



Food and  
Nutrition  
Service

March 13, 2020

Braddock  
Metro Center

Julie Sutton  
Indiana Department of Education  
Office of School and Community Nutrition  
115 W Washington Street  
South Tower, Suite 600  
Indianapolis, Indiana 46204

1320  
Braddock  
Place  
Alexandria  
VA 22314

Dear Ms. Sutton:

This letter is in response to the Indiana Department of Education's (INDOE) March 10, 2020, request to waive the requirements 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, INDOE 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, previously approved by the Food and Nutrition Service (FNS) on January 17, 2020, of the SFSP requirements at 7 CFR 225.6(d)(1)(iv), which allow the State to approve the operation of SFSP and SSO meal service at school sites during unanticipated school closures.

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 NSLA, the Food and Nutrition Service (FNS) approves INDOE's waiver request through June 30, 2020, or upon expiration of the federally declared public health emergency, whichever is earlier.

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. Please note that additional information will be provided soon regarding the mechanisms that may be used to provide non-congregate meals.

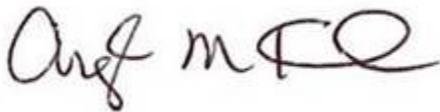
The waiver authority at section 12(l) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver. Therefore, INDOE must provide to the FNS Midwest Regional Office, by a date to be determined, a written report quantifying the impact of the waiver, as described below. If a federally declared public health emergency relating to the novel coronavirus continues beyond June 30, 2020, INDOE may submit an extension request. Please note that approval of any extension is contingent on INDOE'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 INDOE's commitment to work with sponsors to meet the nutritional needs of children during a challenging time. If you have questions, please contact the Midwest 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: Samia Hamdan, MWRO