

**South Carolina Department of Social Services
Child and Adult Care Food Program (CACFP)
Waiver Request Template
State Agency Monitoring
End date of the Public Health Emergency (PHE) through June 30, 2023**

1. State agency submitting waiver request and responsible State agency staff contact information:

Agency- [South Carolina Department of Social Services](#)

Contact Name and Title- [Cheryl Evans-McDonald, CACFP Program Compliance Manager](#)
[Mary A. Young, CACFP Director](#)

Contact Phone Number- (803) 898-0971, (803) 673-2603

Contact Email- cheryl.evans-mcdonald@dss.sc.gov mary.abney-young@dss.sc.gov

2. Region: [Southeast](#)

3. Eligible service providers participating in waiver and affirmation that they are in good standing: [Any South Carolina Department of Social Services \(SCDSS\) approved CACFP institution that is in good standing.](#)

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(1)(2)(A)(iii) and 12(1)(2)(A)(iv) of the NSLA]:

Waiver 20: Non-Congregate Meal Service, Waiver 21: Parent/Guardian Meal Pick-Up, Waiver 22: Meal Service Times

For waivers 20, 21 and 22, institutions are periodically experiencing issues where either staff or participants will test positive for COVID-19. While individuals are following the guidelines issued by the Center for Disease Control and Prevention regarding isolation, etc., it may become necessary to close classrooms or entire centers for a specified period of time. When classrooms or the entire center is closed to participants, the institution may still provide CACFP eligible meals to its enrolled participants through a grab and go method. The state agency is requesting approval to waive the requirements outlined in waivers 20, 21 and 22 to allow individual institutions to continue to provide nutritious meals to enrolled participants which may not be able to participate in the facility's normal on-site meal services due to restrictions required by COVID-19.

Waiver #23- State Agency Onsite Monitoring Visits

Some CACFP institutions are experiencing staffing shortages and are functioning on limited staff; therefore, CACFP institutions may not be available to readily respond to inquiries and provide records when needed while staff are conducting the monitoring review on site. The state agency is requesting to use a hybrid method of conducting reviews. Program compliance reviews can be completed more efficiently and expeditiously utilizing a desk review of documents along with an on-site meal observation. SCDSS CACFP will utilize information from the South Carolina Department of Health and Environmental Control (SC DHEC) data site for COVID- 19 Community Levels map for guidance when visiting CACFP institutions. This map measures the impact of COVID- 19 illness on community health and healthcare systems and provides preventive steps. The three (3) community levels of measurements are Low, Medium, and High. Meal observations will be conducted on site and in conjunction with the desk review of documents unless the SC DHEC data site for COVID- 19 Community Levels map has designated the county as Medium or High. If the community is designated as Medium or High, the on-site meal observation will be performed when the community level is Low. The web site address is [COVID-19 Community Levels | SCDHEC](#)

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Allowing the state to perform monitoring reviews using a hybrid method will cause less disruption for the institution staff in the child and adult care institutions. The hybrid method will also lessen the degree of health care anxiety that the child care and adult care institutions have regarding outside visitors and the possible transmission of COVID- 19.

Waiver 24: Sponsoring Organization Onsite Monitoring Visits

Due to the public health emergency, CACFP sponsors are experiencing staffing shortages and are functioning with limited staff. In addition, the cost of gasoline has dramatically increased while the administrative reimbursement available to sponsors has not increased at a similar rate. Transitioning back to on-site monitoring for all sponsored facilities at the end of the public health emergency due to COVID-19 will be difficult for many sponsors. Approval of this waiver will reduce the administrative burden of conducting onsite monitoring while allowing sponsors additional time to address staffing issues so they can effectively transition back to normal. The state agency is requesting approval to allow sponsoring organizations to continue using desk reviews after the nationwide waiver for onsite monitoring visits expire.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

[See attached checklist](#)

**South Carolina Department of Social Services
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6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

Based on the scope and substance of waivers 20, 21 and 22, the SA will not have to develop alternative procedures. Institutions will be required to outline their processes to ensure grab and go meals will only be provided to enrolled participants and all required documentation is maintained to document program requirements are met. The anticipated impact is the continued service of nutritious meals to enrolled participants in facilities impacted by COVID-19.

Based on the scope and substance of waiver 23, the SA will not have to develop alternative procedures and the waiver content will not impact program operations.

Based on the scope and substance of waiver 24, the SA will not have to develop alternative procedures and the waiver content will not impact program operations.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]: **The SA does not foresee any regulatory barriers at the state level for these waivers.**

8. Anticipated challenges State or eligible service providers may face with the waiver implementation: **The SA does not foresee any challenges at the state level for these waivers.**

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]: **There will not be an increase in costs.**

10. Anticipated waiver implementation date and time period: **See attached checklist.**

11. Proposed monitoring and review procedures: **The State Agency will utilize training sessions, technical assistance, and claims verification techniques to assess and improve program operations. These activities will be performed via phone, virtual, desk review, and in-person (if needed). Institutions approved to participate in waivers 20, 21, 22 and 24 will be required to describe their processes for meeting the waiver requirements in a waiver application form provided by the SA. Institutions will need to provide the SA quarterly reports on the impact of waivers used.**

12. Proposed reporting requirements (include type of data and due date(s) to FNS):
No later than October 30, 2023, the State Agency will provide the data below for the period of July 1, 2022 thru June 30, 2023 for waivers 20, 21, 22 and 24:

- Number of institutions that used the waivers

No later than October 30, 2023, the State Agency will provide the data below for the period of the end date of the PHE thru June 30, 2023 for waiver 24:

- Number of institutions that used the waivers

No later than October 30, 2023, the State Agency will provide the data below for the period of the end date of the PHE thru June 30, 2023 for waiver 23:

**South Carolina Department of Social Services
Child and Adult Care Food Program (CACFP)
Waiver Request Template
State Agency Monitoring
End date of the Public Health Emergency (PHE) through June 30, 2023**

- Number of reviews completed
- Number of reviews completed without on-site meal observations

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]: <https://www.scchildcare.org/programs/child-and-adult-care-food-program/>

14. Signature and title of requesting official:

Michele J. Bowers

Name: Michele Bowers

Title: Director, Division of Early Care and Education, South Carolina Department of Social Services

Requesting official's email address for transmission of response:

Michele.bowers@dss.sc.gov

Summer 2022 and SY 2022-23 Child Nutrition Programs 12(l) Waiver Checklist

State Agency:

Date:

**Longest effective dates are in italics; actual effective dates are contingent on date of approval*

Summer Food Service Program (SFSP) and Seamless Summer Option (SSO):

The waivers in this section apply to SFSP and SSO for summer 2022. However, FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when congregate meal service is limited by the COVID-19 pandemic.

- Waiver 1: Non-Congregate Meal Service during Summer 2022 [42 U.S.C. 1753(b)(1)(A), 42 U.S.C. 1761(a)(1)(D), and 7 CFR 225.6(e)(15)] (*May 1, 2022-September 30, 2022*)
- Waiver 2: Parent/Guardian Meal Pickup during Summer 2022 [42 U.S.C. 1761(f)(3), 7 CFR 210.10(a), 7 CFR 220.2, 7 CFR 220.8(a), 7 CFR 225.2 (Meals), and 7 CFR 225.9(d)(7)] (*May 1, 2022-September 30, 2022*)

National School Lunch Program (NSLP) and School Breakfast Program (SBP):

The following waivers are intended to provide needed flexibility to support school food authorities (SFAs). FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when congregate meal service is limited by the COVID-19 pandemic.

- Waiver 3: Non-Congregate Meal Service [42 U.S.C. 1753(b)(1)(A) and 42 U.S.C. 1773(b)(1)(A)] (*July 1, 2022 – June 30, 2023*)
- Waiver 4: Parent/Guardian Meal Pickup [7 CFR 210.10(a), 220.2 (Breakfast), and 220.8(a)] (*July 1, 2022 – June 30, 2023*)
- Waiver 5: Meal Service Times [7 CFR 210.10(l) and 220.8(l)] (*July 1, 2022 – June 30, 2023*)
- Waiver 6: Offer Versus Serve [42 U.S.C. 1758(a)(3) and 7 CFR 210.10(e)] (*July 1, 2022 – June 30, 2023*)

School Year Administration (NSLP/SBP/SFSP):

The following waivers allow State and local Program operators to overcome administrative challenges resulting from COVID-19 and to appropriately allocate their limited staffing resources to ensure safe service of meals to children as they respond to and recover from the COVID-19 pandemic. FNS expects Program operators will only use these flexibilities for the duration and extent that they are needed.

- Waiver 7: Local School Wellness Policy Triennial Assessment [42 U.S.C. 1758b(b) and 7 CFR 210.31(e)(2)] (*July 1, 2022 – June 30, 2023*)
- Waiver 8: Food Service Management Company (FSMC) contract duration [7 CFR 210.16(d), 7 CFR 225.6(h)(7)] (*July 1, 2022 – June 30, 2023*)
- Waiver 9: Administrative Review Onsite Requirements [7 CFR 210.18] (*End of PHE** – June 30, 2023*)

- Onsite Requirement for SFA Onsite Reviews by February 1 [7 CFR 210.8(a)(1) and 220.11(d)(1)] (*End of PHE** – June 30, 2023*)
- Onsite Requirement for Afterschool Care Reviews [7 CFR 210.9(c)(7)] (*End of PHE** – June 30, 2023*)
- Onsite Requirement for Periodic Onsite Visits when Utilizing an FSMC [7 CFR 210.16(a)(3) and 220.7(d)(1)(iii)] (*End of PHE** – June 30, 2023*)

Reporting Requirements (NSLP):

The following waivers allow State and local Program operators to appropriately allocate their limited staffing resources to meal service to best ensure safe service of meals to children as they respond to and recover from the COVID-19 pandemic.

