

Enrichment Activity Waiver Request for Sponsors Operating CACFP At Risk Afterschool Meal Programs and NSLP After School Snack Programs during School Year 2020-2021

Utah State Board of Education – Child Nutrition Programs

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

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Region: USDA Southwest Region

Program operator(s) participating in waiver and affirmation that they are in good standing:

Any Utah State Board of Education (USBE) approved Child and Adult Food Care Program (CACFP) sponsor or Local Education Agency (LEA) in good standing, operating during 2020-2021 school year.

Description of the challenge the State agency is seeking to solve:

Challenge: Due to COVID-19, schools reopening will have to adjust to new requirements, recommendations and logistics in following safety precautions to mitigate the spread of the disease. School schedules will include remote learning, in school or hybrid models and vary by LEA. This creates challenges for children to access meals for CACFP At Risk Afterschool Meal Programs and NSLP snack programs and to plan and implement enrichment activities. CACFP At Risk Sponsors operating outside school buildings will also incur the challenge of ensuring safety, implementing adult supervision and how to offer enrichment activities safely on site.

Goal: Allow Sponsors and LEA's the flexibility to serve meals and snacks for these programs as grab and go by waiving the enrichment activity requirement. If the State Agency and Sponsor/LEA determine it is possible to provide a take home or electronic option for enrichment, this will be implemented as determined safe and reasonable.

Expected Outcomes: Sponsors and LEA's will be able to continue to provide reimbursable meals as they adapt to new schedules and challenges with COVID-19, reduce the chances of unsafe contact and relieve the logistical and economic burden to require onsite enrichment activities. Sponsors and LEA's will continue to offer meals and snacks through afterschool programs rather than discontinue operation.

Specific Program requirements to be waived (include regulatory citations):

SA request a waiver of regulations at: 7 CFR 226.17a(b)(ii)(iii) and 7 CFR 210.2 *"Have organized, regularly scheduled activities (i.e., in a structured and supervised environment); (iii) Include education or enrichment activities"* 210.2 Definitions Afterschool care program means a program providing organized child care services to enrolled school-age children afterschool hours for the purpose of care and supervision of children.

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

If approved, the USBE will provide technical assistance to Sponsors and LEA's to determine the best option for each proposed site to either operate under the flexibility to waive an enrichment activity or offer a safe option for enrichment activities to occur. There are no impacts on technology, state systems and monitoring.

Description of any steps the State has taken to address regulatory barriers at the State level:

Sites operating within schools currently mandate all children and adults to wear face coverings. State and local health departments have recommended drinking fountains not be used to control transmission of COVID-19.

Anticipated challenges with waiver implementation:

At this time, the USBE does not anticipate challenges from the establishment of this statewide waiver at the state or sponsor level. Rather, it is anticipated the waiver will allow Sponsors and LEA's to minimize exposure to COVID-19 during the 2020-2021 school year following state and local guidelines.

Anticipated impact on Federal administrative costs and assurance that any increases in Federal administrative costs will be paid from non-Federal funds:

The establishment of this waiver will not increase the overall cost of the Program to the Federal Government.

Anticipated implementation date and time period:

The anticipated waiver implementation start date is August 15, 2020 and is to remain in effect through June 30, 2021 (School Year 2020-2021) for participating CACFP Sponsors and LEA's.

Proposed monitoring and review procedures:

State agency staff will approve individual Sponsor and LEA written requests to implement the waiver and monitor implementation of the 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 amount of funds 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://www.schools.utah.gov/cnp>.

Notice to be released:

The USBE is seeking multiple waivers from the United States Department of Agriculture, Food and Nutrition Services. The purpose of these waivers is to support institutions and communities in providing meals to children in areas responding to COVID-19. All waiver requests can be viewed at <https://www.schools.utah.gov/cnp>.

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 your 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 Denied