



Food and
Nutrition
Service

March 12, 2020

Braddock
Metro
Center

Sandy Dawes
State Director of School Nutrition
Tennessee Department of Education
710 James Robertson Parkway
Nashville, Tennessee 37243

1320
Braddock
Place
Alexandria
VA 22314

Dear Ms. Dawes:

This letter is in response to the Tennessee Department of Education's (TN DOE) March 11, 2020, request to waive the requirement that, during unanticipated school closures, Summer Food Service Program (SFSP) and National School Lunch Program Seamless Summer Option (SSO) meals must be served in a congregate setting. Specifically, TN DOE requested a waiver of the requirement found at 7 CFR 225.6(e)(15), that sponsors must maintain children on site while meals are consumed due to the novel coronavirus. This waiver would be used in conjunction with a statewide waiver, approved by the Food and Nutrition Service (FNS) on March 12, 2020, of the SFSP requirements at 7 CFR 225.6(d)(1)(iv), which allows the State to approve the operation of SFSP and SSO meal service at school sites during unanticipated school closures. In addition, TN DOE requested a waiver of meal service time requirements in order to allow the State to provide multiple meals or snacks at one time to eligible children.

Based on the exceptional circumstances relating to the declaration of a public health emergency due to the novel coronavirus by the U.S. Department of Health and Human Services, effective January 27, 2020, and pursuant to the waiver authority granted at section 12(l) of the National School Lunch Act (NSLA), FNS approves TN DOE's waiver request for non-congregate meal service through June 30, 2020, or upon expiration of the federally declared public health emergency, whichever is earlier. FNS will address TN DOE's request of a waiver of meal service times separately.

Effective immediately, this waiver allows State agencies to approve SFSP and SSO sponsors, in good standing, to provide meals during an unanticipated school closure due to the novel coronavirus in a non-congregate setting. This will enable approved sponsors to allow meals to be taken away from the site and consumed elsewhere, thereby allowing for social distancing.

The waiver authority at section 12(l) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver. Therefore, TN DOE must provide to the FNS Southeast Regional Office, by a date to be determined, a written report quantifying the impact of the waiver, as described below. If a federally declared public health emergency relating to the novel coronavirus continues beyond June 30, 2020, TN DOE may submit an extension request. Please note that

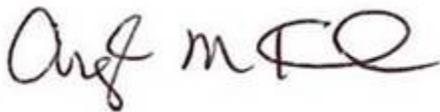
approval of any extension is contingent on TN DOE's ability to provide complete data and an analysis of the waiver impact.

The report must include the following:

- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in SFSP and SSO;
- The number of sponsors and sites that used the waiver;
- The number of meals provided at school sites during unanticipated school closures;
- The number of meals provided at non-school sites during unanticipated school closures; and
- A summary of findings associated with the waiver

FNS appreciates TN DOE's commitment to work with sponsors to meet the nutritional needs of children during a challenging time. If you have questions, please contact the Southeast 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: Rosie Daugherty, SERO