

WAIVER REQUEST: *Families First Coronavirus Response Act (FFCRA) Opt-In Waiver for School Year 2020- 2021 National School Lunch Program USDA Foods Entitlement.*

Request Submission Date: August 19, 2020

- 1. State Agency: South Carolina** Department of Education

Contact Information: Mr. Ron Jones

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- 2. Region:** Southeast Regional Office (SERO)
- 3. Eligible Service Providers:** South Carolina School Food Authorities participating in the National School Lunch Program will participate in this said waiver. All are in good standing.
- 4. Description of Challenge:** The South Carolina Department of Education, School Nutrition Program: Due to widespread school closures resulting from COVID-19, there is a potential that reimbursable lunch counts will be reduced in South Carolina. These reductions may result in decreases to the USDA Foods entitlement available to some SDAs for SY 2020-2021, which could lead to less USDA Foods provided in school meals.
- 5. Specific Program Requirements:**

Section 2202(a) of the FFCRA permits the Secretary of Agriculture to establish a nationwide opt-in waiver for the purposes of providing meals under the child nutrition programs as determined by the Secretary.
- 6. Detailed Description of Alternative Procedures/Anticipated Impact:**

Due to widespread school closures resulting from COVID-19, there is a potential that reimbursable lunch counts will be reduced in South Carolina. These reductions may result in decreases to the USDA Foods entitlement available to some SDAs for SY 2020-2021, which could lead to less USDA Foods provided in school meals.
- 7. Description of any steps the State has taken to address regulatory barriers at the State level:** SCDE OHN does not anticipate any barriers at the State level upon approval of the said waiver request.

- 8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** SCDE OHN does not anticipate any barriers at the State level or eligible service provider level upon approval of the said waiver request.
- 9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government:** South Carolina does not anticipate the entitlement amount to exceed for the previous school year's total.

10. Anticipated waiver implementation date and time-period:

Requested Waiver Timeframe:

Waiver Request Start Date: July 1, 2020

Waiver Request End Date: June 30, 2021

11. Proposed monitoring and review procedures:

Section 6(c) of the Richard B. Russell National School Lunch Act (NSLA), 42 USC 1755(c), establishes that the amount of USDA Foods entitlement available to a State each school year for the National School Lunch Program (NSLP) is determined by multiplying the number of lunches served in that State in the preceding school year by the per meal rate established by Section 6(c)(1)(A) & (B). Additionally, consistent with Section 6(c), after the end of each school year, the preceding year's lunches are reconciled with actual lunches served and the subsequent year's entitlement is adjusted up or down accordingly.

- 12. Proposed reporting requirements to FNS:** All FNS required reports will be submitted in a timely manner as governed by USDA requirements. SCDE OHN will also provide any and all additional reporting requirements that might be needed as a result of approval of said waiver.

13. Link to or a copy of the public notice informing the public about the proposed waiver:

A copy of the public notice can be found on the SCDE OHN website at:

<http://ed.sc.gov>

14. Signature and title of requesting official:

Mr. Ron Jones

State Director, Office of Health and Nutrition

South Carolina Department of Education

Requesting official's email address for transmission of response: rfjones@ed.sc.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State Agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office: Check this box to confirm that the State Agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations: