

Oklahoma State Department of Education
Child Nutrition Program
State Waiver for a Sixth Year to our current Five-Year AR Cycle

1. **State agency submitting waiver request and responsible State agency staff contact information:** Oklahoma State Department of Education - Child Nutrition Programs (OSDE-CNP)
2. **Region:** SWRO
3. **Eligible service providers participating in waiver and affirmation that they are in good standing:** For year two of the current five-year review cycle we are on, there would be 127 school AR's that need to be completed. All 127 schools are in good standing with the OSDE-CNP.
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]:** Due to COVID-19 and the continued USDA flexibilities in place OSDE-CNP is asking for a 1-year extension to our 5-year school AR cycle. All schools that were up for review in year two are either operating the SFSP or SSO. Based on guidance from USDA conducting a review of the program the school is operating and adding the additional AR questions will not be allowed to count as an AR.
5. **Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:**
 - [7 CFR 210.18(c)] Timing of administrative reviews and cycle.
 - [7 CFR 210.19(a)(5)] Food Service Management Company (FSMC) review cycle requirements.
 - [7 CFR 210.8(a)(1) and 220.11(d)(1)]

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

SSO – Instead of conducting an AR on any schools due a required AR this school year, technical assistance (TA) will be completed on any school participating in SSO. The OSDE-CNP has created a TA checklist to use when conducting these visits. These TA visits will be focused on the schools that were due an AR and could include other schools as needed. There will be no effect on technology or State systems. As far as what will be done for SFSP, CACFP and Procurement, see below.

SFSP – OSDE-CNP will review any new programs to SFSP, any with operational weaknesses from the summer of 2020 and any programs that are due for their three-year review. This may also include several that would need to be added to meet the regulatory aggregate dollar amount from the previous year. If follow-up reviews from the summer of 2020 were needed these would be included in the visits made, TA for new and existing programs and inspect any FSMC facilities if applicable. TA and trainings will continue to be conducted.

CACFP – The OSDE-CNP will conduct CACFP reviews as required per regulations. TA and trainings will continue to be conducted.

Procurement Reviews – Although we have requested a waiver for the requirement to complete FSMC reviews on a 3 year cycle (7 CFR 210.19(a)(5)) we still intend to review about 20 of the originally scheduled 78 FSMC reviews as part of our monitoring plan and to ensure program integrity. The schools that don't contract with a FSMC will have their Procurement Review next year when they receive their AR. TA and trainings will continue to be conducted.
- 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]:** This request will not create any barriers to program participation during this time.
- 8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** There are no anticipated challenges for the State or program operators with this waiver request.
- 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]:** This waiver request will not increase program costs.

10. **Anticipated waiver implementation date and time period:** July 1, 2019 – June 30, 2025.

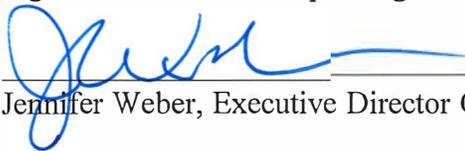
11. Proposed monitoring and review procedures:

Year 1- SY 19-20 – A full AR was conducted in Year 1 of current five-year waiver
Year 2- SY 20-21 – No AR's due to COVID, request to add a 6th year to our current five-year review cycle waiver
Year 3-SY 21-22 - Full ARs will be conducted
Year 4-SY 22-23 - Full ARs will be conducted
Year 5-SY 23-24 - Full ARs will be conducted
Year 6- SY 24-25- Full ARs will be conducted

12. **Proposed reporting requirements (include type of data and due date(s) to FNS):** This request to add a sixth year to our current five year AR cycle would be reported back to USDA using the FNS-640 report to show that the required reviews were conducted in the required years.

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://sde.ok.gov/child-nutrition-programs>

14. Signature and title of requesting official:


Jennifer Weber, Executive Director OSDE-CNP

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:

Did the State agency provide public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA? Yes No

Regional Office Analysis and Recommendations:

Approval Denial

Date of Approval 11/23/2020

Signature

Branch Chief, Community Nutrition Programs

Title

Date