

Operation of CACFP Centers for Essential Workers due to COVID-19

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:

Eligible School Food Authorities (SFA's) and sponsors approved by the Utah State Board of Education to operate the National School Lunch Program, Summer Food Service Program and Child and Adult Care Food Program in good standing to operate.

SFAs and sponsors operating under this waiver would provide needed meals/snacks to One Utah Childcare locations targeted to children of essential workers (first responders and healthcare workers).

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:

One Utah Child Care is an effort under the directive of the Governor's office to open childcare sites during this COVID-19 emergency to specifically serve only the children of essential workers. Sites are limited to no more than twenty-four children and are specifically licensed as an emergency childcare center. The intake process screens for qualifying as an essential worker and directs the parent to available sites for free childcare.

The first challenge exists with locations arranged with legal agreements in place that do not have the trained staff or facilities to prepare meals for the children in care. Some of the locations operate in a building or in close proximity to a SSO site, a SFSP site, or CACFP At Risk area eligible site. While being in close proximity to meal access, taking all children from the childcare site to the emergency meals site each day poses healthcare risks due to COVID-19. In addition, the current waiver for parent or guardian pick up would not allow a caregiver to coordinate a meal pick up for the children in care at One Utah childcare sites.

The second challenge for One Utah childcare is for emergency locations that were operating under CACFP as a for profit sole proprietorship, have closed, and now reopened to specifically provide emergency childcare for essential workers. These locations will have varied enrollment up to twenty-four children, and challenges having parents complete the income eligibility applications, or even qualify for free and reduced reimbursement rates. The center will likely not meet the 25% Free or Reduced or Title XX for eligibility to claim meals.

Lastly, if meals are not accessed for these sites, parents would be requested to send meals and snacks with their children to the childcare site. The parents (essential workers) are already faced with the challenge to work outside the home in a high-risk environment. To have them pack meals to send to childcare would place further burden for these individuals providing invaluable service to our communities.

Goal:

The Utah State Board of Education and One Utah Childcare share in our goal to provide access to nutritious meals for children of essential workers free of charge, and to provide locations entering into agreement to reopen their centers for this purpose the ability to qualify as an area eligible site to claim these meals at a free reimbursement rate.

Expected Outcomes:

SFAs and sponsors would be able to provide meals for each enrolled child to One Utah emergency childcare personnel. For profit center locations operating in agreement with One Utah childcare and childcare licensing would be able to prepare and serve CACFP creditable meals and claim reimbursement as an area eligible site during this COVID-19 outbreak.

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

Utah is requesting a waiver to expand the definition in the Nationwide parent pick up waiver to include designated One Utah childcare caregiver or volunteer.

Utah requests a waiver for 7 CFR 226.2. For profit centers must meet (1) Twenty-five percent of the children in care (enrolled or license capacity, whichever is less) are eligible for free or reduced price meals; or (2) Twenty-five percent of the children in care (enrolled or license capacity, whichever is less) receive benefits from title XX of the Social Security Act and the center receives compensation from amounts granted to the States under title XX.

The state would like the FNS authority to allow for profit centers in agreement with One Utah childcare to operate an emergency childcare for essentials workers and be area-eligible centers to claim all meals and snacks at the free reimbursement rate.

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

If approved, the Utah Child Nutrition Programs will review and verify locations to be opened by One Utah childcare and approve only those locations as area eligible. For locations with access to emergency meal sites operating SSO, SFSP or CACFP At Risk, meals will be claimed by those SFA's and Sponsors and an approved CACFP agreement will not be in place this One Utah childcare location. SFA's and Sponsors will be given guidance on how caregiver identification will be completed in order to correctly provide meals for One Utah childcare locations. The simplest way to identify during pick-up would be to have an identification card or document for the caregiver to show at each meal pick-up. 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 the approval of this waiver will pose any additional challenges at the state or sponsor level. Coordination will take place to communicate with SFA's and Sponsors of the caregiver pick up allowance only for specific One Utah childcare sites.

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(I)(I)(A)(iii) of the NSLA]:

The establishment of this will not increase the overall cost of the Program to the Federal Government since these programs will be operating during emergency only in targeted areas for children of essential workers only.

Anticipated waiver implementation date and time period:

The anticipated waiver implementation start date is April 6, 2020 and is to remain in effect through June 30, 2020 or until expiration of the federally declared public health emergency.

Proposed monitoring and review procedures:

State agency staff will work One Utah childcare emergency sites and with SFA's and Sponsors operating SSO, SFSP and CACFP At Risk that may serve grab and go meals to these select locations and ensure the waiver is implemented correctly and documentation is maintained.

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

No later than one year after the date the state receives a USDA FNS waiver, USBE will report to FNS a summary of the use of the waiver by the State agency and local Program operators, a summary of how meals were provided to emergency locations operated for essential worker children under One Utah childcare and a description of how the waiver resulted in improved services to participants.

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

Notice to be released:

The Utah State Board of Education is seeking a waiver from the United States Department of Agriculture, Food and Nutrition Services. The purpose of this waiver is to provide One Utah childcare sites serving children of essential workers access to meals and allow approved sites to be area eligible to claim those meals.

Public notification can be found at: <https://www.schools.utah.gov/cnp>

Signature and title of requesting official:

Kathleen Britton

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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:
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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