

CHILD NUTRITION PROGRAM WAIVER REQUEST- CACFP OFFSITE MONITORING

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

Alabama State Department of Education
Child and Adult Care Food Program
Angelice Lowe, Child Nutrition Program Director
50 North Ripley Street
Montgomery, AL 36104

alowe@alsde.edu

2. Region: Southeast Region

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

This waiver applies to:

- CACFP sponsors operating in Alabama
- Licensed childcare centers participating in CACFP
- Family day care homes (FDCHs) under CACFP sponsorship

All participating providers are in good standing and compliant with CACFP regulations.

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(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

ALSDE and its CACFP sponsors face logistical and financial challenges in conducting all required onsite monitoring visits due to:

- Long distances to rural and remote sites
- Limited monitoring staff and budget constraints
- Safety concerns in high-crime areas

The waiver will:

- Improve oversight efficiency and coverage
- Maintain program integrity through virtual tools
- Expand access to technical assistance
- Reduce administrative burden and travel costs

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

- **7 CFR 226.16(d)(4)(iii)** – Onsite monitoring frequency
- Related provisions requiring in-person reviews of meal service, documentation, and compliance

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

ALSDE proposes allowing up to **two of the three required annual reviews** to be conducted remotely for eligible sites. Offsite monitoring will include:

- Secure virtual meetings via Microsoft Teams or Zoom
- Submission of documentation (menus, meal counts, attendance records)
- Time-stamped photos or videos of meal service and posted licenses
- Virtual interviews with site staff
- Follow-up onsite visits if discrepancies are found

ALSDE will update its monitoring systems to track offsite reviews and provide sponsors with standardized protocols and training.

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

ALSDE has reviewed state-level policies and confirmed no additional statutory barriers exist. Internal guidance has been updated to support virtual monitoring protocols.

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

- Limited internet access in some rural areas
- Staff training on virtual platforms
- Ensuring completion of documentation during virtual visits

ALSDE will provide technical assistance and backup procedures to mitigate these challenges.

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]:

- No increase in federal costs is anticipated
- Travel savings will be redirected to training and oversight
- Technology costs will be covered by state or sponsor funds

10. Anticipated waiver implementation date and time period:

October 1, 2025 – September 30, 2026
Aligned with Federal Fiscal Year 2026

11. Proposed monitoring and review procedures:

ALSDE will:

- Require sponsors to submit offsite monitoring plans
- Conduct random audits of virtual visits
- Review documentation and meal observations
- Provide corrective action guidance as needed

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

- Number of offsite vs. onsite reviews
- Site compliance and corrective actions
- Sponsor and provider feedback
- Geographic distribution of offsite reviews

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

14. Signature and title of requesting official :

Angelice S. Lowe

Title: Child Nutrition Program Director

Requesting official's email address for transmission of response: alowe@alsde.edu

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:

- ☐ **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:**