

Vermont Waiver Request to allow the State agency to notify the Health Department of operation on behalf of the Sponsors

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

Vermont Agency of Education, Child Nutrition Programs
Rosie Krueger, State Director of Child Nutrition Programs
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1 National Life Drive, Davis 5, Montpelier, VT 05620-2501

2. Region:

Northeast Region

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

Summer Food Service Program (SFSP) sponsors serving meals during Summer 2020 operation. Currently, all SFSP sponsors are 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]:

7 CFR 225.16(a) requires SFSP sponsors to notify the appropriate health department of their operation. Vermont Agency of Education Child Nutrition Programs requests the option to fulfill the requirement to notify the Health Department of SFSP site locations on behalf of the sponsors. This is part of an effort to reduce the burden on the Department of Health, which is particularly critical during the current pandemic.

Vermont has a centralized- state-level health department; there are no local, city and county-level health departments in Vermont; everything is handled at the state-level. The State agency maintains a close relationship with the Vermont Department of Health Food and Lodging. Therefore, a statewide notification on behalf of the sponsoring organizations by the State agency would reach the required public health officials. It will be more effective and efficient to send the Vermont Department of Health Food and Lodging a master list of sites, as opposed to the piecemeal sponsor-by-sponsor approach.

The Vermont Department of Health has indicated to the AOE that ad hoc contacts from approximately 70 individual sponsors regarding 275 or more sites are burdensome to track. Especially during the COVID-19 response, when the Department of Health is under intense strain, the State agency is looking for ways to reduce unnecessary burden on this partner agency. A single list provided by the AOE will simplify this for the Department of Health, and ensure that the correct information about all sponsors and sites is received by the correct staff person.

The State agency proposes to send the Department of Health a list three times over the summer; in mid-June, at the beginning of July, and at the beginning of August. This will ensure that the

information is shared with the Health Department prior to the commencement of program operation. The State agency would submit the same site list that is provided to the summertechsupport@fns.usda.gov email address to populate the Summer Meals Site Finder website.

The State agency envisions this waiver to be similar to the flexibility provided to the State agency to submit a press release on behalf of the sponsors, per SFSP Memo Expanding Awareness and Access to Summer Meals, November 12, 2013, SP 07-2013, SFSP 07-2013: "Sponsors must announce the availability of summer meals to the media annually [7 CFR 225.15(e)]. FNS encourages State agencies to complete this requirement for all sponsors in their State through an all-inclusive statewide media release".

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

Per 7 CFR 225.16(a) Sanitation: "Within two weeks of receiving notification of their approval, but in any case prior to commencement of Program operation, sponsors shall submit to the State agency a copy of their letter advising the appropriate health department of their intention to provide a food service during a specific period at specific sites."

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

This will alleviate the burden of SFSP sponsors and the state Health Department. It will have no impact on systems or technology as the state will use the existing SFSP site list report to complete the requirement.

7. 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]:

There are no regulatory barriers at the state level.

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

There are no anticipated challenges with this waiver at this time.

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(I)(1)(A)(iii) of the NSLA]:

This waiver will not increase the overall cost of the program to the federal government. It will reduce the administrative burden of the SFSP sponsors in reporting the information and the Vermont Department of Health in tracking the individual sponsor notifications and will strengthen Program integrity by communicating information directly from one State agency to another.

10. Anticipated waiver implementation date and time period:

May 11, 2020 through September 30, 2020.

11. Proposed monitoring and review procedures:

This waiver will not impact monitoring. Sponsors will be reviewed per standard requirements.

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

The State agency will report the number of Sponsors covered by this waiver no later than December 31, 2020.

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

<https://education.vermont.gov/student-support/nutrition>

14. Signature and title of requesting official:



Title: State Director of Child Nutrition Programs

Requesting official's email address for transmission of response: mary.krueger@vermont.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(I)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations: NERO supports VTAOE's request for VTAOE to conduct the health department notification on behalf of sponsors.