

# Waiver Request for Off-site Monitoring Attestation Form

State agency must complete all fields

**Name of State agency**

Michigan Department of Education

**Name and Title of State Director**

Deanne Kelleher, Director

**Contact E-mail**

KelleherD2@michigan.gov

I, Deanne Kelleher, Director, attest that Michigan Department of Education is not requesting any additional requirements to be added to the waiver requested on December 13, 2023 submitted on February 21, 2024 and approved on February 26, 2024. The Michigan Department of Education has notified the public of this waiver extension request here: <https://www.michigan.gov/mde/services/food/cacfp/forms-content/family-day-care-home-sponsor-memos>. The Michigan Department of Education understands that FNS is renewing the current waiver request for the upcoming fiscal year (FY) 2025. The Michigan Department of Education understands that the current waiver request is to waive only two of the three on-site monitoring portions of the annual requirements listed at 7 CFR 226.16(d)(4)(iii). Therefore, the Michigan Department of Education understands that all other monitoring requirements apply, including compliance with conducting an on-site meal observation review as required at 7 CFR 226.16(d)(4). Additionally, the Michigan Department of Education understands that a written report quantifying the impact of the waiver extension for FY25 must be provided to FNS no later than one-year from the date of extension approval. The Michigan Department of Education understands that the written report must include:

- A description of how the waiver impacted meal service operations and eligible participants' access to nutritious meals and snacks;
- A description of how the waiver has facilitated sponsoring organizations' oversight abilities and responsibilities;

- A summary of how many sponsoring organizations were recruited or retained as a result of the waiver approval;
- A summary of how many day care homes were monitored offsite during the waiver period;
- A summary of the State-approved sponsor specifications for conducting virtual monitoring reviews, as well as procedures for video/photographic reviews, addressing missed unannounced reviews, and serious deficiency determinations;
- A summary comparison of common findings for onsite and offsite monitoring reviews, including serious deficiencies;
- A summary of program integrity measures taken to identify any misuse of Federal funds and identify fraudulent activities, and, if anything was identified, any actions taken;
- A description of how the waiver impacted the quantity of paperwork necessary to administer the program(s); and,
- A summary of any technical assistance measures that were provided.



**Director Signature**

**Date**

10/1/2024

October 15, 2024

Deanne Kelleher, Director  
Office of Health and Nutrition Services  
608 West Allegan Street  
PO Box 30008  
Lansing, MI 48933

Dear Deanne Kelleher:

This letter is in response to the revised waiver renewal request from the Michigan Department of Education (MDE) received on October 10, 2024, requesting to waive the Child and Adult Care Food Program (CACFP) monitoring review requirement for sponsoring organizations to conduct onsite monitoring reviews of day care homes (DCHs). Pursuant to section 12(l) of the Richard B. Russell National School Lunch Act (NSLA) (42 USC 1760(l)), FNS approves MDE's waiver request to waive the regulations at 7 CFR 226.16(d)(4)(iii), as related to onsite monitoring reviews of DCHs, specified below.

Specifically, MDE is requesting that CACFP sponsoring organizations in good standing be permitted to conduct two of the three required monitoring visits of DCHs virtually.

In its waiver request, MDE stated that sponsoring organizations are experiencing challenges completing the required onsite monitoring reviews due to staff retention, as well as the cost and time needed to monitor providers across Michigan's 83 counties. The challenges are exacerbated by the rurality of 15 of the counties located in the Upper Peninsula, where providers have less access to food sources and high rates of poverty.

MDE would require eligible CACFP sponsoring organizations to submit, for review and written approval, monitoring plans including how virtual monitoring visits will be conducted (either video or photograph), how they will address providers that miss their unannounced review and how and when a monitor will determine if a provider will be considered seriously deficient due to missed virtual visits. In addition, plans must include at least one onsite

monitoring visit which is unannounced and includes a meal service observation and a 5-day meal count reconciliation.

FNS has determined that allowing some virtual reviews will facilitate program operations and help mitigate financial and administrative challenges associated with these requirements. Therefore, FNS' approval of this waiver will not compromise the integrity of the CACFP. Provided that the sponsoring organization in good standing submits and receives approval from the State agency for a virtual monitoring plan as described above, MDE is approved to:

- Permit all sponsoring organizations of DCHs that are in good standing to conduct one annual monitoring review offsite;
- Permit all sponsoring organizations of DCHs that are in good standing to conduct a second offsite monitoring review for providers located outside of a 100-mile radius or more than 2 hours travel time from the sponsoring organization's office; and
- Require that at least one onsite monitoring review of each DCH must be unannounced and include a meal service observation.

This waiver is in effect from October 15, 2024, through September 30, 2025.

The waiver authority at section 12(I) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver. Therefore, no later than one year after the date of this waiver, MDE must provide the FNS Midwest Regional Office (MWRO) a written report quantifying the impact of the waiver, as described below. The report must include:

- A description of how the waiver impacted meal service operations and eligible participants' access to nutritious meals and snacks;
- A description of how the waiver has facilitated sponsoring organizations' oversight abilities and responsibilities;

- A summary of how many sponsoring organizations were recruited or retained as a result of the waiver approval;
- A summary of how many DCH providers were monitored offsite during the waiver period;
- A summary of the State-approved sponsor specifications for conducting virtual monitoring reviews, and procedures for video/photographic reviews, addressing missed unannounced reviews, and serious deficiency determinations;
- A summary comparison of common findings for onsite and offsite monitoring reviews, including serious deficiencies;
- A summary of program integrity measures taken to identify any misuse of Federal funds and identify alleged fraudulent activities, and, if anything was identified, any actions taken;
- A description of how the waiver impacted the quantity of paperwork necessary to administer the CACFP; and,
- A summary of any technical assistance measures that were provided to the sponsoring organization by the State agency and to DCHs by the sponsoring organization.

FNS appreciates the efforts of MDE to support institutions in conducting effective monitoring to ensure program integrity. If you have any questions or concerns, please contact the FNS MWRO.

Sincerely

**MEGAN GEIGER** Digitally signed by MEGAN GEIGER  
Date: 2024.10.15 14:10:37 -04'00'

Megan Geiger  
Acting Director  
Program Monitoring and Operational Support Division  
Child Nutrition Programs

Electronic Copy: Jheanell West, MWRO