

MEMO

TO Sponsors of the Child Nutrition Program

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

DATE July 1, 2024

RE USDA Waiver Requests for 2024-25 School Year: Non-Congregate Meals During Emergency School Closures

MESSAGE:

The Pennsylvania Department of Education (PDE), Division of Food and Nutrition (DFN), has requested a waiver from the following regulations for the 2023-24 school year to facilitate the continuation of meal service in the event of emergency school closures.

Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) Unanticipated School Closures (To be used when school's buildings are closed **with no virtual learning**). The requested waivers in this section apply to SFSP and SSO during unanticipated school closures, when school buildings are closed, and virtual classes are not offered. These waivers would be effective through June 30, 2025.

- Non-Congregate Meal Service during Unanticipated School Closures (SFSP/SSO): 42 U.S.C. 1753(b)(1)(A), 42 U.S.C. 1761(a)(1)(D), and 7 CFR 225.6(i)(15).
- Parent and Guardian Meal Pick-Up (SFSP/SSO): 42 U.S.C. 1761(f)(3) and 7 CFR 210.10(a), 220.2 (Breakfast), 220.8(a), 225.2 (Meals), and 225.9(d)(7).
- Meal Service Times for Unanticipated School Closures (SFSP/SSO): 7CFR 210.10(l), 7 CFR 220.8(l), 7 CFR 225.16(c)(1), (2), and (3).
- Service of Meals at School Sites for Unanticipated School Closures (SFSP/SSO): 42 U.S.C. 1766(r)(2)(B) and 7 CFR 226.17a(b)(1)(ii) and (iii).

National School Lunch Program (NSLP) and School Breakfast Program (SBP) (To be used when school buildings are closed **with virtual learning**). The waivers in this section are intended to provide needed flexibility to support school food authorities (SFAs) in continuing to offer nutritious meals when school buildings are closed, and virtual classes are being offered. These waivers would be effective through June 30, 2025.

- Non-Congregate Meal Service (NSLP and SBP): NSLA, 42 U.S.C. 1753(b)(1)(A) and Child Nutrition Act, 42 U.S.C. 1773(b)(1)(A).
- Meal Service Times (NSLP and SBP): 7 CFR 210.10(l) and 220.8(l).
- Parent/Guardian Meal Pickup (NSLP and SBP): 7 CFR 210.10(a), 220.2 (Breakfast), and 220.8(a).

- Offer Versus Serve (NSLP and SBP): 42 U.S.C. 1758(a)(3) and 7 CFR 210.10(e).

Child and Adult Care Food Program (CACFP): The waivers in this section apply to the at-risk afterschool component of CACFP only. These waivers are intended to provide needed flexibility to support at-risk afterschool centers in continuing to offer nutritious meals during unanticipated school closures. These waivers are effective through June 30, 2025.

- Non-Congregate Meal Service (CACFP): NSLA, 42 U.S.C. 1766(f)(1)(A).
- Meal Service Times (CACFP): 7 CFR 226.17a(m).
- Parent/Guardian Meal Pickup (CACFP): NSLA, 42 U.S.C. 1766(f)(1)(A) and 7 CFR 226.2 (Meals).
- Enrichment Activity (CACFP): NSLA, 42 U.S.C. 1766(r)(2)(B) and 7 CFR 226.17a(b)(1)(ii) and (iii).

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 Vonda Ramp at vramp@pa.gov.