

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST

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

Alaska Department of Education & Early Development
Child Nutrition Programs
[Jo Dawson](#), Program Manager
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- **Region:** Western Region
- **Eligible service providers participating in waiver and affirmation that they are in good standing:**

Per policy memo SP 12-2019 the Alaska Department of Education & Early Development, Child Nutrition Programs (DEED CNP) is requesting to adjust state agency monitoring of CACFP At-Risk Meals from a 3-year cycle to a 5-year cycle for eligible school food authority (SFA) sponsors in good standing.

- **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(I)(2)(A)(iii) and 12(I)(2)(A)(iv) of the NSLA]:**

DEED CNP is requesting a statewide waiver for the 3-year AR cycle, adjusted to a 5-year review cycle with 1-year follow-up reviews as required, identified through monitoring compliance and annual risk assessment (per the Uniform Grant Guidance). This waiver would allow DEED CNP to maintain the aligned monitoring schedule established for SFAs operating CACFP At-Risk Meals with the NSLP/SBP AR.

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

7 CFR 226.6(m)(6)(i):

(6)*Frequency and number of required institution reviews.* The State agency must annually review at least 33.3 percent of all institutions. At least 15 percent of the total number of facility reviews required must be unannounced. The State agency must review institutions according to the following schedule:

(i) Independent centers and sponsoring organizations of 1 to 100 facilities must be reviewed at least once every three years. A review of such a sponsoring organization must include reviews of 10 percent of the sponsoring organization's facilities

- DEED CNP is requesting a waiver to modify the review cycle for strictly for SFAs sponsoring CACFP At-Risk from a 3-year cycle to a 5-year cycle to keep At-Risk

monitoring aligned with the NSLP/SBP AR.

- This waiver would not extend to programs within an LEA operating CACFP At-Risk.

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

Currently DEED CNP monitors all NLSP, CACFP, and SFSP program sponsors under a 3-year cycle with a follow-up review as needs are identified through the AR and/or Uniform Grant Guidance Risk Assessment. In FY14 the state agency aligned program monitoring for SFAs to minimize administrative burden on the part of SFAs and reduce state agency travel costs.

On June 28, 2019 USDA approved a similar waiver to allow the State Agency to follow a 5-year AR cycle for School Food Authorities participating in NSLP and SBP. Follow-up and/or targeted ARs may occur based on the annual Risk Assessment. This waiver request allows the State Agency to maintain the monitoring amalgamation we have developed for SFAs as supported by Policy Memo SP09-2013, CACFP 04-2013.

If approved, DEED CNP is requesting the SFAs impacted be removed from the calculation outlined in 7 CFR 226.6(m)(6)(i) requiring the annual monitoring of 33.3% of institutions so as to not inadvertently cause burden to the remaining CACFP program sponsors in making up the difference.

- **Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:**

Currently DEED CNP is conducting all CACFP At-Risk monitoring on a maximum 3-year schedule; incorporating UGG Risk Assessment annually on all program sponsors by each CFDA. Monitoring has been aligned with the NSLP/SBP AR.

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

DEED CNP does not anticipate these waivers will present any challenges to the SA or SFAs. The challenges DEED CNP and SFAs may face if the waiver is not approved include:

- Continued administrative burden for program sponsors to have two or more ARs/monitoring within review cycles.
- Continued elevated administrative costs incurred by the state agency to conduct monitoring at a 3-year cycle due to the remote locations of most of Alaska SFAs and the high cost of travel to remote locations.

- Lack of time and resources to conduct on-site technical assistance to develop skills at the local level.
- **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(l)(1)(A)(iii) of the NSLA]:**

DEED CNP does not anticipate that this waiver will increase the overall cost of the program to the Federal government. The waiver will continue to assist program sponsors and DEED CNP to streamline oversight and control costs.

- **Anticipated waiver implementation date and time period:**

To be effective with the start of FY 2020 and approved for a period of five years.

- **Proposed monitoring and review procedures:**

DEED CNP will follow the amended AR schedule. Sponsors found to have non-compliance issues as related to this waiver will work with the state agency on an individualized corrective action plan and will have follow-up reviews scheduled as identified through the Risk Assessment process required under 2 CFR 200.331(b).

- **Proposed reporting requirements (include type of data and due date(s) to FNS);**

DEED CNP will report to FNS any compliance issues noted with this flexibility as requested.

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

[Alaska Department of Education and Early Development, Child Nutrition Programs](https://education.alaska.gov/cnp)
(<https://education.alaska.gov/cnp>)

- **Signature and Title of requesting official:**



Name: [Jo Dawson](#)

Title: Child Nutrition Programs Manager

Alaska Department of Education & Early Development

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:

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

Regional Office Analysis and Recommendations: