

MEMORANDUM

To: School Nutrition Program Authorized Representatives, Business Managers, and Food Service Directors
Child and Adult Nutrition Program Contacts
Summer Food Service Program Contacts

From: Cheriee Watterson, Division of Child and Adult Nutrition Services

Date: July 8, 2022

RE: Keep Kids Fed Act and New USDA Nationwide Waivers for Summer 2022 Operations and SY2022-23

Congress passes Keep Kids Fed Act of 2022. The U.S. Congress has passed the Keep Kids Fed Act (KKFA) of 2022, [public law 117-58](#), a bill to support U.S. Department of Agriculture (USDA) Child Nutrition Programs when federal pandemic waivers expire on June 30. Among its key provisions, the act includes an increase in federal reimbursements for every school lunch (by 40 cents), every school breakfast (by 15 cents), and every CACFP meal and snack (by 10 cents) above the annual inflationary adjustment of 7.4% that is scheduled to take effect July 1. Additionally, an allowance for CACFP Tier II family day care homes to receive the Tier I reimbursement rate is included. USDA was granted limited waiver authority that allows summer flexibilities and SY 2022-23 waiver flexibilities. KKFA does not allow the USDA authority to continue universal free meals in SY 2022-23.

Additional Supply Chain Assistance Funding for National School Lunch Program (NSLP) Operators. The USDA announced \$943 million dollars for distribution to eligible schools across the country in a second round of Supply Chain Assistance funding. Schools currently operating the NSLP will be able to accept this funding to purchase domestically grown, minimally or unprocessed foods for their meal programs. This assistance adds to the \$1 billion in Supply Chain Assistance funds that USDA previously allocated last school year. A press release from the USDA can be found on the USDA website under [What's New](#). We expect the USDA to issue guidance to CANS with more information in the next several weeks.

USDA Nationwide Waivers. The USDA issued seven nationwide waivers under the KKFA authority with more waivers coming soon. A summary of each waiver can be found in the attached table. Eligible child nutrition program operators must apply to CANS to use each waiver flexibility. Copies of the USDA waivers are posted on the [DOE CANS website](#) under *USDA Waivers, Guidance, and Information – July 1, 2022-June 30, 2023*. The waiver applications will be collected in a Microsoft (MS) Form that will be posted in the same area soon, please contact CANS if you would like more information. CANS will announce a webinar to dig into waiver flexibilities and the application process soon.

Please direct questions to CANS at DOE.SchoolLunch@state.sd.us or (605) 773-3413.

USDA Waiver Flexibility Attachment (Updated 7/7/2022)

Waiver #	Nationwide Waiver Title	Programs Impacted	Waiver Expiration	Summary of Waiver Impact	Information on How Sponsor Agency Can Opt into Waiver Flexibility
107	Extend Area Eligibility Waivers for Summer 2022	Seamless Summer Option, Summer Food Service Program	09/30/2022	Waives the high need “area eligibility” requirement for sponsors in good standing and allows sites to operate as open feeding site to any child ages 0-18 years old. Any current School Food Authority or sponsor agency can apply to use this waiver.	Complete Summer 2022 MS Form* Update iCAN SNP SSO or SFSP application with any new or adjusted site information.
108	Allow Area Eligibility for Closed Enrolled Sites for Summer 2022	Seamless Summer Option, Summer Food Service Program	09/30/2022	Waives the requirement for closed enrolled SFSP sites to collect applications. Allows meals to be claimed at the free meal reimbursement rate.	Complete Summer 2022 MS Form* Update iCAN SNP SSO or SFSP application with any new or adjusted site information.
109	Allow SFSP Reimbursement Rates in Summer 2022	Seamless Summer Option	09/30/2022	Allows the Summer Food Service Program reimbursement rate for meals and snacks served through the Seamless Summer Option until Sept. 30, 2022, until SY22-23 begins, whichever date is the earliest.	No update needed, will occur automatically in approved iCAN SNP SSO applications.
110	Allows Fiscal Action Flexibility for Meal Pattern Violations Related to COVID-19 Disruptions Impacting School Meals in SY22-23	National School Lunch Program, School Breakfast Program, Seamless Summer Option	06/30/2023	Waives the requirement for Administrative Review fiscal action for missing food components, missing production records, milk type violations, or vegetable subgroup violations when due to supply chain issues related to COVID-19.	No update is needed. This will be handled on an individual basis with schools receiving Admin Reviews.
111	Allows Non-Congregate Feeding for Summer 2022 Operations	Seamless Summer Option, Summer Food Service Program	09/30/2022	Waives congregate meal requirements, allowing for grab and go meal service.	Complete Summer 2022 MS Form* Update iCAN SNP SSO or SFSP application with any new or adjusted site information.
112	Allows Parents & Guardians to Pick Up Child Meals for Summer 2022 Operations	Seamless Summer Option, Summer Food Service Program	09/30/2022	Schools/Sponsors that also opt into the noncongregate waiver #111 may allow parents & guardians to pick up meals for their children.	Complete Summer 2022 MS Form*
113	Meal Service Time Restrictions for Summer 2022 Operations	Seamless Summer Option, Summer Food Service Program	09/30/2022	Allows mealtime flexibility to ensure safe meal service. This waiver allows for implementation of appropriate safety measures, alternative meal service models, and social distancing.	Complete Summer 2022 MS Form* Update iCAN SNP SSO or SFSP application with any new or adjusted site information.

* Summer 2022 Microsoft Form (MS Form) is currently under development. CANS will make an announcement when the form is available.