



Food and
Nutrition
Service

Park Office
Center

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Alexandria
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March 8, 2019

Sonja Adams
Director of Provider Services, Nutrition Services
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive, SE.
Suite 754, East Tower
Atlanta, Georgia 30334

Dear Ms. Adams:

This letter is in response to the Georgia Department of Early Care and Learning's (GA DECAL) December 31, 2018, request to waive the requirement for closed enrolled sites to use income eligibility applications to determine site eligibility in the Summer Food Service Program (SFSP). GA DECAL requested a statewide waiver of the SFSP requirements found at 7 C.F.R. 225.15(f), which requires eligibility determinations of closed enrolled sites to be submitted through an application form. Pursuant to the waiver authority granted at section 12(l) of the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1760(l)), FNS approves GA DECAL's waiver request through April 30, 2020.

GA DECAL requested a statewide waiver to continue to provide flexibilities, previously approved in a FNS nationwide waiver that has been rescinded, to sponsors for 2019, with an anticipated effective time period of three to five years. This waiver would allow sponsors to operate closed enrolled sites in areas where at least 50 percent of children are eligible for free or reduced-price meals through the National School Lunch Program. According to GA DECAL, approval of this waiver would allow sponsors in good standing to maintain their sites from the previous year. Denial of this waiver would require training of GA DECAL staff and SFSP sponsors and additional labor costs associated with the costs of the forms and assisting parents with the forms. It would also require changes to GA DECAL's electronic application system, which would increase the State's costs.

FNS approves GA DECAL's request to waive the collection of income eligibility applications and allow closed enrolled sites to use data sources as outlined in policy memorandum SFSP 03-2017, *Area Eligibility in Child Nutrition Programs*, to verify that the site is located in an eligible area. This waiver is effective immediately and valid through April 30, 2020. While GA DECAL requested this waiver for a period of three to five years, FNS limited the duration of the waiver to assess its impact on program year 2019 and the State's ability to report the required data elements outlined below. This waiver is applicable to regulations at 7 C.F.R. 225.15(f), which requires closed enrolled sites to collect income eligibility applications to determine that 50 percent of the children are eligible for free and reduced-price meals. Under this waiver, all closed enrolled sites using area eligibility will have to establish eligibility for operation in 2019.

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 December 31, 2019, GA DECAL must provide to the FNS Southeast Regional Office a written report quantifying the impact of the waiver, as described below. **Please note that any requests for renewal of this waiver are contingent on GA DECAL's ability to provide complete data and an analysis of the waiver impact. Failure to provide the requested data may result in the automatic denial of a waiver request for the next program year.**

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 reduced the quantity of paperwork necessary to administer the program;
- The number of sponsors and sites that used the waiver;
- The number of meals that were served at closed enrolled sites that used area eligibility and those that used income eligibility applications; and
- A summary of findings associated with the waiver of income eligibility applications.

FNS appreciates GA DECAL's commitment to work with sponsors to find efficiencies that balance the needs of local communities with cost-effective program management and integrity. If you have questions, please contact the Southeast Regional Office.

Sincerely,



Angela Kline
Director
Policy and Program Development Division

Electronic Copy: Sean Monahan, SERO