

**CHILD NUTRITION PROGRAM  
STATE WAIVER REQUEST**

**Summer Food Service Program: Pre-Operative Site Visits  
May 14, 2024**

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

Kentucky Department of Education  
Division of School and Community Nutrition 300 Sower  
Boulevard,  
Frankfort, KY 40601  
502-564-5625  
Lauren Moore, Director, Division of School and Community Nutrition  
[lauren.moore2@education.ky.gov](mailto:lauren.moore2@education.ky.gov)  
Cathy Gallagher, Program Manager, Summer Food Service Program  
[cathy.gallagher@education.ky.gov](mailto:cathy.gallagher@education.ky.gov)

**2. Region:** Southeast

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

Summer Food Service Program operators who are not found to be seriously deficient or do not have significant deficiencies as a result of a SFSP Sponsor Administrative review. In good standing in the CACFP and/or NSLP, if operating one or both programs.

**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]:**

The Kentucky Department of Education Summer Food Service Program (SFSP) is requesting a statewide waiver for returning SFSP sponsors (i.e., operated the SFSP in the 2023 summer operational year). This waiver would apply to the SFSP pre-operational site visits when the site is new or new to non-congregate meal service.

In Program Year 2023, approximately 90% or more of new sites were added by sponsors who also operate the NSLP and/or CACFP. In Kentucky, approximately 85-88% of sponsors are School Food Authorities. As a result, most sponsors in Kentucky have experience in other child nutrition programs. Sponsors are trained to choose site locations which will help reach children who would benefit from meals and that are in safe locations.

The purpose of this waiver is to allow flexibility to waive the requirement that sponsors conduct a pre-operational visit at all new sites or existing sites new to non-congregate meal service for sponsors in good standing in the SFSP, and in the NSLP and/or CACFP if operating one or both programs. Technical assistance would be provided by the State agency to sponsors to conduct the visit in cases where there is concern about safety or the suitability of a proposed site.

The goal of this waiver is to allow for efficient and cost-effective program management and to reduce the administrative burden for sponsors and the KDE SFSP staff.

Approval of this waiver will allow the KDE SFSP staff and Kentucky sponsors to continue

implementing streamlined measures for effective program management and operation. This waiver simplifies the administration of the SFSP and decreases the burden and paperwork for sponsoring organizations.

**5. Specific Program requirements to be waived:**

7 CFR 225.15(d)(2)” Sponsors must conduct pre-operational visits for new sites, sites that experienced operational problems the previous year, and existing sites that are new to non-congregate meal service, to determine that the sites have the capacity to provide meal service for the anticipated number of children in attendance and the capability to conduct the proposed meal service.”

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

Description of Alternate Procedures: The pre-operational site visit for sites that are new to the SFSP, congregate, or non-congregate meal service types, will be waived. Our technology system is set up to allow sponsors to request a pre-operational visit waiver when completing their site application and indicate which sites they are requesting the waiver for. Sponsors will continue to conduct other required monitoring visits, including any necessary follow-up reviews.

If this waiver is not implemented, the following impact on program operations will likely occur:

- Significant impact on the KDE SFSP staff time and effort, especially regarding monitoring compliance with the additional pre-operational visits now required.
- Increased sponsor administrative labor cost to conduct pre-operational visits for all new sites, especially for large sponsor organizations.
- Increased sponsor administrative labor costs will result in less available funds for high-quality food purchase.
- Loss of sites due to increased administrative burden to conduct a pre-operational site visits for all new sites, especially for sites that are already familiar with other child nutrition program operations.

**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 regarding first week site visits.

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

There are no anticipated challenges with waiver implementation. Internal processes and procedures are already in place to ensure program integrity.

**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 will reduce administrative and operating costs for sponsors and will not increase the overall cost of the program to the Federal Government. There are no anticipated increases.

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

This waiver will be implemented immediately upon approval from the USDA and is to remain in effect through September 30, 2024.

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

Sponsors and sites will continue to be monitored by the KDE SFSP as outlined in 7 CFR 225.7 (2)(ii)(B). Standard review procedures will continue to be followed; if noncompliance is identified, the KDE SFSP will implement a corrective action plan and conduct follow-up reviews, as needed.

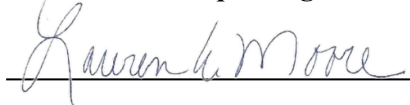
**12. Proposed reporting requirements (include type of data and due date(s) to FNS):**

The KDE SFSP will provide FNS with required reports, including review findings and technical assistance provided and survey results showing impact on improved services and streamlined administrative requirements. This information will be available annually.

**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]:**

[Summer Food Service Program \(SFSP\) - Kentucky Department of Education](#)

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



---

Title: Director, SCN

Program Requesting official's email address for transmission of response:

[lauren.moore2@education.ky.gov](mailto:lauren.moore2@education.ky.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:**

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

\_\_\_\_\_  
Title: Program Requesting official's email address for transmission of response:

**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:**