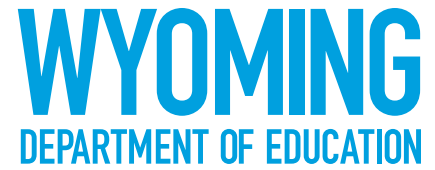


CREATING
OPPORTUNITIES
FOR STUDENTS TO
KEEP WYOMING
STRONG



STATE PROGRAM WAIVER REQUEST

WAIVER FOR SUMMER FOOD SERVICE PROGRAM APPROVAL ALLOWED TO SITES THAT DO NOT MEET AREA ELIGIBILITY



JILLIAN BALOW

Superintendent of Public Instruction

DICKY SHANOR

Chief of Staff

SHELLEY HAMEL

Chief Academic Officer

KARI EAKINS

Chief Policy Officer

TRENT CARROLL

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

edu.wyoming.gov
twitter.com/WYOEducation
facebook.com/WYOEducation

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

Wyoming Department of Health, National School Lunch Program (NSLP) and Summer Food Service Program (SFSP). Tamra Jackson, Nutrition Manager, 122 W. 25th St., Suite E200, Cheyenne, WY 82002

2. Region:

Mountain Plains Regional Office

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

Wyoming Department of Education would like to offer all participating SFSP sponsoring organizations the option to serve and receive reimbursement for meals at open meal sites that do not meet the 50 percent or more free or reduced priced eligibility requirement during times of emergency.

This waiver would be for sponsors that operated the previous year and were in good standing with the State Agency (SA) the previous year.

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

Wyoming Department of Education is seeking to request a statewide waiver to allow all participating SFSP sponsoring organizations the option to serve and receive reimbursement for open meal sites that do not meet the 50 percent or more free or reduced priced eligibility requirement during times of unanticipated school closures. The need for meal service does not take a break during a public emergency. In fact, the need for meal service may heighten due to factors beyond the control of the participants. Allowance of these additional sites will ensure that participants who receive meals from the NSLP to retain access to the nutrition that is needed.

The challenges that the SA and SFSP sponsoring organizations may face if the waiver is NOT approved include a decrease in the health of participants who no longer have access to healthy meals due to unanticipated school closures.

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

The specific requirements to be waived are the regulatory requirements at 7 CFR 225.2, "*Open site* means a site at which meals are made available to all children in the area and which is located in an area in which at least 50 percent of the children are from households that would be eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined in accordance with paragraph (a) of the definition of *Areas in which poor economic conditions exist*.."

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

Wyoming Department of Education will provide detailed information and instructions to the SFSP sponsors on the waiver process. Affected SFSP sponsors will be required to request approval for the use of the waiver. The use of the unanticipated school closure waiver will be limited to times of documented school closures.

Program sponsors would be required to meet the following criteria in order to be approved by the Wyoming Department of Education for a waiver:

- Must be in good standing.
- Must have participated in SFSP in the current year or prior two years.
- Must be located in an area experiencing a documented unanticipated school closure.
 - o Sponsors must maintain this documentation.
- The sponsor must ensure that the site supervisor is available at the site to document the number of meals served and ensure the integrity of meal service.

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]:

No barriers have been identified at the SA level. There are currently no state-level regulatory barriers related to this specific issue. Wyoming Department of Education will be in contact with program sponsors with sites impacted by unanticipated school closures due to public health emergencies.

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

Wyoming Department of Education does not anticipate this waiver will present any challenges to the state agency or sponsoring organizations. The challenge Wyoming Department of Education and sponsors may face if the waiver is not approved include the absence of meals provided to children during unanticipated school closure.

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]:

Wyoming Department of Education does not anticipate that this waiver will increase the overall costs of the Program to the Federal Government. The waiver is intended to replace meals that would have been served in a congregate setting at the school had the school not experienced an unanticipated closure.

10. Anticipated waiver implementation date and time period:

The anticipated waiver implementation date is immediately upon USDA approval of the waiver. Wyoming Department of Education requests that the waiver be valid through the end of October, 2020.

11. Proposed monitoring and review procedures:

Wyoming Department of Education will work with approved sponsors on the application and reporting on this waiver. Monitoring will include documentation of unanticipated school closures for public health emergencies. Implementation of this waiver will be monitored by SA staff through the review process in order to ensure compliance with regulatory requirements.

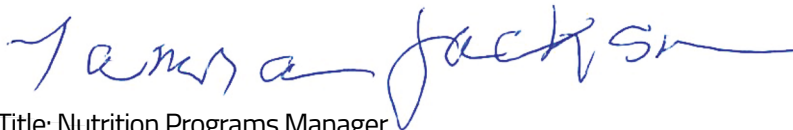
12. Proposed reporting requirements (include type of data and due date(s) to FNS):

Wyoming Department of Education will provide a report to the USDA SA contact by December 31, 2020. This report will provide data and an analysis of the waiver impact to include the number of sponsors and sites who utilized the waiver, the number of meals served non-congregate, and an overview of findings associated with the implementation of this waiver.

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

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

14. Signature and title of requesting official:



Title: Nutrition Programs Manager

Address: 122 W. 25th St., Suite E200, Cheyenne, WY 82002

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:

▪ Date Received: _____

Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA

▪ Regional Office Analysis and Recommendations:

Recommend Approval

Recommend Denial