



Food and
Nutrition
Service

March 6, 2020

Park Office
Center

Ms. Tamika Boone
Director
Nutrition Services
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive SE #754
Atlanta, GA 30334

3101 Park
Center Drive
Alexandria
VA 22302

Dear Ms. Boone:

This letter is in response to the Georgia Department of Early Care and Learning (DECAL) January 2, 2020, request to waive first week site visit requirements for sponsors in the Summer Food Service Program (SFSP). DECAL requested a statewide waiver of SFSP requirements under 7 CFR 225.15(d)(2) for all SFSP sites that have operated successfully the previous year and for sponsors that operate the Child and Adult Care Food Program (CACFP) or the National School Lunch Program (NSLP). Pursuant to section 12(l) of the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1760(l)), FNS approves DECAL's waiver request through April 30, 2022 or until FNS publishes a final regulation that supersedes this approval, whichever comes first.

DECAL requested a statewide waiver for a period of three to five years beginning in Program Year 2020. DECAL wants to continue to provide first week site visit waivers to all sites and sponsors for which FNS nationwide waivers, now rescinded, had previously applied. Without this waiver, DECAL anticipates significant financial, operational, and administrative hardship, especially in rural areas. DECAL predicts that there will be a decrease in the number of children served if they do not receive this waiver. According to DECAL, this waiver would reduce burden for sponsors with rural sites, who would otherwise face drastic increases in staffing, vehicle rental, and fuel costs. DECAL asserts that it will continue to follow review procedures in accordance with FNS regulations, while also providing training and technical assistance to sponsors who need additional guidance.

FNS approves DECAL's request to waive first week site visit requirements for sites in good standing that have operated successfully in the previous year, and sponsors that successfully participated in the CACFP or the NSLP and are in good standing; this waiver is effective immediately and valid through April 30, 2022, or until FNS publishes a final regulation that supersedes this approval, whichever comes first. While DECAL requested this waiver for a period of three to five years, FNS limited the duration of the waiver to assess its impact and the State's ability to report required data elements outlined below. This waiver is applicable to 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 operation under the program, for:

- Sites that have operated successfully in the previous year; and
- Sponsors that successfully participate in the CACFP or the NSLP.

Sponsors are still required to conduct a full review of food service operations at each site within the first four weeks of operations and maintain a reasonable level of site monitoring, per regulatory requirements at 7 CFR 225.15(d)(3). Sponsors must complete a monitoring form developed by the State agency during the conduct of these reviews. Finally, in cases where a site, whether new or returning, only operates for a short period of time, the review of food service operations must be conducted during the period of operation.

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 both December 31, 2020 and December 31, 2021, DECAL must provide to the FNS Southeast Regional Office a written report quantifying the impact of the waiver for the respective program year, as described below. **Please note that the continuation of this approval in program year 2021 is contingent on DECAL's ability to provide complete data and an analysis of the waiver impact for program year 2020.**

The report must include the following:

- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in SFSP;
- A description of how the waiver impacted the quantity of paperwork necessary to administer the program;
- The total number of sponsors approved by the State agency be able to implement the waiver;
- The total number of sponsors that actually utilized the waiver;
- The total number of sites for which the waiver could be applied;
- The total number of sites for which the waiver was actually utilized;
- Summary of benefits and challenges associated with waiving the first week site visit requirements for returning sites that operated successfully during the previous summer; and
- Report of any compliance issues noted with this flexibility during the application approvals and reviews, as well as any technical assistance provided.

Ms. Tamika Boone
Page 3

FNS appreciates the efforts of DECAL to ensure that children continue to receive nutritious meals when they are not in school. If you have questions, please contact the Southeast Regional Office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ameel' or 'Amee', written in a cursive style.

Angela M. Kline
Director
Policy and Program Development Division

Electronic Copies: Rosie Daugherty, SERO
Sonja Adams, DECAL
Kate Alexander, DECAL