

Meal Pattern Waiver for Sponsors Operating during COVID-19 Unanticipated School Closures

Waiver Request

Utah State Board of Education – Child Nutrition Programs

State agency staff contact information:

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Region: USDA Southwest Region

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

Any Utah State Board of Education approved Child Nutrition Program sponsor operating during a COVID-19 outbreak.

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:

Inventory and access to all meal pattern components at all operating sites. Ability to provide meals in an emergency by age/grade group. With limited inventories, there is anticipated shortages of certain meal components and minimum daily/weekly serving sizes.

Goal:

Provide food to eligible participants in a manner that best utilizes available food inventories. Provide shelf stable alternative foods as available for alternative meal serving models so participants do not go hungry.

Expected Outcomes:

Ensure participants receive food assistance when needed during an emergency.

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

The Utah State Board of Education requests a waiver of regulations at 7 CFR 210.10(c); 7 CFR 220.8(c); 7 CFR 225.16(d); 7 CFR 226.20.

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

If approved, the Utah State Board of Education will provide technical assistance to sponsors on process and procedures for planning and preparing meals/snacks and documenting food inventory and usage. 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:

We anticipate this waiver will reduce challenges faced by regular school sites that experience unanticipated school closure because of COVID-19. Children can still benefit from meal service and schools 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 when programs are able to provide continued service and food assistance during an emergency. 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 school district 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, USBE 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]:

Notice to be released:

The Utah State Board of Education is seeking three waivers from the United States Department of Agriculture, Food and Nutrition Services. The purpose of these waivers is to support schools and communities in providing meals to children in areas experiencing school closures in response to COVID 19. The first waiver would allow for an alternative or grab and go meal service that would limit participants' interaction and proximity to other participants and therefore decrease the risk of COVID 19 exposure. The second waiver would allow schools in areas not designated as high need to cover meals provided to students under the Emergency School Closure provision of the Summer Food Service Program or Seamless Summer Option. The third waiver would allow sponsors to provide reimbursable meals pending availability of meal pattern components.

Signature and title of requesting official:

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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:

- Date Received:
- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(l)(A)(ii) of the NSLA
- Regional Office Analysis and Recommendations:
 - Recommend Approval Recommend Denial