



Georgia Dept of Early Care and Learning

BRIGHT FROM THE START

2 Martin Luther King Jr. Drive SE, Suite 754, East Tower, Atlanta, GA 30334
(404) 656-5957

Brian P. Kemp
Governor

Amy M. Jacobs
Commissioner

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST #3 FIRST WEEK SITE VISITS WAIVER REQUEST January 2, 2020

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(1) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(1), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or regulatory requirements for the Child Nutrition Programs (CNPs), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, *Child Nutrition Program Waiver Request Guidance and Protocol- Revised*, Month 24, 2018.

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

Georgia Department of Early Care and Learning (DECAL) Contacts:

- Tamika Boone, Director, Nutrition Services
Phone: (404) 656-6292; Email: Tamika.Boone@decalf.ga.gov
- Sonja Adams, Senior Manager, Nutrition Services
Phone: (404) 463-2566; Email: Sonja.Adams@decalf.ga.gov
- Kate Alexander, Policy Administrator, Nutrition Services
Phone: (404) 651-8193; Email: Kate.Alexander@decalf.ga.gov

2. Region: Southeast

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

This waiver request applies to all existing and potential organizations participating in the Summer Food Service Program that are 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]:

Due to a waiver rescinded by USDA, DECAL anticipates significant financial, operational, and administrative hardship. Additionally, this waiver will create a barrier in providing accessible and nutritious meals for children in need. Such waiver will not only prevent the organization from expanding the Program in areas where rates of child food insecurity are among the highest but will cause a significant decrease in the number of participating children that the organization is able to serve.

Specifically, many sponsored sites, especially those in rural Georgia, are located within great distances from each other, with travel time between the sites averaging an hour and half each way. Scheduling site visits during the first week of operation for twenty or more sites located in rural areas, while accommodating approved meal service times, requires significant increased costs in staffing, vehicle rental, and fuel. The organization's operational and administrative costs would drastically increase, while the organization's reimbursement rates would remain the same. Overall, although the waiver may be feasible for organizations located in urban areas where sites are often close in proximity, it places a tremendous burden on organizations whose sites remain far from each other.

Lastly, when used in the past, the waiver proved to be beneficial in increasing sponsor/site participation and increased access to SFSP meals.

Overall, the goal of the waiver is to decrease the financial, operational, and administrative burden on rural sites while increasing Program expansion in areas of great need.

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

DECAL requests a waiver of regulations at **7 CFR 225.15(d)(2)**, which require sponsors to visit each of their sites at least once during the first week of SFSP operation. This request applies to:

- Sponsors that successfully participate in the Child and Adult Care Food Program
- Sponsors that successfully participate in the National School Lunch Program

- Sites that have operated successfully in the previous year
- 6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:**

Please refer to item #4.

- 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]:**

DECAL has not experienced any regulatory barriers when using the waiver in the past. As previously mentioned, the waiver was beneficial to increasing sponsor/site participation and increased access to SFSP meals.

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

DECAL does not anticipate any challenges with the waiver implementation.

- 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(1)(1)(A)(iii) of the NSLA]:**

The waiver will not increase the overall cost of the Program to the Federal Government.

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

Requested Waiver Timeframe:

- Waiver Request Start Date: February 1, 2020. (DECAL will begin SFSP training in February 13, 2020.)
- Waiver Request End Date: DECAL anticipates the waiver to be effective for the next three to five years, or as required by USDA.

- 11. Proposed monitoring and review procedures:**

DECAL will follow the review procedures in accordance with 7 CFR 225.7(d). DECAL will provide training and technical assistance to sponsors in need of additional guidance in obtaining and implementing eligible meal sites. DECAL will conduct monitoring visits and reviews to ensure sponsors operate eligible meal sites in accordance with USDA regulations. DECAL will ensure SFSP application procedures are in line with USDA regulations and ensure sponsors submit adequate documentation to support site eligibility.

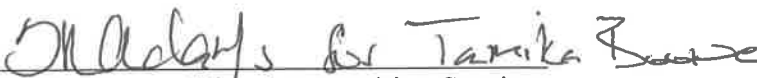
- 12. Proposed reporting requirements (include type of data and due date(s) to FNS):**

By December 31st of each year, DECAL will provide a report to FNS that will include: a list of approved SFSP sponsors; their approved sites under the waiver; area eligibility documentation; and the number of meals served per site. DECAL will also provide all other SFSP reporting in accordance with USDA regulations.

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

A copy of the public notice can be found on DECAL's website at:
<http://www.decal.ga.gov/Nutrition/SFSPWaiverRequests.aspx>

14. Signature and title of requesting official:

• 
Tamika Boone, Director, Nutrition Services

- Requesting official's email address for transmission of response:
Tamika.Boone@decal.ga.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

- Date Received: _____
- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(1)(1)(A)(ii) of the NSLA**
- **Regional Office Analysis and Recommendations:**
 - Recommend Approval
 - Recommend Denial

Explanation: