



Testimony in Support of SB 828

State Department of Education – Summer Food Service Program – Regulatory Waivers (Summer Meal Waiver Act)

Education, Health, and Environmental Affairs

February 18, 2020

Maryland hunger solutions urges your support of SB828 – Summer Meal Waiver Act in order to support Summer Food Service Program sponsor organizations in Maryland and preserve the effectiveness of the program in feeding hungry children during the summer. SB828 will require the Maryland State Department of Education (MSDE) to submit waiver requests on behalf of all Summer Food Service Program (SFSP) sponsors in Maryland.

In the 2018 – 2019 school year, approximately 384,000 students in Maryland were eligible for free or reduced-price school meals. During the summer months, when school is not in session, these hundreds of thousands of Maryland students lose access to those meals that they rely on during the school year. This is what makes the SFSP, administered by the U.S. Department of Agriculture (USDA), such an important tool in the effort to eliminate childhood hunger.

As of summer 2019, there are 43 SFSP sponsor organization in Maryland working to provide healthy meals to children during the summer months. Maryland sponsors include organizations such as the public-school Food and Nutrition Services departments in 24 districts, Maryland Food Bank, Capital Area Food Bank, government agencies, nonprofits, and others. These sponsors are critical to the success of the SFSP and are responsible for providing meals to meal service sites, monitoring the implementation of the program, and reporting participation numbers to USDA in order to claim reimbursements for meals served. Depending on the type of organization, these sponsors can oversee anywhere between a single meal site to over 400 summer meal sites. While many sponsors provide meals within a single county, larger sponsors, such as the Maryland Food Bank and St. Vincent de Paul are responsible for meal sites in multiple counties.

In the past, USDA has issued policy memorandums that waived certain program requirements and permitted summer meal sponsors certain flexibilities in order to ensure a more cost-effective and sustainable model for SFSP. In October of 2018, USDA rescinded the policies outlined in the [USDA memo SFSP 01-2019](#), requiring state agencies or individual sponsors to submit waiver requests to have these policies reinstated.

Listed below are the policy waivers that were rescinded:

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.

4. SP 10-2017, SFSP 06-2017, Policy extending Offer Versus Serve (OVS) to non-SFA sponsors.
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.
6. *Policy Extending area eligibility to closed enrolled sites*

These longstanding waivers have been incorporated into existing sponsors' planning and program budgets. SFPS sponsors work with extremely tight budgets and timelines, and often limited staffing capacity, to ensure Maryland youth are getting the nutrition they need. This makes these waivers extremely important, and in some cases critical, to permitting sponsors maintaining their summer meals service and reach the maximum number of children possible.

In response to the news of the waiver rescission Maryland Hunger Solutions and other advocated from around the state signed-on to a letter requesting that MSDE submit requests on behalf of sponsors. Unfortunately, MSDE did not chose to apply for an extension of these waivers for summer 2019, leaving sponsors to apply on their own. In order to measure the impact of this decision on SFSP participation, Maryland Hunger Solutions partnered with Johns Hopkins University to do a study on SFSP participation in Maryland between 2018 and 2019. Among the impacts we saw a decrease in the number of breakfasts and suppers served in 2019. However, the most striking impacts observed came from the 12 in-depth interviews that were conducted with sponsor organizations. From these interviews, it became apparent that not only was there an increased administrative and financial burden on sponsors and their staff, but that the programs they served were also forced to change their schedules, and sometimes locations, in order to maintain their eligibility to receive summer meals.

Despite these detrimental effects on the program, MSDE has once again decided to not apply for these waivers on behalf of sponsors for summer 2020. This will make Maryland one of the very few states in the country, and the only one in the Mid-Atlantic region to not apply for waivers for the second year in a row, as most other states besides Maryland applied for and received one or more statewide waivers in 2019.

By not submitting a statewide waiver, Maryland sponsors will be forced to once again submit individual waivers to USDA through MSDE. Such a process is incredibly inefficient and redundant, and it is our view that by applying for statewide waivers, MSDE will be decreasing its own future workload, as they will no longer have to review the multiple requests submitted by a large number of sponsors.

Because these waiver requests must be submitted at least 60 days prior to the anticipated SFSP implementation date, this bill is incredibly time sensitive. However, it will cost nothing to the state. The SFSP is federally funded and will help to bring more funding for child nutrition into Maryland. Without these waivers, we fear a continued reduction in summer meals, and an increase in child hunger in Maryland. Please help us ensure that low-income children and families have access to the healthy food they need, this summer, and for every summer to come.

Thank you for your consideration. Maryland Hunger Solutions **urges a favorable report on SB 828.**