



**CHILD NUTRITION PROGRAM**

**Waiver Request to Allow School Sites to Participate in Unanticipated School Closure SFSP**

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

Michigan Department of Education  
Hannah Building  
608 W. Allegan  
Lansing, MI 48933

Diane Golzynski, Director  
Office of Health and Nutrition Services  
[golzynskid@michigan.gov](mailto:golzynskid@michigan.gov)  
517-241-5362

**2. Region:**

Midwest

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

The Michigan Department of Education (MDE) is requesting the waiver on behalf of all SFSP Sponsors determined to be in good standing in the State of Michigan.

**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]:**

This request is to waive the regulatory requirement for serving meals during unanticipated school closures.

Requirement 7 CFR 225.6(d)(1)(iv): if it is a site proposed to operate during an unanticipated school closure, it is a non-school site.

Challenges Without the Waiver

- Increase in childhood hunger during unanticipated school closures as there are less sites available to serve children. A majority of sponsors that would participate in unanticipated school closure SFSP are schools and their school sites. In many rural areas the school is the “community” and the only place to have an unanticipated school closure site.
- Increased administrative burden to sponsors to comply with the regulations.
- MDE will have to modify its electronic application system, incurring additional costs.
- MDE will have to retrain all SFSP sponsors on unanticipated school closure requirements.

Goal of Waiver to Improve Services

- Decrease administrative burden to sponsors and the State Agency.
- Allow SFSP sites to serve meals at sites that meet the needs of the community and maximize program participation.
- Maintain sponsor and site participation.

Expected Outcomes of Waiver

- Continue to allow sponsors to serve at school and non-school sites during unanticipated school closure SFSP and help ensure children do not experience a lapse in food security.

- Sponsors would continue to report program information on the sponsor and site pages in the electronic application.

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

<b>NSLA Citations</b>	<b>7 CFR 225 Citations</b>	<b>Requirement</b>
NSLA – 13(c)(1) 42 USC 1761(c)(1)	7 CFR 225.6(d)(1)(iv)	During unanticipated school closures, SFSP meals must be served at non-school sites.

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

Alternative procedures for the waiver are currently in place as MDE will continue to follow the previously published guidance from FNS Policy Memo: SP 55-2016, CACFP 26-2016, SFSP 18-2016.

If the requested waiver is approved, the electronic SFSP application has already been programmed to accommodate the waiver. Electronic SFSP applications are reviewed annually for all sponsors. External program documents would not require any modifications or additional costs.

If the waiver is not approved, MDE would have an increased burden to accommodate the unanticipated school closure SFSP requirements. To make changes in the electronic SFSP application is time consuming and cost prohibitive as it would require reallocated SAE funds to cover the costs incurred. MDE has already approved sponsors to participate in unanticipated school closure SFSP and would have to go back to see if sponsor’s sites are eligible. If a sponsor only has school sites, then they wouldn’t be allowed to participate unless they could add non-school sites. MDE would have to retrain all sponsors on the unanticipated school closure SFSP requirements.

**Impact on Program Operations**

- Limited number of non-school sites approved to participate in SFSP
- Limit the number of sponsors that have the capacity to participate in unanticipated school closure SFSP
- MDE already trained sponsors on the requirements for unanticipated school closure SFSP
- Modifications and programming for the electronic SFSP application already includes requirements for unanticipated school closure SFSP
- Decrease in the number of meals served to hungry eligible children
- Sponsors would have to modify their unanticipated school closure and emergency plans

**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]:**

There are no regulatory barriers at the State level to providing the requested waiver.

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

There are no challenges anticipated at the State and sponsor level given unanticipated school closure SFSP training has occurred and applications are approved as they are received.

There will be, however, challenges if the waiver is not granted. MDE has focused on outreach to expand SFSP programs, including unanticipated school closure SFSP. MDE completed trainings, in October and November, around the State of Michigan to sponsors informing them of the unanticipated school closure SFSP requirements prior to the rescinded waiver. Sponsors have plans in place to use unanticipated school closure SFSP. Most of the sites the sponsors plan to use are school sites.

**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 requested waiver does not increase the overall cost of the Program to the Federal Government. With the guidance provided in previously rescinded USDA memos, Michigan allowed all approved sites to participate in unanticipated school closure SFSP. Continuing to operate in this manner will not increase the overall cost of the Program to the Federal Government.

**10. Anticipated waiver implementation date and time period:**

Implementation date requested: January 15, 2020.

Time period requested: Five years, through December 2025.

**11. Proposed monitoring and review procedures:**

Current SFSP monitoring of sponsors includes the unanticipated school closure SFSP within the sponsor's approved application with MDE. This practice will continue as it is consistent with 7 CFR 225.7(d) requirements. In addition, during administrative reviews, MDE staff will confirm whether the waiver has been properly implemented.

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

MDE will report data about use of the waiver to USDA by December 1 each year.

1. A summary of the use of waivers by eligible service providers:
  - a. Sponsor and site data from electronic applications:
    - i. Total number of sponsors that applied to participate
    - ii. Total number of sponsors that participated
    - iii. Total number of sites that participated
2. A description of whether the waiver resulted in improved services to recipients/participants.
3. A description of the impact of the waiver on providing nutrition meals to participants.
4. A description of the impact of the waiver on paperwork to administer the Program.

**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]:**

<https://www.michigan.gov/mde/0,4615,7-140--512489--,00.html>

**14. Signature and title of requesting official:**

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Title: Diane Golzynski, Director  
Office of Health and Nutrition Services  
Michigan Department of Education

Requesting official's email address for transmission of response: [golzynskid@michigan.gov](mailto:golzynskid@michigan.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:**