



Food and
Nutrition
Service

October 9, 2020

Braddock
Metro
Center

Ms. Cheriee Watterson
Office Administrator
South Dakota Department of Education
Child and Adult Nutrition Services
800 Governors Drive
Pierre, South Dakota 57501

1320
Braddock
Place
Alexandria
VA 22314

Dear Ms. Watterson:

This letter is in response to the South Dakota Department of Education (SD DOE) waiver request received July 2, 2020. SD DOE requested to waive the Seamless Summer Option (SSO) review requirements specified in 7 CFR 210.18(e)(3)(ii) for School Year 2019-2020 for all School Food Authorities (SFA). Pursuant to Section 12(l) of the Richard B. Russell National School Lunch Act (NSLA), (42 USC 1760(l)), and having confirmed that SD DOE has met the statutory requirements found at Section 12(l)(1) of the NSLA, FNS is approving SD DOE's request.

In its request, SD DOE indicated that in response to the COVID-19 outbreak 20 SFAs initiated operations of the SSO using the flexibilities provided by FNS. This increased to 23 the number of SFAs operating SSO during SY 2019-2020. SD DOE is requesting an exemption to review SSO for school year 2019-2020 for all SFAs. SD DOE states that approval of this waiver would reduce financial and resource burden and allow time for training, technical assistance, planning for Program changes expected for SY 2020-2021 and ensure that children continue to receive nutritious meals during the COVID-19 public health emergency. SD DOE does not anticipate that the establishment of this waiver will pose any challenges at the State or SFA level. FNS has determined that SD DOE provided sufficient information to demonstrate that this waiver will facilitate SD DOE's ability to carry out the purpose of the Program.

FNS recognizes that during the coronavirus outbreak, State agencies face higher administrative, resource, and safety burdens, which put individuals at greater risk as States monitor the Program. Based on the exceptional circumstances relating to the declaration of a public health emergency due to COVID-19 by the U.S. Department of Health and Human Services, effective January 27, 2020, FNS approves SD DOE's waiver request effective through September 30, 2020.

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 September 30, 2021, SD DOE must provide to the FNS Mountain Plains Regional Office a written report quantifying the impact of the waiver, as described below. The report must include the following:

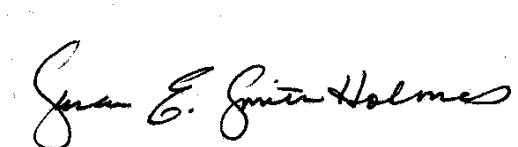
Cherise Watson

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- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in NSLP;
- A description of how the waiver impacted the quantity of paperwork necessary to administer the Program;
- The total number of SFAs affected by this waiver;
- A description of whether and how this waiver resulted in improved services to Program participants.

FNS appreciates SD DOE's commitment to work with SFAs to maintain program integrity during a challenging time. If you have questions, please contact the FNS Mountain Plains Regional Office.

Sincerely,

A handwritten signature in black ink that reads "Sarah E. Smith-Holmes". The signature is written in a cursive style with a large initial 'S'.

Sarah Smith-Holmes
Director
Program Monitoring and Operational Support Division

Electronic Copy: Diane Fulton, MPRO