



Food and
Nutrition
Service

Braddock
Metro
Center

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Braddock
Place
Alexandria
VA 22314

March 29, 2020

Stephen Carey
Child Nutrition Programs Coordinator
Office of Statewide Efficiencies
Rhode Island Department of Education
255 Westminster Street
Providence, Rhode Island 02903

Dear Mr. Carey,

This letter is in response to the Rhode Island Department of Education's (RIDE) waiver request to maintain children's access to meals during the novel coronavirus (COVID-19) pandemic, submitted March 24, 2020. RIDE requests a waiver of the restrictions on site eligibility requirements in the Summer Food Service Program (SFSP). Specifically, RIDE 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, RIDE requests to provide meals to all children impacted by COVID-19 related school closures.

In its request, RIDE asserts that since the influx of school closures, many children are unable to receive meals because they live in communities where transportation is an issue or area eligible sites do not exist. RIDE states that this waiver will maintain children's access to the SFSP meal service during school closures related to the pandemic. To maintain children's access to meals, and to support families experiencing financial hardship, RIDE requests to waive the requirement at 7 CFR 225.6(c)(2)(G), which requires open sites to submit documentation to prove that they are located in an area where at least 50 percent of children have been determined eligible for free or reduced price meals.

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 sponsors in good standing to operate open sites in areas approved by RIDE and consistent with the State plan, but that are not located in "*Areas in which poor economic conditions exist*" as defined at section 13(a)(1)(A) of the Richard B. Russell National School Lunch Act

Mr. Stephen Carey

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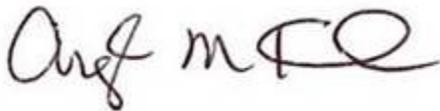
(NSLA) and as referenced in regulation at 7 CFR 225.2, 225.6(c)(2)(i)(G), 225.6(c)(3)(i)(B), 225.6(d)(1)(i), 225.14(c)(3), and 225.16(b)(4). This waiver remains in effect until June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier. FNS recognizes that 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, RIDE 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 RIDE'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,

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: Jan Kiallo, NERO