Warning Description
203218	The school’s free and reduced percentage must be greater than or equal to 50%.

End Dates

While you are revising your application packet, we also recommend you adjust your end date for all sites to be June 30, 2020. Revisions can be made at any point, so you may revise your site applications again in the future should a different end date be necessary.

Program Year 2020-2021 Operation

Open vs. Closed-Enrolled

- In question 28, select “Open” or “Closed-Enrolled in a Needy Area”.

o Open sites can serve meals at no cost to all children, 18 and under. Schools following a hybrid model of in-person and remote instruction, and offering non-congregate meals, either in a grab and go and/or delivery style, are encouraged to consider operating as an open site in order to serve meals to all children in the community, such as siblings and homeschooled students, not just those children enrolled in the school.

o Closed-Enrolled sites serve meals at no cost to a set population of children. Schools providing 100% in-person instruction may only want to serve children enrolled in the school, in which an “Closed-Enrolled in a Needy Area” site would be operated. In this case, meals would not be available from that site for younger siblings, homeschooled children, or children who normally attend schools that are further away.

In question 29, the Eligibility Method will be “School Data”, unless otherwise instructed by Child Nutrition Programs staff to use “Census Data”.

If the site qualifies through School Data:

Eligibility Method: “School Data”.

For School District: please enter the SU or SD name.

For School Name: please enter the school name.

For Percentage of Enrollment Eligible for Free and Reduced-price Meals: please enter the school’s official 2019-2020 Free and Reduced percentage, which can be found in the Free and Reduced Report on our Child Nutrition Programs webpage, unless the school hit 50% in any month from November 2019 to June 2020.

For Program Year of School Data: select 2019-2020 from the drop-down menu.

Schools under 50% free and reduced, will receive a warning message that “The school’s free and reduced percentage must be greater than or equal to 50%”. This is only a “warning”, not an “error” and will not prevent you from saving and submitting.

Code	Warning Description
203218	The school's free and reduced percentage must be greater than or equal to 50%.

If the site qualifies through Census Data:

Eligibility Method: “Census Data”.

For Block Number: please the 12-digit Block Group number on the screenshot.

For Group Number: please enter the 11-digit Census Tract number on the screenshot.

Percentage of Needy Children: please enter the SFSP: Percent 0-18-year-olds eligible. If that number is not 50% or above, please enter the number listed for CACFP: Percent 0-12-year-olds eligible. Child Nutrition Programs will provide a copy of the screenshot of the FRAC Summer Food Mapper or USDA Area Eligibility Mapper to upload to the “Checklist Summary” section for the site.

End Dates

Sponsors had previously been instructed to extend their end dates of operation in the Site Applications in their 2021 SFSP Application Packet to June 30, 2021, or the last day

of planned operation, whichever is sooner. Now sponsors have been instructed to update their sites in a few different ways:

- For sites that are not going to continue to operate after the end of the school year, sponsors can update the end date in the Site Application to match the last day of school any time before that date .
- For sites that are going to continue to operate in the summer, changes to the Site Application include updating the end date of operation and any other necessary information, such as contact information, times of meal service, and details about non-congregate meals in question 43.
 - o For sites that are going to continue to operate in the summer with no break between the end of the school year and beginning of summer operation, sponsors are instructed to wait until the last week of school to make these updates to the Site Application.
 - o For sites that are going to continue to operate in the summer with a pause between the end of the school year and the beginning of summer operation, sponsors are instructed to make updates to the Site Application during the break period.
- If sponsors have any new sites that are going to start in the summer, those Site Applications can be added at any time.

Child Nutrition Programs Tracking

Child Nutrition Programs staff will maintain a list of all non-area eligible sites participating in the program. In the Internal Use Only section of the Site Application Child Nutrition Programs staff will also notate the particular reason the site is allowed operate, including whether it started before or after March 20th, if it is open or closed-enrolled, and a school or non-school site.

This institution is an equal opportunity provider.