

CREATING
OPPORTUNITIES
FOR STUDENTS TO
KEEP WYOMING
STRONG



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DICKY SHANOR

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SHELLEY HAMEL

Chief Academic Officer

MEGAN DEGENFELDER

Chief Policy Officer

DIANNE BAILEY

Chief Operations Officer



CHEYENNE OFFICE

122 W. 25th St. Suite E200
Cheyenne, WY 82002
307-777-7675

RIVERTON OFFICE

320 West Main
Riverton, WY 82501
307-857-9250



ON THE WEB

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Attn: Marcellus Goodwin
Mountain Plains Regional Office
1244 Speer Blvd Suite 903
Denver, CO 80204-3581

January 22, 2020

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

Wyoming Department of Education
Nutrition Programs Director, Tamra Jackson
122 W. 25th St, Suite E200
Cheyenne, WY 82002
307-777-6263
Tamra.Jackson@wyo.gov

2. Region: Mountain Plains

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

State-wide waiver request for all participating Summer Food Service program (SFSP) sponsor organizations

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]:

The State agency is seeking to request a state-wide waiver for the SFSP flexibilities that were rescinded by FNS on October 11, 2018 as part of SFSP 01-2019. These include flexibilities within SFSP 12-2011, SFSP 04-2013, SFSP 06-2014, SFSP 06-2017, and 11/17/2002 Waiver for Closed Enrolled Sites.

These FNS waivers have benefited both State agency and SFSP sponsors by helping them efficiently operate the SFSP in a more cost effective manner. It has also allowed SFSP sponsors to align the SFSP meals more closely with the enrichment programs operating in their communities. These waivers have also allowed sites to be more welcoming and increase the number of children reached by the SFSP. Rescinding these flexibilities will place undue burden on both the State agency and the SFSP sponsoring organization and sites.

Park County School District #6 is a successful long term Summer Food Service Program sponsor. PCSD #6 serves at ten different sites. The serving sites are in four different towns including Powell, Greybull, Meeteetse, and Cody. This rural area between these towns covers 140 miles. Reviewing the sites in these different towns takes a lot of time as well as cost for the PCSD #6 to conduct first week reviews.

This is an example of an issue we deal with as a rural state. The PCSD #6 along with other sponsors have been very successful and have held up the integrity of the program, we feel the time it would take to complete these reviews could be more efficiently spent in other areas of the SFSP.

In addition, Wyoming is very small in size as far as population. Our sponsors have very few sites under them. We do not have a sponsor with more than 8 sites. The small amount of sites under each sponsor makes it easier to manage the sites and any issues that may arise.

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

First Week Site Visits:

We are requesting the discretion to waive the first week site visit requirements for sites that have operated successfully in the previous year, for School Food Authority sponsors in good standing, and for CACFP sponsors in good standing.

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:

First Week Site Visits:

The State agency will be able to waive the first week site visit requirement for sites that operated successfully during the previous summer (or other most recent period of operation) and had no serious deficiency findings. Sponsors will still be required to review the site within the first four weeks of operation.

The State agency will be able to waive the first week site visit requirements for School Food Authority sponsors in good standing. The SFAs must ensure that each sponsored site is monitored as otherwise required during the period of operation, monitoring requirements of the SFSP sites may be aligned with those of NSLP.

The State agency will be able to waive the first week site visit requirement for SFSP and SSO sponsors in good standing in the CACFP and NSLP,

respectively. Sponsors will still be required to ensure that their sites are monitored as otherwise required by Program regulations during the period of operation.

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]:

Previously, the State agency has not had to address any regulatory barriers as these flexibilities were in place.

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

The State agency does not anticipate that these waivers will present any challenges to the agency or SFSP sponsor organizations as these flexibilities have already been implemented and in place.

The challenges that the State Agency and SFSP sponsor organizations may face if the waiver is **NOT** approved include:

- Increased costs to State agency to update software systems to bring into compliance with regulation changes, including application, claims, and compliance modules
- Increased burden to State agency to update training materials, re-train SFSP sponsors and State agency consultants, and monitor compliance regarding rescinded flexibilities
- Increased administrative labor costs for SFSP sponsor for monitor staff in conducting the first week site visits, especially for the larger sponsoring organizations

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]:

The State agency does not anticipate that these waivers will increase the overall cost of the Program to the Federal Government. These waiver will however continue to assist the SFSP sponsors and the State agency stream line and control costs to their programs.

10. Anticipated waiver implementation date and time period:

To be effective with the start of the SFSP, by February 2020 and approved for a period of one year.

11. Proposed monitoring and review procedures:

The State agency will continue to follow their standard SFSP review procedures. Sponsors found to have noncompliance issues as related to these waivers will work with the State agency on an individualized corrective agency plan and will have follow-up reviews scheduled as needed.

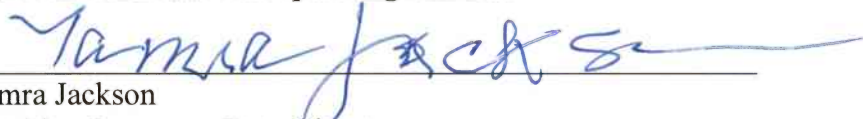
12. Proposed reporting requirements (include type of data and due date(s) to FNS):

The State agency will report to FNS any compliance issues noted with these flexibilities during application approvals and reviews by October 1, 2020.

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]: The public notice is located at:

<https://edu.wyoming.gov/beyond-the-classroom/nutrition/summer-food/>

14. Signature and title of requesting official:



Name: Tamra Jackson

Title: Nutrition Programs State Director

Requesting official's email address for transmission of response: tamra.jackson@wyo.gov

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:**