CHILD NUTRITION PROGRAM
STATE WAIVER REQUEST
ALABAMA SFSP REQUEST FOR WAIVER TO ALLOW NON-SFA SPONSORS TO
UTILIZE OFFER VS SERVE (OVS) AT MEALS
SP 10-2017 & SFSP 06-2017, Meal Service Requirements in the Summer Meal
Programs, with Questions and Answers-Revised, December 5, 2016
7 CFR 225.15(d)

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:
SP 10-2017, SFSP 06-2017, 7 CFR 225.15(d) for SFSP and SSO sponsors in good
standing in CACFP and NSLP. Meal Service Requirements in the Summer Meal
Programs with Questions and Answers – Revised December 5, 2016. Waiver request
to continued extension of Offer Versus Serve (OVS) to non-school food authority
sponsors as originally published in SFSP 11-2011.

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]:
Challenge to Solve: The major challenge in this program is plate waste. Offer vs
Serve is a tested menu planning option which allows children the opportunity to
decline up to two food items in a reimbursable breakfast, lunch, snack or supper at
SFSP sites. Children accept food items if they are given the choice to select items
that they will consume. Thus, food waste is reduced significantly. By allowing a

SP 15-2018, CACFP 12-2018, SFSP 05-2018
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child to decline what they will not consume will lead to a better dining experience. By allowing children in the SFSP non-school environment to have this option, the program will be viewed in a more positive manner by the children and those observing the program. Children are more accustomed to selecting foods at meal times than in the past. Therefore, the offer versus serve option would have a positive impact on the program implementation.

5. **Specific Program requirements to be waived (include statutory and regulatory citations).** [Section 13(f)(6) of the NSLA]: This waiver which is available SFA sponsors, Section 13(f)(6) of the NSLA, 42 USC 1761(f)(6), and 7 CFR 225.16(f)(1)(ii) is being requested to extend the OVS option to non-SFA SFSP sponsors.

6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:**
The SA staff will be required to conduct training for sponsors to elect to implement OVS so that sponsors and sites will learn the meal pattern and OVS procedures for program compliance. The sponsors who select to use the OVS optional waiver will be required to train all sponsor staff on OVS in order to ensure program compliance of the meal pattern and meal counting and claiming procedures and processes. No additional monitoring requirements will be required for OVS waiver.

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 state level regulatory barriers for OVS in SFSP.

8. **Anticipated challenges State or eligible service providers may face with the waiver implementation:**
There are no additional challenges that the SA or sponsor would encounter by implementing this waiver.

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 overall cost will be added to this program by implementing OVS.

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

11. **Proposed monitoring and review procedures:** Sponsors must indicate if they are using the OVS option annually when completing the site portion of the online application. Non-SFA sponsors who are not in Good Standings in the previous year’s AR will not be allowed to use OVS option in their program. Program integrity and compliance will be part of the sponsor reviews and monitoring process. The SA will follow the SFSP review cycle and requirements for monitoring non SFA and SFA.
sponsors to ensure compliance of the OVS option. Site monitoring requirements will be reviewed by the sponsor and SA according to the SFSP review guidance.

12. Proposed reporting requirements (include type of data and due date(s) to FNS): The SA will report data as required by FNS. Reporting the number of OVS sponsors creates a burden due to the fact the online system does not capture this information.

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.alsde.edu/sec/cnp/Pages/forms-all.aspx?tab=Summer%20Food%20Service%20Program&navtext=Forms and Resources

14. Signature and title of requesting official:

[Signature]

Title: Alabama State Superintendent of Education
emackey@alsde.edu

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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: