CHILD NUTRITION PROGRAM
STATE WAIVER REQUEST
Alabama Waiver Request of Site Monitoring Requirements for Returning Sites
SP 06-2014, SFSP 06-2014, CACFP 03-2014, SFSP 12-2011 & SP 07-2013. SFSP 04-2013 revised – rescinded
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 statewide waiver request to the ALSDE, the ALSDE staff will require that both School Food Authority and Private Non-Profit SFSP sponsor’s highest ranking official sign an attestation statement that their program is in good standing and had no serious deficiencies in the last SFSP Sponsor Administrative Review.

“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: SFSP 12-2011: Waiver of Site Monitoring Requirements in Summer Food Service Program, April 5, 2011 on October 11, 2019, waving the regulatory requirement at 7 CFR 225.15(d) for sponsors to conduct site visits during the first week of program operations for returning sites that operated successfully during the previous summer and had no serious deficiency findings.

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:
In Alabama, there are many areas which are not served by the SFSP, sponsors who wish to expand find it extremely difficult to complete first week monitoring requirements and increase their programs which would serve more children in the poverty areas and grow our program. This waiver would reduce the time required of
sponsors to complete first week site reviews for returning sites that operated successfully during the previous summer and had no serious deficiencies. The waiver would give sponsors time during the first week of operation to assist new sites to ensure program compliance. Approving this waiver would result in less paperwork and provide more flexibility to the sponsor for improving meal service to children.

5. **Specific Program requirements to be waived (include statutory and regulatory citations).** [Section 12(1)(2)(A)(i) of the NSLA, 7 CFR 225.15(d) for school service authorities in good standing with SFSP, SP 06-2014, SFSP 06-2014, CACFP 03-2014, SFSP 12-2011, SP 07-2013, SFSP 04-2013 revised]: Sponsor 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 dedicatees.

6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** SFAs and non-school sponsors can spend more time with new sites ensuring program compliance and allow sites which have a proven record of no deficiencies can operate without disruption during the first week. Sponsor oversight and evaluation would be reduced. Technology would not be impacted. The state agency staff will realize a reduction in workload with fewer first week visits to check Sponsor reviews.

7. **Description of any steps the State has taken to address regulatory barriers at the State level.** [Section 12(1)(2)(A)(ii) of the NSLA]: There are no regulatory barriers at the State level regarding first week site visits.

8. **Anticipated challenges State or eligible service providers may face with the waiver implementation:** The waiver has been in effect, prior to federal rescission, for eight years. There were no challenges with its application nor are there expected to be with continuing the process.

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(1)(1)(A)(iii) of the NSLA]: There are no anticipated increased costs to the federal government for implantation of the waiver.

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

11. **Proposed monitoring and review procedures:** Sponsors must request in writing for the first week review waiver. AR reviewer can verify the request for first week waiver has been received and approved by the state agency. The reviewer will be able to evaluate if the first week review was completed per regulation and the sites which were determined to be serious deficient were reviewed as required. A finding would be documented if the required site visits were not conducted. Sponsors will
monitor returning sites during the first week that operated successfully during the previous summer and had no serious deficiency findings in the previous summer.

12. Proposed reporting requirements (include type of data and due date(s) to FNS): The number of sites for which the waiver is approved the SA will report data as required by FNS. In addition, findings associated with the waiver will be reported also.

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%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: