

Summer Food Service Program Summer 2026 Child Nutrition Program 12(l) Waiver Request

Public Notification-Summer Break Café (South Carolina’s Summer Food Service Program) and Seamless Summer Options – The South Carolina Department of Education (SCDE) announced today that it will request statewide waivers from the Food and Nutrition Service of the US Department of Agriculture (USDA) of statutory and regulatory requirements in the Summer Food Service (SFSP) and Seamless Summer Options (SSO), in accordance with federal guidance for 2026 summer operations. The USDA provided states with an optional form designed to streamline the process for State agencies requesting a waiver of statutory or regulatory requirements for the SFSP (Summer Break Café) and (SSO) for 2026 summer operations

(May 1, 2026-September 30, 2026). The form does not allow States to modify their request to waive additional regulations for the designated waiver types or to submit other types of waivers.

SFSP and SSO operators may not use this form to submit waivers for their own operation. Operators that wish to apply for a waiver separately from a statewide waiver must contact the State agency to provide them with the necessary information to complete the waiver request on their behalf, also including the required elements in SP 15-2018, CACFP 12-2018, SFSP 05- 2018, Child Nutrition Program Waiver Request Guidance and Protocol - Revised, May 24, 2018.

The waivers are related to the following:

- Waivers Related to Excessive Heat -SFSP and SSO sponsors in good standing operate approved outdoor meal sites without temperature-controlled alternative sites as non-congregate sites on days when area is experiencing excessive heat when National Weather Service (NWS) has issued a Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch. This waiver will allow flexibility with meal service time and for parents or guardians to pick up meals.
- Waivers Related to Air Quality Advisory-SFSP and SSO sponsors in good standing to operate approved outdoor meal sites without temperature-controlled alternative sites as non-congregate sites on days when area is experiencing an Air Quality Index (AQI) that reaches “purple” flag level or higher as indicated at <https://www.airnow.gov/>. This waiver will allow flexibility with meal service time and for parents or guardians to pick up meals.
- Waiver 3-Offer Versus Serve-This allows SFSP sponsors that are non-School Food Authorities to use SFSP offer versus serve meal service parameters on a case-by case basis. This is a type of USDA approved meal pattern that requires sponsors to offer certain components and allows children to choose.

The State Agency will provide notice to all sponsors via email once the USDA decision regarding approval of these waivers. Summer Food Service Program sponsors do not need to request individual waivers to USDA.

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