March 30, 2020

Sharlene Wong, SNS
Program Administrator
Hawaii Child Nutrition Programs
Hawaii Department of Education
650 Iwilei Road, Suite 270
Honolulu, Hawaii 96817

Dear Ms. Wong:

This letter is in response to the Hawaii Department of Education Child Nutrition Program’s (HCNP) waiver request to maintain children’s access to meals during the novel coronavirus (COVID-19) pandemic, submitted March 27, 2020. HCNP 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, HCNP 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, HCNP requests permission to, on a case-by-case basis, review and approve sponsors of SFSP and SSO sites that do not meet area eligibility requirements to serve meals to children in adversely impacted areas.

In its request, HCNP asserts that decreases in tourism in the state have led to increases in unemployment and adverse economic impact across the State. HCNP maintains that permitting non-area eligible sites to operate will allow children in families experiencing adverse economic impact due to COVID-19 to remain fed. HCNP 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, HCNP requests to waive the requirement at 7 CFR 225.14(c)(3).

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 27, 2020, this waiver allows SFSP and SSO sponsors in good standing to operate open sites in areas approved by HCNP and consistent with the State plan, but that are not located in areas in which poor economic conditions exist as

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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. While HCNP requests this waiver
through March 31, 2021, FNS limited the duration of the waiver to assess its impact and
the need for continued flexibility. 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, HCNP must submit a report to the Secretary no 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 HCNP’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 Western Regional Office.

Sincerely,

Angela M. Kline
Director
Policy and Program Development Division

Electronic Copy: GeNam Chew, WRO