

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST

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

Dustin Melton, Child Nutrition Programs
Child Nutrition Programs
Oregon Department of Education
255 Capitol St. NE Salem, OR 97310
503-947-5888

- **Region:** Western Region
- **Eligible service providers participating in waiver and affirmation that they are in good standing:**

All Oregon Department of Education Child Nutrition Programs (ODE CNP) 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]:**

We are requesting an extension on the conclusion date of COVID-19 Child Nutrition Response #21 *Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Summer Food Service Program*; the current end date of 6/30/20 does not allow for the flexibility the state agency may require due to travel restrictions imposed by the State of Oregon employees in The Oregon Governor's Executive Order 20-25. Per the Executive Order, individuals should minimize non-essential travel and should travel the minimum distance necessary for rendering essential business and government service. The Oregon Health Authority and the Oregon Department of administrative service policies state Oregonians are to limit non-essential travel.
<https://sharedsystems.dhsosha.state.or.us/DHSForms/Served/1e2342C.pdf>

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

7 CFR 225.7(d)(2)(ii)

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

While the travel restrictions are in effect in Oregon, ODE CNP will continue to conduct SFSP monitoring reviews in an off-site manner.

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

No barriers have been identified at the state agency level. There are currently no state-level

regulatory barriers related to this specific issue.

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

ODE CNP does not anticipate this waiver will present any challenges to the state agency or sponsoring organizations. However, off-site monitoring does provide its own unique challenges. The challenge ODE CNP faces if the waiver is not approved is the ability to maintain compliance with USDA SA monitoring requirements.

- **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]:**

ODE CNP does not anticipate that this waiver will increase the overall cost of the program to the Federal government.

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

To be effective for the remainder of federal fiscal year 2020; to be revisited if COVID-19 remains an issue into the next federal fiscal year.

- **Proposed monitoring and review procedures:**

ODE CNP has developed SFSP off-site monitoring procedures into place and staff have begun SFSP monitoring under the current waiver. ODE CNP will continue to use the current monitoring forms.

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

ODE CNP will report to FNS by the following information by December 31st each year that the waiver is in place:

1. The number of sponsors monitored under the waiver
2. The number of sites monitored under the waiver

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

<https://www.oregon.gov/ode/students-and-family/childnutrition/Pages/COVID-19.aspx>

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



Name: [Dustin Melton](#)

Title: Director Child Nutrition Programs and Pupil Transportation and Fingerprinting Unit
Oregon Department of Education

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: