



COMMUNITY NUTRITION *conference*

TDA Statewide SFSP Waiver Requests

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Background

OIG Audit of USDA Controls Over SFSP



March 2018 – OIG released Audit Report “FNS Controls Over Summer Food Service Program” (27601-0004-41)

Audit Report contained three findings and six recommendations for improving controls over SFSP.

Finding 2: USDA Needs to Strengthen Its Waiver Process

- ✓ 1. Obtain formal written legal opinion
- ✓ 2. Review all policy memos that waived SFSP regulatory requirements nationwide to ensure SFSP policy direction aligns with and reflects current SFSP regulations.
- 3. Identify waivers that should be formally incorporated into SFSP regulations.





RESCINDED NATIONWIDE WAIVERS

USDA rescinded the following nationwide waivers:

Reimbursements Prior to Application Approval

Categorical Eligibility for Workforce Investment Act

- ✓ First Week Site Visits
- ✓ Time Restrictions for Meal Service
- ✓ Area Eligibility for Closed Enrolled Sites

Offer Versus Serve (OVS)



STATEWIDE WAIVER REQUESTS

TDA requested statewide waivers from USDA for the following:

- ✓ First Week Site Visits
- ✓ Time Restrictions for Meal Service
- ✓ Area Eligibility for Closed Enrolled Sites

TDA did NOT request a statewide waiver for OVS

A CE that is a School Food Authority MAY use OVS in SFSP for Summer 2019

01

First Week Site Visit



First Week Site Visit

7 CFR 225.15(d)(2)

TDA requested statewide waivers related to the first week site visit requirement.

- The requirement that contracting entities must visit each of their sites at least once during the first week of operation for:
 - (1) returning sites that operated successfully during the previous summer (or other most recent period of operation) and had no serious deficiency findings, and
 - (2) SFSP sponsors in good standing in CACFP and NSLP.
- The requirement that contracting entities must visit each of their sites at least once during the first week of operation for those sites operating one week or less.



02

Time Restrictions for Meal Service



Time Restrictions for Meal Service

7 CFR 225.16(c)(1)&(2)

TDA requested statewide waivers related to the times restrictions for meal service.

- The requirement that three hours must elapse between the beginning of one meal service, including snacks, and the beginning of another, except that 4 hours must elapse between the service of a lunch and supper when no snack is served between lunch and supper.
- The requirement that the duration of the meal service shall be limited to two hours for lunch or supper and one hour for all other meals.





TIME RESTRICTIONS FOR MEAL SERVICE: EXAMPLES

Example 1:

Breakfast: 8:00 – 9:00 a.m. (1 hour)

- 3 hours must elapse between start of breakfast and start of lunch

Lunch: 11:00a.m. – 1:00p.m. (2 hours)

Example 2:

Breakfast: 7:00 – 8:00 a.m. (1 hour)

Snack: 10:00 – 11:00a.m. (1 hour)

Example 3:

(Camps and Migrant Sites Only)

Snack: 9:30 – 10:30 a.m. (1 hour)

- 3 hours must elapse between start of snack and start of lunch

Lunch: 12:30 – 2:30p.m. (2 hours)

- 4 hours must elapse between start of lunch and start of supper when no snack

Supper: 4:30 – 6:30p.m. (2 hours)

Example 4:

Lunch: 11:00 a.m. - 1:00p.m. (2 hours)

Snack: 2:00– 3:00p.m. (1 hour)

03

Area Eligibility
for Closed
Enrolled Sites



Eligibility for Closed Enrolled Sites

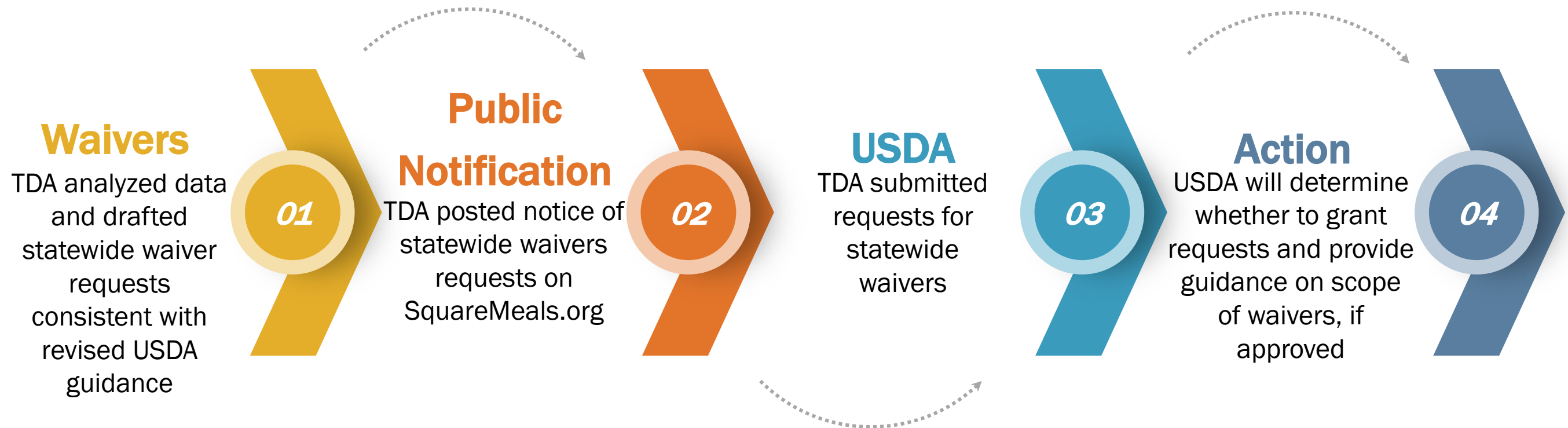
7 CFR 225.15(f)(1)

TDA requested statewide waivers related to the eligibility for closed enrolled sites.

- The requirement that closed enrolled sites determine eligibility based on documentation that at least half of the enrolled children at each site are eligible for free or reduced priced meals.



Waiver Request Process



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