

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST

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

Alaska Department of Education and 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:**

This waiver would impact various Administrative Review requirements for state agency monitoring of Child and Adult Care sponsors in good standing with the Alaska Department of Education and Early Development.

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

Challenge: Alaska Child Nutrition Programs has opted to participate in the USDA FNS Offsite Monitoring waivers; however, due to the many complexities of offsite monitoring and other waiver options at the sponsor level, there are other aspects of monitoring that remain complicated and difficult, if not impossible, to complete in these circumstances.

Evaluation after the FY2021 review year highlighted to the AK CNP management of both the sponsor and state agency administrative challenges to conduct accurate, high quality timely reviews. Most sponsors that went through a FY2021 review had much to say about the difficulty and extra time the review took.

Description of challenges:

1. DEED CNP Staff time:
 - a. DEED CNP staff are working remotely and many times with ineffective/slow internet.
 - b. DEED CNP cannot feasibly implement administrative review, annual renewals, and other oversight plans in the same manner as in past years. COVID issues have required major and frequent workflow changes on a continuous basis due to the frequent issuance of FNS waivers and guidance. The frequent changes also require significant staff and sponsor communication, as well as

training, and re-training as the changes occur. The waivers, together with meeting the non-waived program requirements have put an enormous strain on available staff time to learn and implement new waiver requirements and assist sponsors as they struggle with diminished staff and constant closures.

- c. Based on the remote administrative reviews conducted since May 2020, DEED CNP administrative review staff need at least double the staff hours per review than are needed when reviews are conducted in the field (including staff travel time).
 - i. Through the administrative review process, DEED CNP found that conducting unannounced reviews of Sponsors and sites was nearly impossible, due to sponsor staff time and technology capabilities as described below.

2. DEED CNP work-from-home technology issues:

- a. The document request and submission process requires the electronic transmission of all documentation. This affects renewals, administrative reviews, applications and more.
- b. DEED CNP staff are experiencing slow and spotty internet connections despite the excellent support of DEED IT staff and availability of SA equipment. Poor internet connections have increased the amount of staff time required to conduct all business; with most difficulty being that of conducting remote administrative reviews. DEED CNP does not have an option to conduct these reviews in person due to state policies during the pandemic – as well as the desire to keep sponsor and state agency staff safe. DEED CNP has been a paper based system until last year so switching to all electronic has been challenging and very slow.

3. Sponsor staff time:

- a. Sponsor staff time available for administrative reviews has been greatly affected. This includes management as well as line-staff time. The reasons for limited staff availability are due to a variety of reasons including new meal distribution methods and schedules due to waivers and community need; staff layoffs; reassignment of staff duties; lower or higher participation based on the sponsor and sponsor type, state child care licensing restrictions; sponsor staff absences due to illness including COVID; and new job duties required to meet the FNS program service waivers such as meal delivery.
- b. Administrative reviews require significant sponsor staff time in order to collect and transmit paper or electronic documents to the state agency.
- c. Some CNP sponsors may have time for one person to participate in the administrative review but their site staff or other required staff do not have time to participate. For example, site staff do not have time to load and transport meals, take meal counts, serve meals and take pictures or videos all at the same time. Due to public health restrictions, unannounced visits are no longer feasible. Many sites have stable group requirements and monitors are

discouraged from coming to a site without advance notice. Sponsors do not have additional staff to fulfill these requirements. CACFP or other small sites often have fewer FTE with the same responsibilities due to significantly lower enrollments (ex. Teacher becomes cook due to changes in staff). Additionally, high percentages of sponsor CNP staff are at high-risk categories for COVID-19. Additionally, due to CNP Managers taking on many roles during this time, conducting reviews on an unannounced basis provides limited opportunity to ensure other areas they are tasked with are completed without notifying someone that they are conducting a site review.

4. Sponsor technology capabilities:

- a. Many sponsors do not have the technology available to submit numerous documents via email or through the ODE secure file transfer system.
- b. Many sponsors lack internet due to remote locations, or lack reliable internet and/or the technology required to provide electronically submitted administrative review required documentation to ODE CNP staff. Many sponsors keep paper documents. The number of forms and other documentation that sponsors often need to scan and submit electronically is large – and can be in the hundreds of pages - and includes potential photos, videos and numerous pages of meal counts, enrollment forms, income statements, menus, menu documentation and more. It can take hours over a period of days to get these documents successfully scanned and submitted to ODE CNP.
- c. Some sponsors have some of the technology required for transmission of documents, but not all. This results in their inability to submit all required documents in a timely manner, or may not be able to submit certain types of documents.
- d. Many sponsor staff do not have access to sponsor-owned phones or cameras to submit photos or videos or even have knowledge of how to transmit required documents. Additionally, by taking video and photos, participants could be included without knowledge or permission.

Goals.

1. To support program integrity and oversight by implementing an alternative plan of conducting reviews of sponsors that are high risk during FY2022 and having a gap year for all other scheduled sponsor reviews.
2. During the gap year in FY2022
 - a. To support the success of CACFP institutions and sponsoring organizations through increased training and technical assistance, and
 - b. To support the success of CACFP institutions and sponsoring organizations through menu review for all agencies that were scheduled for FY2022 review.

Expected Outcome:

To complete effective administrative reviews for high risk sponsors and be able to provide more time and attention to these sponsors during this process. This would potentially be 2-3 sponsors in FY2022.

To complete menu reviews for the sponsors that will be pushed back to FY2023 and potentially those that will be pushed back to FY2024 so they are in compliance with the meal pattern.

To achieve improved compliance and integrity of CACFP institutions and sponsoring organizations and improved DEED CNP staff workloads which improve employee success and satisfaction

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

Alaska DEED CNP requests a waiver for the following:

7 CFR 226.6(m)(6) *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.*

(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;

(ii) Sponsoring organizations with more than 100 facilities must be reviewed at least once every two years. These reviews must include reviews of 5 percent of the first 1,000 facilities and 2.5 percent of the facilities in excess of 1,000; and

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

There are no impacts on technology. If approved, Alaska DEED CNP proposes FY2022 administrative reviews as follows:

DEED will review the four sponsor reviews that were waived in FY2021 to FY2022.

DEED will conduct pre-approval and first year reviews of all new sponsors in FY2022

DEED will review only high risk sponsors in FY2022 and SFAs administering CACFP At-Risk scheduled for NSLP/SBP ARs in FY2022.

DEED will have a gap year for review of the remaining sponsors in good standing in FY2022 by pushing back the FY2022 sponsor reviews to FY2023. This will push back subsequent review years back a year (ie FY2023 will be pushed back to FY2024, and FY2024 will be pushed back to FY2025).

DEED will conduct menu reviews and provide technical assistance to those sponsors scheduled for a review but who will be pushed back to FY2023.

DEED will provide technical assistance to all sponsors to help compliance take place during the gap year.

As in the past, any sponsors reviewed that have significant issues may have follow-up reviews conducted the following year and any high risk sponsors may be reviewed prior to their scheduled review year if warranted.

- **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]:**

There are currently no state-level regulatory barriers related to this waiver request.

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

There are no anticipated challenges with this waiver request. Sponsors that are reviewed virtually may still face challenges in submitting required paperwork via electronic means if a review is conducted.

- **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]:**

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

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

To be effective for federal fiscal year 2022 (October 2021 – September 2022) and federal fiscal year 2023 (October 2022-September 30, 2023).

- **Proposed monitoring and review procedures:**

The State agency will monitor the administrative reviews to determine compliance trends with noted comparison to prior year issues.

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

Continue to report data to USDA as required.

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

Regional Office Analysis and Recommendations: