

## CHILD NUTRITION PROGRAM STATE WAIVER REQUEST TEMPLATE

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 (CNP), 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](mailto: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 is requesting a waiver for the SFSP flexibility that was rescinded by FNS on October 11, 2018 as part of SFSP 01-2019 *Summer Food Service Program Memoranda Rescission*. The impact and challenges faced as a result of the rescinded flexibilities and policies to Second Harvest Food Bank are detailed below.

Second Harvest Food Bank is the largest food bank in the state of Louisiana and provides services across 23 parishes in South Louisiana. Second Harvest operates sites within a large geographic area with many Second Harvest sites in remote and rural communities being the only SFSP non-school authority in the parish.

In Program Year 2018, 90 % of sites were returning sites from the previous year this means only a small amount of sites are new to the program. Additionally, 71% of sites operate year-round through the At-Risk Afterschool program sites. The waiver has allowed Second Harvest to transition seamlessly from CACFP to SFSP with minimal administrative costs. Requiring Second Harvest Food Bank to visit each site within their first week of site operation unduly increases the administration costs for many sites that are operating year-round programs. This waiver will allow Second Harvest to have cost savings on experienced returning sites and focus more time and resources on program integrity through more in-depth and technical assistance to new sites during the first week visit.

**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 a waiver use of the first-week site visit requirements for SFSP sponsors that have operated successfully in the previous year.

*7 CFR 225.15(d)(2) Sponsors shall visit each of their sites at least once during the first week of operation under the Program and shall promptly take such actions as are necessary to correct any deficiencies.*

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

Second Harvest Food Bank is requesting the ability to waive the first-week site visit requirement for experienced sponsors with sites that operated successfully during the previous year and had no serious deficiency findings or participated successfully in the Child and Adult Care Food Program (CACFP). Second Harvest will continue to monitor sites within the first four weeks of operations and will maintain regular site monitoring and follow up reviews.

**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 does not anticipate these waivers will present any challenge because these flexibilities have already been implemented and are in place. In fact, this waiver will decrease the challenges faced by Second Harvest to continue to operate a large number of SFSP sites.

The challenges Second Harvest Food Bank may face if the waiver is not approved include:

- Increased burden to Second Harvest Food Bank staff costs to update training materials, monitoring materials re-train site staff, and monitor compliance for the rescinded flexibility;
- Loss of summer meal sites due to increased administrative burden to conduct site visits at each site during the first week of operations leads to fewer meals available to children
- Increased administrative labor costs for Second Harvest in conducting the first week site visits.
- Increased labor costs will result in fewer funds available to purchase high quality food.

These impacts may result in Second Harvest Food Bank significantly reducing program expansion across South Louisiana in many cases Second Harvest is the only non-profit sponsor operating in the area. As a result, this will decrease 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(l)(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. The waiver will continue to assist the Second Harvest Food Bank to streamline and control 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:**

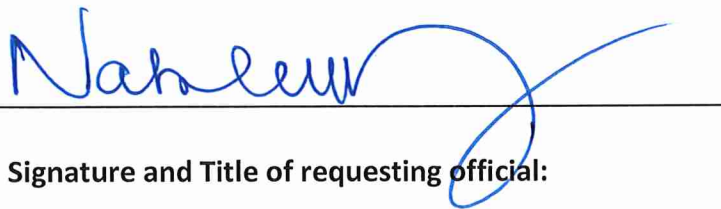
Second Harvest Food Bank will continue to follow standard SFSP monitoring and review procedures.

**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(l)(1)(A)(ii) of the NSLA]:**

[www.no-hunger.org/advisory](http://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(l)(1)(A)(ii) of the NSLA**
  
- **Regional Office Analysis and Recommendations:**