- Waiver 10: FNS-874 Second (Independent) Review of Applications [42 U.S.C. 1769(c)(b)(6)(E)(iii) and 7 CFR 245.11(b)(2)] (*July 1, 2022 – June 30, 2023*)
- Waiver 11: FNS-640 Administrative Review Data Report [42 U.S.C. 1769c(b)(1)(c)(iv) and 7 CFR 210.18(n)] (*July 1, 2022 – June 30, 2023*)

Special Milk Program (SMP):

The following waivers are intended to provide needed flexibility to support schools and institutions in continuing to offer milk. FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when congregate milk service is limited by the COVID-19 pandemic.

- Waiver 12: Non-Congregate Milk Service [42 U.S.C. 1772(a)(1) and 7 CFR 215.1] (*July 1, 2022 – June 30, 2023*)
- Waiver 13: Parent/Guardian Milk Pickup [42 U.S.C. 1772(a)(7), 7 CFR 215.7(d)(2)(i), and 7 CFR 215.13a(a)] (*July 1, 2022 – June 30, 2023*)

Fresh Fruit and Vegetable Program (FFVP):

The following waivers are intended to provide needed flexibility to support schools in continuing to participate in the FFVP. FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when the FFVP elementary school is closed for in-person instruction and congregate meal service is limited by the COVID-19 pandemic.

- Waiver 14: Parent/Guardian FFVP Pickup [42 U.S.C. 1769a] (*July 1, 2022 – June 30, 2023*)
- Waiver 15: Alternate Site [42 U.S.C. 1769a(a)] (*July 1, 2022 – June 30, 2023*)

Unanticipated School Closures:

The waivers in this section apply to SFSP and SSO during unanticipated school closures. FNS expects that flexibilities under these waivers will only be implemented by Program operators when congregate meal service is limited by the COVID-19 pandemic.

- Waiver 16: Non-Congregate Meal Service during Unanticipated School Closures in SY 2022-23 [42 U.S.C. 1753(b)(1)(A), 42 U.S.C. 1761(a)(1)(D), and 7 CFR 225.6(e)(15)] (*October 1, 2022 – April 30, 2023*)

- Waiver 17: Parent and Guardian Meal Pick-Up during Unanticipated School Closures (SFSP/SSO) [42 U.S.C. 1761(f)(3) and 7 CFR 210.10(a), 220.2 (Breakfast), 220.8(a), 225.2 (Meals), and 225.9(d)(7)] (*October 1, 2022 – April 30, 2023*)
- Waiver 18: Meal Service Times for Unanticipated School Closures in SY 2022-23 [7 CFR 225.16(c)(1) and 225.16(c)(2)] (*October 1, 2022 – April 30, 2023*)
- Waiver 19: Meals at School Sites for Unanticipated School Closures in SY 2022-23 [42 U.S.C. 1761(c)(1) and 7 CFR 225.6(d)(1)(iv)] (*October 1, 2022 – April 30, 2023*)

Child and Adult Care Food Program (CACFP):

The waivers in this section apply to CACFP. FNS expects that operational flexibilities under these waivers will only be implemented by Program operators when congregation is limited by the COVID-19 pandemic. FNS expects that monitoring flexibilities will only be implemented when pandemic conditions interfere with the ability of State agencies and sponsoring organizations to conduct reviews onsite.

- Waiver 20: Non-Congregate Meal Service [42 U.S.C 1753(b)(1)(A) and 7 CFR 226.19(b)(6)(iii)] (*July 1, 2022 – June 30, 2023*)
- Waiver 21: Parent/Guardian Meal Pick-Up [7 CFR 226.2 (Meals)] (*July 1, 2022 – June 30, 2023*)
- Waiver 22: Meal Service Times [7 CFR 226.20(k)] (*July 1, 2022 – June 30, 2023*)
- Waiver 23: State Agency Onsite Monitoring Visits [7 CFR 226.6(b)(1) and 226.6(m)(6)] (*End of PHE** – June 30, 2023*)
- Waiver 24: Sponsoring Organization Onsite Monitoring Visits [7 CFR 226.16(d)(4)(iii)] (*End of PHE** – June 30, 2023*)

Additional Flexibilities (NSLP/SBP):

The following waivers provide needed flexibility and allow State and local Program operators to overcome challenges resulting from COVID-19. FNS expects Program operators will only use these flexibilities for the duration and extent that they are needed.

- Waiver 25: Paid Lunch Equity [42 U.S.C. 1760(p)(2) and 7 CFR 210.14(e)] (*July 1, 2022 – June 30, 2023*)
- Waiver 26: Use of Prior Year Eligibility Determinations for School Year 2022-2023 Carryover [42 U.S.C. 1758(b)(C) and 7 CFR 245.6(c)(2)] (*July 1, 2022- June 30, 2023*)

** Current nationwide waivers of onsite monitoring for NSLP, SBP, and CACFP remain in effect until 30 days after the end of the Public Health Emergency (PHE). The end of the PHE will be declared by the U.S. Department of Health and Human Services.