CHILD NUTRITION PROGRAM
STATE WAIVER REQUEST
ALABAMA REQUEST FOR WAIVER FOR REQUIREMENT OF INCOME APPLICATIONS FOR CLOSED-ENROLLED SITES IN NEEDY AREAS, using Area Eligibility Instead
Summer Food service Program Waiver for Closed Enrolled Sites
November 17, 2001 Rescinded (Section 13(a)(1)(A)(i)(III) of the NSLA

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

Alabama State Department of Education (ALSDE)
Ms. June Barrett Owen, Coordinator, Child Nutrition Programs
jbarrett@alsde.edu: (334) 694-4656
Mr. Ben Guthrie, Administrator, CACFP and SFSP
bguthrie@alsde.edu: (334) 694-4659

2. Region: Southeast

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

If the US Department of Agriculture (USDA) grants a waiver request to the ALSDE, the ALSDE staff will require that each sponsor’s highest ranking official sign an attestation statement that their program is in good standing.

“Good standing means the institution must have no serious deficiencies declared in the most recent review cycle” (USDA Administration Guide, Summer Food Service Program 2016 page 11). The waiver request includes flexibility for the following: Summer Food Service Program (SFSP) Waiver for Closed Enrolled Sites. November 17, 2002. Waiver for closed enrolled sites could be determined eligible if located in areas where 50 percent of the children residing in the area are eligible for free and reduced priced meals under the National School Lunch Program and School Breakfast Program.

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]: In 2019 approximately 98 sites in Alabama were closed enrolled sites and utilized this waiver in a needy area. Of the 98 closed enrolled sites, all are in a needy area. Closed enrolled sites allow for a targeted, identified group of children versus the total community. The sites may be closed for day camps; for a program that requires an enrollment such as a band camp or other related school camps and academies which work with special needs to academic remediation. With a large portion of this state
determined to be area eligible, it is determined that site participants in there programs are often eligible. Requiring sponsors to collect and qualify income applications in an established needy area creates an unnecessary administrative burden. Without using area eligibility, there is the possibility that some of these sites may not be on the program, since becoming an open site is not an option and collecting income applications may exceed the administrative capacity of some sponsors staff capability and time. Collecting and approving applications may not be feasible due to the increase demand on staff time and the burden of collecting and processing the applications. Review of the applications for accuracy by the sponsor and SA increases staff time and the demand for administering and monitoring this process. This step and requirement in a needy area will increase time of SA and sponsor staff to review applications and determine the accuracy of the application approval. Due to the operational time of the program, this process exceeds the capacity of the SA review staff and the sponsor. The request of the waiver is to extend area eligibility as a method to determine site eligibility for closed enrolled sites in needy areas. The goal of the waiver is to streamline the administrative work for the sponsor and encourage the meal service to target the groups that need and will benefit from the closed enrolled status of a site. The application process is eased as well. With less of an administrative burden on sponsors, more sites may be approved and more needy children will be served meals during the summer months.

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

Section 13(a)(1)(A)(i)(III) of the NSLA; 42 USC 1761(a)(1)(A)(i)(III), 7 CFR 225.15(f). “The application is used to determine the eligibility of children attending camps and the eligibility of sites that are not open sites as defined in paragraph (a) of the definition of “areas in which poor economic conditions exist”, in 225.2. In these situations, parents or guardians of children enrolled in camps or these other sites must be given application forms to provide information described in paragraph (f)(2) or (f)(3) of this section, as applicable. Applications are not necessary, if other information sources are available and can be used to determine eligibility of individual children in camps or sites.” Instead of income applications, sponsors could use area eligibility to determine site eligibility if the waiver request is approved.

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

The impact of this waiver approval is streamlining the administrative burden for sponsor by reducing paperwork. The technology for this procedure is in place with the SA’s current online application system. The SA will monitor whether sites are qualified correctly with site applications are submitted and will determine approval only based on census data. This will save time for the SA as well by using area eligibility information versus verifying individual income application accuracy of approval and determination when sponsor review is completed.
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]: There are no regulatory barriers at the SA level.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation: The waiver has previously been in effect for seven years prior to federal recession. There are no challenges expected with the approval and implementation of this Waiver at the state level.

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]: This waiver will reduce administrative and operating costs for the sponsors and will not increase the overall cost of the program to the federal government. It will reduce the workload for the SA with regard to SFSP sponsor reviews since less time will be required to review and verify applications.

10. Anticipated waiver implementation date and time period: May 1, 2020-April 30, 2021.

11. Proposed monitoring and review procedures: All sites area approved with the correct eligibility information before meal service begins in the online application. This is not part of the review since ineligible sites would not be serving or claiming meals in Alabama under SFSP.

12. Proposed reporting requirements (include type of data and due date(s) to FNS): The number of closed enrolled sites in needy areas will be reported by SA as required by FNS.

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]:

https://www.slsde.edu/sec/cnp/Pages/forms-all.aspx?tab=Summer%20Food%20Service%20Program&navtext=Forms%20and%20Resources
14. Signature and title of requesting official:

Title: Alabama State Superintendent of Education
emackey@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: