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The Wyoming Department of Education requests a waiver of regulations to continue to feed the enrolled children of a closed childcare/Head Start agency.



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ON THE WEB
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Waiver Request

Wyoming Department of Education
Child and Adult Care Food Program

State agency staff contact information:

Tamra Jackson, State Director of Nutrition
Child and Adult Care Food Program
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122 W. 25th St., Suite E200
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307-777-6263
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Region:

USDA Mountain Plains Region

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

Any Wyoming Department of Education Child and Adult Care Food Program (CACFP) institution, in good standing, operating during regular operating hours and school closure due to a COVID-19 outbreak.

Institutions that would operate under this waiver are operating in communities where schools and/ or childcare centers are closed in connection with a COVID-19 outbreak. This waiver request is based on USDA Policy Memo CACFP 12-2014, SP 46-2014, SFSP 18-2014 where it states on page five, "Other exceptional emergency situations or man-made disasters, such as human pandemic or chemical plant explosions, may impact the ability of schools, institutions, and sponsors to continue normal program operations. In this circumstance, FNS may approve flexibilities to accommodate the needs of severely impacted areas."

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(1)(2)(A)(iii) and 12(1)(2)(A)(iv) of the NSLA]:

Challenge:

Potential school and child care closures as a result of any identified COVID-19 outbreaks. The Wyoming Department of Education continue to monitor the situation.

"Social-distancing" is integral to the control of the COVID-19. CACFP regulations require consumption of meals at meal sites, thus increasing the potential of exposure among program participants.

Goal:

Provide meals to participants in a manner that minimizes potential exposure to COVID-19.

Expected Outcomes:

Alternative meal/snack model for the CACFP program, would provide meals to participants, while limiting interaction and proximity to other participants therefore decreasing the risk of COVID-19 exposure.

Centers/Head Start agencies would be able to serve an alternative or grab and go meal service that would limit participants' interaction and proximity to other participants COVID-19 exposure.

Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(1)(2)(A)(i) of the NSLA]:

The Wyoming Department of Education requests a waiver of regulations to continue to feed the enrolled children of a closed childcare/Head Start agency.

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

If approved, the Wyoming Department of Education will provide technical assistance to CACFP institutions on process and procedures for planning and preparing a unitized meal and accurate counting and claiming. There are no impacts on technology, State systems, or monitoring.

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 currently no State level regulatory barriers related to this specific issue.

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

Our agency does not anticipate that the establishment of this statewide waiver will pose any challenges at the state or sponsor level CACFP institutions foodservice operating under the waiver would essentially operate the same as a normal operating day. Alternatively, we anticipate this waiver will reduce challenges faced by regular CACFP that experience school closure because of COVID-19. Children can still benefit from meal service and institutions can use encumbered resources.

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]:

The establishment of this statewide waiver will not increase the overall cost of the Program to the Federal Government since these programs would be operating in situations where they normally would operate USDA Child and Adult Care Food Program. There are no additional staff costs to implement this waiver.

Anticipated waiver implementation date and time period:

The anticipated waiver implementation start date is March 15, 2020 and is to remain in effect through June 30, 2021 for SY 2020 and SY2021.

Proposed monitoring and review procedures:

State agency staff who will approve individual institution written requests to implement the waiver will monitor implementation of this waiver.

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

No later than July 15, 2021, the Wyoming Department of Education will report to FNS the number of sponsors that used this waiver including the number of unanticipated operating days and meals claimed.

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

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

Notice to be released:

The Wyoming Department of Education is seeking this waiver which would allow for an alternative or grab and go meal service that would limit participants' interaction and proximity to other participants COVID-19 exposure.

Signature and title of requesting official:



Tamra Jackson, State Direct of Nutrition Child and Adult Care Food Program
Wyoming Department of Education
122 W. 25th St., Suite E200
Cheyenne, Wyoming 82002-0206
(307) 777-6263

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:

▪ Date Received: _____

Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(I)(A)(ii) of the NSLA

▪ **Regional Office Analysis and Recommendations:**

Recommend Approval **Recommend Denial**