



Food and
Nutrition
Service

May 29, 2020

Braddock
Metro
Center

John Dupre
Director of Child Nutrition Programs
Division of Nutrition Support
Louisiana Department of Education
P.O. Box 94064
Baton Rouge, Louisiana 70804-9064

1320
Braddock
Place
Alexandria
VA 22314

Dear Mr. Dupre:

This letter is in response to the Louisiana Department of Education's (LDOE) April 6, 2020, request to extend the requirement to update annual child enrollment requirements and free and reduced price meal eligibility for Child and Adult Care Food Program (CACFP) day care homes. Specifically, LDOE requested a statewide waiver of CACFP regulations under 7 CFR 226.18(e), which require Program operators to update documentation of each child's enrollment annually, and 7 CFR 226.23(e)(1) and (f), which require that applications for free and reduced price meals be distributed to families of participants and that these eligibility figures be reported to the State agency at least once a year. Instead, LDOE requests to allow that day care homes up for renewal between March and June 30, 2020 be granted an extension to the application for 180 days after the annual renewal date.

Pursuant to the waiver authority granted at section 12(l) of the National School Lunch Act (NSLA) and based on the exceptional circumstances relating to the declaration of a public health emergency due to the novel coronavirus (COVID-19) by the U.S. Department of Health and Human Services, effective January 27, 2020, FNS approves LDOE's waiver request through June 30, 2020. This waiver would require that all renewal applications be submitted to the State agency no later than 60 days after the waiver expiration date (i.e., by August 29, 2020). While LDOE requested that this waiver extend for 180 days past June 30, 2020, FNS limited the duration of the waiver to assess its impact and the State's ability to report the required data elements outlined below. This waiver supports program service by ensuring sponsoring organizations may continue to participate in CACFP while implementing safety measures in response to COVID-19. Furthermore, this waiver applies only to currently approved CACFP day care home sponsoring organizations in good standing.

Effective as of May 29, 2020, this waiver allows LDOE to grant day care home providers that are up for renewal through June 30, 2020 an extension to submitting their applications. All renewal applications subject to this waiver must be submitted to the State agency no later than 60 days after the waiver expires (i.e., by August 29, 2020). Sponsoring organizations are still required to comply with requirements at 7 CFR 226.23(e)(4), to determine eligibility using the income information provided by the household on the application, even if in this case the income information is more than 12

months old. Sponsors must ensure that the day care home participants are claimed according to the eligibility identified prior to the COVID-19 emergency, and that this extension does not incur additional costs to the federal government.

The waiver authority at section 12(l) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver. Therefore, by December 31, 2020, LDOE must provide to the FNS Southwest Regional Office a written report quantifying the impact of the waiver, as described below.

The report must include the following:

- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in CACFP;
- A description of how the waiver reduced the quantity of paperwork necessary to administer the program;
- The total number of sponsoring organizations that used the waiver;
- The total number of day care homes that used the waiver;
- The total number of meals that were served at day care homes that utilized the waiver of annual collection of enrollment and eligibility information; and
- A summary of benefits and challenges associated with the waiver of annual collection of enrollment and eligibility information.

FNS appreciates LDOE's commitment to work with sponsors to find efficiencies that balance the needs of local communities with cost-effective program management and integrity. If you have questions, please contact the Southwest Regional Office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ang M Kline". The signature is fluid and cursive, with the first name "Ang" being the most prominent.

Angela M. Kline
Director
Policy and Program Development Division

Electronic Copy: James Abraham, SWRO