Operation of SFSP/SSO by non-Area Eligible School Food Authorities During Unanticipated School Closures due to COVID-19
Waiver Request
Louisiana Department of Education Division of Nutrition Support

1. State Agency staff contact information:
Louisiana Department of Education Division of Nutrition Support  
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2. Region: Southwest Region

3. Eligibility service providers participating in waiver and affirmation that they are in good standing:
Any non-Area Eligible Public and Private School Food Authorities (SFA’s) approved by LDOE DNS to operate the National School Lunch Program, School Year 2019-20 and in good standing.

SFAs that would operate under this waiver would be operating in areas experiencing closures in connection with the COVID-19 outbreak.

4. 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:
While there are no large outbreaks in Louisiana at this time, we continue to monitor the situation to be prepared in the event of school closures.

SFAs with sites not meeting area eligibility requirements have no option for Federal feeding programs without a Federal declaration of disaster. State and community leaders and school district personnel have expressed need to continue to feed students during this challenge time.

Goal:
Allow non-Area Eligible SFA’s in good standing, to feed students under Emergency School Closure provision of the Summer Food Service Program or Seamless Summer Option.

Expected Outcomes:
Children would have provisions with much needed meals that otherwise are not available. Additionally, this waiver would allow SFA’s operating under this waiver in school closure areas, to utilize perishable foods that were encumbered for use in school meals programs.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:
The Louisiana Department of Education Division of Nutrition Support request a waiver of regulations at 7 CFR 225.14 (3) "conducing a food service to children from areas in which poor economic conditions exist", where schools have publicly announced extended closure due to COVID-19.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:
If approved, LDOE DNS will review all applications and verify that the requesting sponsor is located in an area where schools have been closed due to COVID-19. There are no impacts on technology, State systems, or monitoring.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 1(l)(2)(A)(ii) of the NSLA]:

There are currently no State level regulatory barriers related to this specific issue.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

Our agency does not anticipate that the establishment of this statewide waiver will pose any additional challenges at the state or sponsor level. Alternatively we anticipate this waiver will reduce challenges faced by schools and communities that are experiencing unanticipated school closures because of COVID-19.

9. 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 cost will be paid from non-Federal funds. [Section 12(l)(1)(A)(ii) of the NSLA]:

The establishment of this statewide waiver will not increase the overall cost of the Program to the Federal Government since these programs will be operating in areas where schools are normally operating and being reimbursed for programs meals.

10. Anticipated waiver implementation date and time period:

The anticipated waiver implementation start date is March 12, 2020 and is to remain in effect through March 12, 2021.

11. Proposed monitoring and review procedures:

State agency staff who will approve individual sponsor written requests to implement the waiver. Sponsors will then complete the SFSP/SSC application which will be reviewed and approved by state agency staff.

12. Proposed reporting requirements (include type of data and due dates(s) to FNS):

No later than March 12, 2021, LDOE DNS will report to FNS the number of sponsors that used this waiver including the number of unanticipated operating days and meals claimed.

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

Notice to be released:
The Louisiana Department of Education Division of Nutrition Support is seeking two 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 extended school closures in response to COVID-19. The first waiver would allow for Grab-N-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 to students under the Emergency School Closure provision of the Summer Food Service Program or Seamless Summer Options.

14. Signature and title of requesting official:

[Signature]

John Dupre
Director, Child Nutrition Programs
Louisiana Department of Education Division of Nutrition Support
(225)342-3720

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 option 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: ____________________________