



IOWA

Department of Education

Ann Lebo, Director

Kim Reynolds, Governor
Adam Gregg, Lt. Governor

July 16, 2020

Maged Hanafi
Food & Nutrition Service
Midwest Regional Office
United States Department of Agriculture
77 W. Jackson Blvd., 20th Floor
Chicago, Illinois 60604

RE: Parent or Guardian Pickup of SFSP Meals Waiver Request for School Food Authorities and Sponsors Operating the Summer Food Service Program during Unanticipated School Closures and the regular Summer Season

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

Iowa Department of Education (Department), Bureau of Nutrition & Health Services

Kala Shipley, Bureau Chief, kala.shipley@iowa.gov, 515-281-4757
Stephanie Dross, Program Consultant, stephanie.dross@iowa.gov, 515-281-4760

2. Region: Midwest

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

This waiver request is applicable statewide for all approved Summer Food Service Program (SFSP) sponsoring organizations in good standing, operating during an unanticipated school closure due to a COVID-19 outbreak, as well as for new sponsors applying for participation in the Program.

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(1)(2)(A)(iii) and 12(1)(2)(A)(iv) of the NSLA]:

In school year 20-21, Iowa schools may have a school closure related to COVID-19 and need to mobilize the Summer Food Service Program to ensure ongoing access to nutritious meals for Iowa children. The Iowa Department of Education is requesting approval to allow parents and guardians to pick up meals at non-congregate meal sites on behalf of their children without the child being present at the site for School Food

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Authorities (SFAs) and sponsors that intend to serve meals during a COVID-19 outbreak, both during an unanticipated school closure or the subsequent regular summer season, and have satisfied application requirements set by the State agency. This request will support SFAs and sponsors operating the SFSP to provide access to nutritious meals while minimizing potential exposure and is being submitted in advance of any anticipated operations so as to be ready to work with eligible service providers when COVID-19 conditions arise.

Challenge

SFSP regulations require that meals be served to children at a meal site, thus increasing the potential exposure among program participants. Social-distancing measures may be integral to slow the spread of COVID-19. The State agency and local sponsoring organizations are challenged to provide meals in a manner to maintain “social distancing.”

Goal

The goal of this waiver is to allow sponsors to continue to provide meals to children during school closures in a manner that minimizes potential exposure to COVID-19.

Expected Outcome

Program sponsors will be allowed to distribute meals at a non-congregate meal site to a parent or guardian to take home to their children to minimize the exposure to COVID-19.

5. Specific Program requirements to be waived (include regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

The Department is requesting a waiver of regulations at 7 CFR 225.2 (Meals) and the Richard B. Russell National School Lunch Act at 42 U.S.C. 1761(f)(3) that require meals to be served to eligible children. The individual regulations to be waived are outlined below:

7 CFR 225.2(Meals): Meals means food which is served to children at a food service site and which meets the nutritional requirements set out in this part.

42 U.S.C. 1761(f)(3) Meals described in paragraph (1) shall be served without cost to children attending service institutions approved for operation under this section, except that, in the case of camps, charges may be made for meals served to children other than those who meet the eligibility requirements for free or reduced price meals in accordance with subsection (a)(5) of this section.

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 regulatory requirement that does not allow for SFSP meals to be taken by parents and guardians without their children being present at the meal site. The Bureau of Nutrition & Health Services will provide technical assistance to SFAs and sponsors on establishing policies and procedures for parent

and guardian pickup of meals to assure to the maximum extent possible that the integrity of the meal service is maintained and duplicate meals are not distributed.

These processes may include posting signage and adapting existing communication (i.e. emails, web posting, social media) to reflect the allowance of parent or guardian pickup of meals. Caregivers may also be asked to share the school name where each child attends that they are requesting meals for, if the children are of school age.

This waiver will decrease administrative and operational burden and allow sponsoring organizations to meet the need of their communities and participating children during a COVID-19 outbreak. The Department will continue to ensure program integrity through the application process, technical assistance, administrative reviews, and training. Approval of this waiver will be cost neutral for the Department.

If this waiver is **not** implemented, the impact on program operations may include a decrease in the number of sites offering meals during school closures related to COVID-19. This will lead to a decrease in program access, a decrease in meals served to children and ultimately an increase in childhood hunger in Iowa.

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]:

Iowa does not have any State statutory or regulatory barriers that apply to this waiver request.

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

No challenges for State or sponsoring organizations are anticipated in implementation of this waiver. Implementation of this waiver will decrease the challenges faced by sponsoring organizations and families. Children will have an option to still receive nutritious meals and snacks during a COVID-19 outbreak with a lessened risk of being exposed to 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 costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:

The establishment of this waiver will not increase the overall cost of the Program to the Federal Government. There are no additional Department costs for State agency oversight with implementation of this waiver.

10. Anticipated waiver implementation date and time period:

This waiver will be implemented starting September 1, 2020 and be effective through September 30, 2021, as part of school closures and the regular summer season during a COVID-19 outbreak.

11. Proposed monitoring and review procedures:

State agency staff in the Bureau of Nutrition and Health Services will monitor implementation of the waiver. Sponsoring organizations found to have noncompliance issues as related to this waiver will work with the State agency on an individualized corrective action plan.

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

No later than December 31, 2021, the Department will report to FNS:

- the number of sponsors and sites that used this waiver
- the number of operating days and meals claimed

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]: The following public notice is located at:

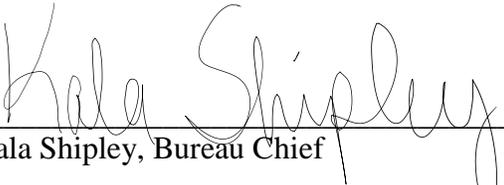
<https://educateiowa.gov/pk-12/nutrition-programs/summer-food-service-program>

The Iowa Department of Education Bureau of Nutrition and Health Services is seeking a waiver from the United States Department of Agriculture, Food and Nutrition Service for qualifying schools and sponsoring organizations to allow for parent or guardian pick-up of meals at non-congregate meal sites during the operation the Summer Food Service Program during a COVID-19 outbreak.

For more information, please contact Stephanie Dross at stephanie.dross@iowa.gov.

14. We are requesting your consideration of the above waiver request.

Signature and title of requesting official:



Kala Shipley, Bureau Chief

Requesting official's email address for transmission of response:

kala.shipley@iowa.gov

stephanie.dross@iowa.gov

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:**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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