

**Kentucky Department of Education**  
**Summer Food Service Program Waiver Request – Jefferson County Public Schools**

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

Kentucky Department of Education  
Division of School and Community Nutrition

Lauren Moore, Director, Division of School and Community Nutrition  
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[Cathy.Gallagher@education.ky.gov](mailto:Cathy.Gallagher@education.ky.gov) 502-564-5625

**2. Region:** Southeast

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

Jefferson County Public Schools

**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]:**

Jefferson County Public Schools started school on Wednesday, August 9, 2023. Due to major transportation issues schools closed on Thursday, August 10 and 11, 2023. Due to continued issues the superintendent has announced that school will be cancelled on Monday, August 14, 2023 and Tuesday, August 15, 2023; however, the unanticipated school closure could last through Friday, August 18, 2023. Approval of this waiver request will allow the school district to provide meals through the Summer Food Service Program during the summer period.

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

The Kentucky Department of Education is requesting a waiver to allow Jefferson County Public Schools to provide SFSP Monday, August 14, 2023 through Friday, August 18, 2023, or until school resumes if earlier:

- Timeframe for Unanticipated School Closure in the SFSP – 7 CFR 225.2
- Non-Congregate Meal Service during Unanticipated School Closures - 7 CFR 225.6(i)(15)

- Parent and Guardian Meal Pick-Up: Parent and Guardian Meal Pick-Up during Unanticipated School Closures 225.2 (Meals), and 225.9(d)(7)
- Meal Service Times for Unanticipated School Closures - 7 CFR 225.16(c)(1), (2), and (3)
- Service of Meals at School Sites for Unanticipated School Closures - 7 CFR 225.6(h)(1)(iv)

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

No impact is anticipated because SFA was operating SFSP prior to the start of school.

**6. 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.

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

The Kentucky Department of Education does not anticipate any challenges with implementation of the waiver as SFA had successfully implemented the SFSP until the start of school.

**8. 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]:**

There will be no increase to overall program costs. Meals would be served if school were in session.

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

Monday, August 14, 2023 through Friday, August 18, 2023 (or earlier if school resumes and normal program operations can resume)

The Kentucky Department of Education respectfully requests expedited approval of this waiver request. This will aid the SFA in providing meals to students during this unanticipated closure.

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

The Kentucky Department of Education will monitor program operations and sites as done in typical SFSP operations.

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

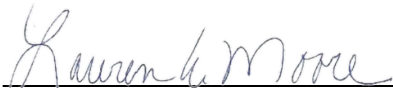
The Kentucky Department of Education will submit data as required by the USDA regarding use of this waiver.

**12. 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]:**

KDE SFSP Website link:

[https://education.ky.gov/federal/SCN/Pages/Summer-Food-Service-Program-\(SFSP\).aspx](https://education.ky.gov/federal/SCN/Pages/Summer-Food-Service-Program-(SFSP).aspx)

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



8/14/2023

Title: \_\_\_\_\_

Requesting official's email address for transmission of response:

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

[cathy.Gallagher@education.ky.gov](mailto:cathy.Gallagher@education.ky.gov)

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**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:**