December 16, 2019

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Mountain Plains Regional Office
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Subject of waiver request: Meal Service During Unanticipated School Closures

1. State agency submitting waiver request and responsible State agency staff
   contact information:
   Name of State agency: Kansas State Department of Education (KSDE)
   State agency staff contact: Cheryl Johnson
   Mailing address: 901 SW Jackson St. Suite 251, Topeka, KS 66612
   Telephone number: 785-296-2276
   Email address: csjohnson@ksde.org

2. Region: Mountain Plains

3. Eligible service providers participating in waiver and affirmation that they are in
   good standing:
   All Kansas CNP Sponsors in good standing.

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]:

   Problems that sponsors in Kansas will face without this waiver include: Many
   school districts operate the SFSP in Kansas in addition to the NSLP and SBP and
   have the ability to provide meals to children in the event of an unanticipated
   school closure through the SFSP. Kansas children do not have access to CNP
   meals when schools are closed due to severe weather. If meals would no longer
   be allowed to be served at school sites during the unanticipated school closures
   it would result in children not having access to food.

   This waiver will help sponsors address these problems by waiving the
   requirement that only non-school sites can serve meals in the event of
   unanticipated school closures, more children will have access to meals.
5. **Specific Program requirements to be waived (include statutory and regulatory citations).** [Section 12(l)(2)(A)(i) of the NSLA]:

   The KSDE requests a waiver of regulations at 7 CFR 225.6(d)(1)(iv) which require SFSP and SSO meals to not be served at school sites during unanticipated school closures.

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

   If approved, this request will waive the requirement that school sites can not serve meals during unanticipated school closures. Instead, school sites would be permitted to serve meals if they apply for the waiver notifying KSDE that they intend to serve meals during an unanticipated closure should unforeseen events occur, and it is approved as a part of Program Renewal for the KSDE CNW Consultants.

7. **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]:

   Previously, the State agency has not had to address any regulatory barriers as these flexibilities were in place.

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

   The State agency does not anticipate that these waivers will present any challenges to the agency or CNP sponsor organizations as these flexibilities have already been implemented and in place. Implementation of this waiver will decrease the challenges faced by sponsoring organizations.

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 costs will be paid from non-Federal funds.** [Section 12(l)(1)(A)(iii) of the NSLA]:

   The Waiver will not increase the overall cost of the Program to the Federal Government.

10. **Anticipated waiver implementation date and time period:**

    Requested Waiver Timeframe: 6 months
    - Waiver Request Start Date: January 1, 2020
    - Waiver Request End Date: June 30, 2020

11. **Proposed monitoring and review procedures:**

    The State agency will continue to follow their standard CNP review procedures. Sponsors found to have noncompliance 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 needed.
12. Proposed reporting requirements (include type of data and due date(s) to FNS):
The State agency will report to FNS any compliance issues noted with this flexibility during application approvals and reviews by December 31, 2020.

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

Link to public notice: www.kn-eat.org, Summer Food Service Program, What's New

14. Signature and title of requesting official:

Cheryl Johnson, MS, RD, LD

Name: Cheryl Johnson, MS, RD, LD
Title: Director, Child Nutrition & Wellness, KSDE
Requesting official's email address for transmission of response: csjohnson@ksde.org

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:

☐ Recommend Approval
☐ Recommend Denial

Explanation: