



**South Carolina Waiver Request to USDA to Waive Congregate Feeding Requirements in the Child and Adult Care Food Program (CACFP) during COVID-19 Outbreaks**

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

Name of State Agency: South Carolina Department of Social Services  
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**2. Region: Southeast**

**3. Eligible service providers participating in waiver and affirmation that they are in good standing:**

Only institutions operating in good standing will be approved to participate in this waiver.

**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.**

On March 13, 2020, the governor of South Carolina issued an executive order declaring a state of emergency for the state and also closing all public schools, to include state-supported colleges, universities and technical colleges, in Lancaster and Kershaw counties, beginning Monday, March 16, 2020. The facilities are to remain closed for 14 days, unless otherwise modified, amended, or rescinded.

On March 15, 2020, the governor of South Carolina issued an executive order closing all public schools in the State of South Carolina for students and non-essential employees beginning Monday, March 16, 2020 through March 31, 2020, unless such directive is otherwise modified, amended, extended, or rescinded. This order applies to public schools, including state-supported colleges, universities and technical colleges in SC.

Many child care, afterschool and Head Start facilities follow the school schedules and have closed. In addition, many adult care facilities have closed due to the recommended measures for social distancing in particular for seniors who are more susceptible to serious illness resulting from COVID-19. The individuals normally served in child care, Head Start, adult care

and afterschool programs would normally receive nutritious meals through facilities participating in the CACFP. Child care and Head Start participants receive most of their daily meals while attending the facilities. Waiving the requirement for meals to be served in congregate settings would help ensure that children and adults do not experience food insecurity during COVID-19 outbreaks

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(1)(2)(A)(i) of the NSLA].**

The South Carolina Department of Social Services (SCDSS) proposes a waiver of regulations in 7 CFR 226.20, which defines meals as “food which is served to enrolled participants at an institution, child care facility or adult day care facility and which meets the nutritional requirements set forth in this part. However, children participating in at-risk afterschool care centers, emergency shelters, or outside-schools-hours care centers do not have to be enrolled.”

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

If approved, this request will allow institutions which are closed as a result of COVID-19 to serve meals to children and adults in a non-congregate setting through CACFP institutions in good standing. Approval of the waiver will also ensure many of South Carolina’s most vulnerable children and adults have access to nutritious food while conserving other community resources for other vulnerable populations that many not be served by Child Nutrition programs. Institutions that choose to apply for a waiver would be permitted to provide meals for home delivery to children or through grab-and-go meals. CACFP institutions may request to participate in the statewide waiver by notifying SCDSS CACFP of their intent to serve non-congregate meals during an unanticipated closure due to COVID-19. SCDSS CACFP staff would review and approve all requests and notify institutions of the approval in writing.

**7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(1)(2)(A)(ii) of the NSLA]:**

No state level barriers have been identified.

**8. Anticipated challenges State or eligible service providers may face with the waiver implementation:**

The South Carolina Department of Social Services does not anticipate this waiver will present any challenges to the department or the CACFP institutions. Implementation of this waiver will decrease the challenges faced by vulnerable children and adults in accessing nutritious meals when child care, Head Start, adult care and afterschool programs are closed due to COVID-19. The waiver will also decrease challenges faced by CACFP institutions in providing nutritious meals to children and adults previously served in approved CACFP facilities which are closed due to COVID-19.

March 19, 2020

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

The South Carolina Department of Social Services does not anticipate the waiver will increase the overall cost of the Program to the Federal Government.

**10. Anticipated waiver implementation date and time period:**

Request Waiver Timeframe:

Waiver Request Start Date: March 19, 2020

Waiver Request End Date: July 31, 2020

**11. Proposed monitoring and review procedures:**

Institutions will need to have an approved CACFP application on file and approval from SCDSS to operate non-congregate meal service prior to meal service. SCDSS will review records of Institution who utilize this operation for CACFP during regular CACFP monitoring if the Institution is scheduled for monitoring during fiscal year 2019-2020. Institutions who are not on the 2019-2020 review schedule, would have their records reviewed during their next CACFP Administrative Review.

**12. Proposed reporting requirements (include type of data and due date(s) to FNS):**

SCDSS will report the number of Institutions, facilities and meals served during the waiver no later than December 31, 2020.

**13. Link to or a copy of the public notice informing the public about the proposed waiver. [Section 12(I)(1)(A)(ii) of the NSLA]:**

<https://www.scchildcare.org/news-and-announcements/cacfp-covid19-waivers.aspx>

**14. Signature and title of requesting official:**



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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:

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