March 28, 2020

Ms. Shannon Yearwood  
Connecticut State Department of Education  
Bureau of Health/Nutrition, Family Services and Adult Education  
450 Columbus Blvd., Suite 504  
Hartford, Connecticut 06130-1841

Dear Ms. Yearwood,

This letter is in response to the Connecticut State Department of Education’s (CSDE) waiver request to maintain children’s access to meals during the novel coronavirus (COVID-19) pandemic, submitted March 24, 2020. CSDE 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, CSDE 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, CSDE requests to waive the area eligibility requirement to allow any approved sponsor in good standing to provide meals to children at any approved meal distribution location.

In its request, CSDE asserts that Connecticut families are facing numerous challenges related to the pandemic, including a lack of reliable transportation to access their normal meal sites. CSDE states that this waiver will allow children to receive much needed meals during the school closures, while streamlining administrative requirements for sponsors. To maintain children’s access to meals, and to support families experiencing financial hardship, CSDE requests to waive the definition of “Areas in which poor economic conditions exist” at section 13(a)(1)(A) of the Richard B. Russell National School Lunch Act (NSLA).

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 24, 2020, this waiver allows SFSP and SSO sponsors in good standing to operate open sites in areas approved by CSDE 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 as referenced in 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, CSDE 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 eligibly 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 CSDE’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 Northeast Regional Office.

Sincerely,

Angela Kline
Director
Policy and Program Development Division

cc: Martine Cherry, NERO