

1

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST TEMPLATE
Summer Food Service Program Waiver Request for Area Eligibility for Closed Enrolled Sites

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), 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*, May 24, 2018.

1. Eligible service provider submitting waiver request and responsible party contact information:

Second Harvest Food Bank of New Orleans and Acadiana
Child Nutrition Programs
Natalie Jayroe, President and CEO
njayroe@secondharvest.org
700 Edwards Ave.
New Orleans, LA 70123
504-729-2825

2. Region: Southwest Region

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

Second Harvest Food Bank waiver request for all participating SFSP facilities. Second Harvest Food Bank is in good standing.

4. Description of the challenge the eligible service provider 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(I)(2)(A)(iii) and 12(I)(2)(A)(iv) of the NSLA]:

Second Harvest Food Bank, Child Nutrition Programs is requesting a waiver for the SFSP flexibility that was rescinded by FNS on October 11, 2018 as part of SFSP 01-2019. The flexibility is included within SFSP Summer Food Service Program (SFSP) Waiver for Closed Enrolled Sites, November 17, 2002 and extended area eligibility to closed enrolled sites.

The area eligibility waiver has greatly benefitted Second Harvest Food Bank by helping to efficiently operate the SFSP in a more cost-effective manner due to decreased labor costs directly related not being required to collect and/or make income eligibility determinations for children located in areas already high need based on area eligibility. Through area eligibility Second Harvest Food Bank has been able to serve summer meals to children at-risk of food insecurity in a manner similar to open sites. Second Harvest Food Bank is able to serve large number of at-risk children through strong partnerships with numerous camps, enrichment programs and city- sponsored programs. Requiring sites to have participant complete income eligibility forms may result in many sites opting not to provide needed meals to children.

Continuation of this flexibility will allow Second Harvest Food Bank serve at-risk children and focus resources on other areas of operations such as meal quality, outreach, and effective procurement to increase access to higher quality meals.

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

Second Harvest Food Bank is requesting all flexibilities and policies rescinded in SFSP 01-2019 be reinstated. The individual regulations to be waived are outlined below:

Current regulation to be waived: 7 CFR 225.2 "closed enrolled site means a site which is open to enrolled children, as opposed to the community at large, and in which at least 50 percent of the enrolled children at the site are eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined by approval of applications in accordance with 225.15(f). Nutrition Act of 1966 (42 U.S.C. 1771 et seq.)

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

Any site located in an area in which at least 50% of the children are from households eligible for free/reduced price meals will be eligible for SFSP reimbursement for all meals served to eligible children, regardless of whether the sites serves an identified group of children or is an open site.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(I)(2)(A)(ii) of the NSLA]:

Second Harvest Food Bank has not needed to address any regulatory barriers as these flexibilities were in place.

8. Anticipated challenges eligible service providers may face with the waiver implementation:

Second Harvest Food Bank does not anticipate these waivers will present any challenges because the flexibilities have already been implemented and are in place. In fact, this waiver will decrease the challenges faced by SFSP sponsors.

If this waiver is not implemented, the following impact on program operations will likely occur:

- Increased administrative labor costs for Second Harvest Food Bank in collecting and/or making income eligibility determinations for children located in areas already deemed needy based on area eligibility.
- Increased risk for administrative error determining eligibility through income applications.
- Loss of closed-enrolled sites due to increased administrative burden to process individual household income applications as well as a decrease in families completing applications.

These combined impacts will result in a significant decrease in Second Harvest Food Bank sites due to increased administrative burden. This will result in decreased access to the program, decrease meals served to children and ultimately increase childhood hunger in Louisiana.

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(I)(1)(A)(iii) of the NSLA]:

Second Harvest Food Bank does not anticipate this waiver will increase the overall cost of the program to the Federal government because the prior waiver has been in place. The waiver will continue to assist Second Harvest Food Bank to streamline and control SFSP costs.

10. Anticipated waiver implementation date and time period:

To be effective with the start of FY 2019 and approved for a period of three years. If FNS chooses not to grant waivers for more than one or two years, that would be acceptable.

11. Proposed monitoring and review procedures:

Second Harvest Food Bank will continue to follow their standard SFSP monitoring and review procedures.

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

Second Harvest Food Bank will provide FNS with required reports, including review finding and technical assistance provided and surveys showing impact of Second Harvest Food Bank Summer Food Service Program. This information will be available annually

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

www.no-hunger.org/advisory

14. Signature and Title of requesting official:



Name: Natalie Jayroe

Title: President and CEO, Second Harvest Food Bank of New Orleans and Acadiana

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the eligible service provider 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:

- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA

- Regional Office Analysis and Recommendations: