



Food and
Nutrition
Service

February 28, 2019

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Sonja Adams
Director of Provider Services, Nutrition Services
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive, SE
Suite 754, East Tower
Atlanta, Georgia 30334

Dear Ms. Adams:

This letter is in response to the Georgia Department of Early Care and Learning's (DECAL) December 31, 2018, request to waive meal service time restrictions for sponsors in the Summer Food Service Program (SFSP). DECAL requested a statewide waiver of SFSP requirements under 7 C.F.R. 225.16(c)(1) and (c)(2) to provide flexibility for SFSP sponsors to tailor meal times in a way that promotes access within the individual local communities. Pursuant to section 12(l) of the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1760(l)), FNS approves DECAL's waiver request through April 30, 2020.

DECAL requested a statewide waiver to continue to provide flexibilities, previously approved in an FNS nationwide waiver that has been rescinded, to sponsors for the next three to five years, effective from the beginning of program year 2019. This waiver would allow sponsors to schedule meal service times that align with community needs and access to transportation. DECAL asserts that less restrictive meal times help sponsors and sites continue to operate the program, thereby preserving access for children and at-risk youth in Georgia. Without this waiver, DECAL would require updates to software systems in order to comply with the regulatory requirements for meal time restrictions, which would increase the cost of SFSP administration.

FNS approves DECAL's request to waive meal service time restrictions for SFSP sponsors; this waiver is effective immediately and valid through April 30, 2020. While DECAL requested this waiver for a period of three to five years, FNS limited the duration of the waiver to assess its impact on program year 2019 and the State's ability to report required data elements outlined below. This waiver is applicable to regulations at:

- 7 C.F.R. 225.16(c)(1), which places Federal limits on the amount of time that must elapse between the end of one meal and the beginning of the next, and
- 7 C.F.R. 225.16(c)(2), which places Federal limits on the duration of a meal service.

Sponsors are still required to comply with application requirements at 7 C.F.R. 225.6(c)(2)(i)(B) and (c)(3)(i)(A) to establish meal service times for each site. Additionally, DECAL must ensure compliance with program monitoring and review procedures at 7 C.F.R. 225.7(d)(2) and (d)(3).

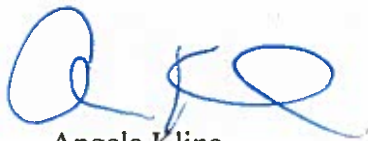
The waiver authority at section 12(l) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver. Therefore, by December 31, 2019, DECAL must provide to the FNS Southeast Regional Office a written report quantifying the impact of the waiver as described below. **Please note that any requests for renewal of this waiver are contingent on DECAL's ability to provide complete data and an analysis of the waiver impact. Failure to provide the requested data may result in the automatic denial of a waiver request for the next program year.**

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;
- A description of how the waiver reduced the quantity of paperwork necessary to administer the program;
- The number of sponsors and sites that used the waiver;
- The number of meals that were served at sites that waived Federal meal time restrictions; and
- A summary of findings associated with the waiver of meal service restriction times.

FNS appreciates DECAL's commitment to work with sponsors to find efficiencies that balance the needs of local communities with cost-effective program management and integrity. If you have questions, please contact the Southeast Regional Office.

Sincerely,



Angela Kline
Director
Policy and Program Development Division

Electronic Copies: Rosie Daugherty, SERO
Tamika Boone, DECAL
Kate Alexander, DECAL