



To: Chair, Paul G. Pinsky, Vice-Chair Cheryl C. Kagan, Education, Health and Environmental Affairs Committee

From: The Partnership to End Childhood Hunger in Maryland

Re: Support for Senate Bill 828

Date: February 18, 2020

The Partnership to End Childhood Hunger in Maryland supports SB 828, which requires the Maryland State Department of Education (MSDE) to submit statewide requests to waive 6 federal regulations of the Summer Food Service Program in order to ensure the continued success of the program in Maryland.

The free Summer Food Service Program (SFSP), administered by the U.S. Department of Agriculture (USDA), is an integral part of filling the nutrition gap experienced by children when school is out, and they lose access to the National School Lunch Program and School Breakfast Program. One of the Partnership to End Childhood Hunger's priorities is to expand access to this critical program in order to ensure that Maryland children receive the nutrition they need all year round and are ready to learn when they return to school in the fall.

In 2018, USDA rescinded several policy waivers that were previously available to all summer meal sponsors nationwide. These waivers were intended to increase efficiency of the SFSP, meaning that this decision added an additional burden to sponsors who had previously integrated these waivers into their programming. Fortunately, the option remained for state agencies or individual sponsors to submit waiver requests to have these policies reinstated.

Although the state had an option to apply on behalf of all Maryland sponsors, MSDE chose not to do so for summer 2019. Below, the rescinded policy waivers are listed along with a description of their significance to SFSP sponsors:

**First-Week Site-Visit Waivers:**

1. SFSP 12-2011, Waiver of first-week site visits for returning sites that operated successfully during the previous summer and had no serious deficiency findings.
2. SP 07-2013, SFSP 04-2013, Waiver of first-week site visits for School Food Authority sponsors in good standing in SFSP.
3. SP 06-2014, SFSP 06-2014, CACFP03-2014, Waiver requirement for SFSP and Seamless Summer Option sponsors in good standing in the Child and Adult Care Food Program (CACFP) and National School Lunch Program, respectively, to conduct site visits during the first week of program operations.

---

*Members of the Policy Committee of the Partnership to End Childhood Hunger in Maryland*

Advocates for Children and Youth • Capital Area Food Bank • Critical Issues Forum • Family League of Baltimore  
Maryland Association for Elementary School Principals • Maryland Farmers Market Association  
Maryland Food Bank • Maryland Hunger Solutions • Maryland Out of School Time Network • Maryland PTA  
Share Our Strength – No Kid Hungry Maryland • St. Vincent de Paul of Baltimore



Relieving sponsors of the requirement to visit successful returning sites within the first week allows sponsors to target their monitoring resources to sites that need additional oversight. For many sponsors, conducting first-week visits at all sites (instead of just new sites) means that more staff will need to be hired and trained, resulting in increased administrative program costs. The first-week site waivers help strengthen program integrity by allowing sponsors to focus their monitoring on new sites and sites that have had challenges in the past. These waivers do not increase overall SFSP costs; instead it reduces local program costs and supports program integrity.

#### **Offer Versus Serve:**

4. SP 10-2017, SFSP 06-2017, Policy extending Offer Versus Serve (OVS) to non-SFA sponsors.

Offer Versus Serve is an optional approach to menu planning and meal service that helps SFSP sponsors reduce food waste and costs by allowing children to decline some of the food items offered in a reimbursable meal (however, all components must be offered). This waiver does not increase the federal SFSP costs, rather, it helps make operating SFSP more financially viable for sponsors. OVS is especially helpful when sponsors are able to store and reuse food items for a future meal service.

#### **Allowed Time Between Meal Service:**

5. SP 10-2017, SFSP 06-2017, Waiver of meal-time requirements (three hours must elapse between the beginning of one meal service and the beginning of another meal service; four hours must elapse between lunch and supper if no snack is served) but maintaining that sponsors must continue to establish meal service times.

This waiver allows sponsors greater flexibility to meet individual meal sites' needs. By requiring that three hours must elapse between the beginning of meal services, including snacks, meal sites need to either stay open longer or not serve a second meal. This is especially burdensome for small and rural summer meal sites, as well as sites, such as schools, that run multiple programs out of one location. In the event that one site runs multiple programs with different schedules and start times, there may not be an option to serve meals to all programs without this waiver.

#### **6. Policy Extending area eligibility to closed enrolled sites:**

Closed enrolled sites serve meals only to enrolled children or an identified group of children, as opposed to the community-at-large. The decision to have a closed site is often the result of limited staff capacity, safety

---

*Members of the Policy Committee of the Partnership to End Childhood Hunger in Maryland*

Advocates for Children and Youth • Capital Area Food Bank • Critical Issues Forum • Family League of Baltimore  
Maryland Association for Elementary School Principals • Maryland Farmers Market Association  
Maryland Food Bank • Maryland Hunger Solutions • Maryland Out of School Time Network • Maryland PTA  
Share Our Strength – No Kid Hungry Maryland • St. Vincent de Paul of Baltimore



concerns, or programming limitations. Without the option to use area eligibility to qualify, closed enrolled sites that wish to remain closed are left with the extremely time-consuming option of collecting income information from each of their enrolled students in order to maintain their eligibility for the SFSP program. This can be extremely difficult to do in time for the start of summer meal service and adds an additional barrier to maintaining eligibility of meal sites.

MSDE has once again decided to not apply for a statewide waiver for summer 2020, leaving sponsors to apply on their own. Given the significance of these waivers and the burden of the regulations on SFSP sponsors, the Partnership to End Childhood Hunger in Maryland supports the state submitting statewide requests.

Thank you for your consideration. We urge a favorable report on SB 828.

Respectfully submitted,

The Policy Committee of the Partnership to End Childhood Hunger in Maryland

Noora Kanfash, Policy Committee Chair

[nkanfash@strength.org](mailto:nkanfash@strength.org)

---

*Members of the Policy Committee of the Partnership to End Childhood Hunger in Maryland*

Advocates for Children and Youth • Capital Area Food Bank • Critical Issues Forum • Family League of Baltimore  
Maryland Association for Elementary School Principals • Maryland Farmers Market Association  
Maryland Food Bank • Maryland Hunger Solutions • Maryland Out of School Time Network • Maryland PTA  
Share Our Strength – No Kid Hungry Maryland • St. Vincent de Paul of Baltimore