

INDIANA WAIVER EXTENSION REQUEST
Annual Review Requirements for State Agencies in the CACFP

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

Indiana Department of Education
Office of School and Community Nutrition
115 W Washington St, South Tower, Suite 600
Indianapolis, IN 46204

Julie Sutton, Director, Child Nutrition Programs
Ph. (317) 232-0845, jsutton@doe.in.gov

[Additional contact information here]

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

CACFP consultants employed by IDOE.

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 challenge is to minimize potential exposure to COVID-19 for State agency CACFP consultants, CACFP participants, and to home and center caregivers while maintaining CACFP oversight and integrity. IDOE recognizes that in this public health emergency, suspending onsite monitoring is vital to support social distancing while providing meals. Additionally, with many CACFP facilities closed or not allowing the public entry to their centers, monitoring CACFP may not be possible in some instances. COVID cases are currently increasing daily in Indiana and currently State agency staff are not permitted to travel for any IDOE business. IDOE will continue to have CACFP monitors conduct monitoring activities of Program operations offsite (e.g., through a desk audit).

Indiana continues to have close to 1000 new cases of COVID-19 each day, and we anticipate child care facilities being closed or not allowing visitors into the facilities.

Under Program statute, State agencies are required to conduct one scheduled visit of CACFP institutions at not less than 3-year intervals. CACFP regulations at 7 CFR 226.6(m)(6) go on to require State agencies to annually review at least 33.3 percent of all CACFP institutions.

IDOE will have approximately 30 reviews to carry over from PY 2020 to PY 2021. In addition, the required reviews to be completed in 2021 is 130 reviews for a total of 160 Program reviews to complete. Two CACFP staff will have new positions in 2021 due to retirement. One is a field consultant changing to an office specialist. So, IDOE will have to hire a new field consultant for reviews in the busiest county. Two of the field staff will require more intensive training to get them up to speed in conducting reviews. **IDOE is requesting a waiver of the requirements for number and frequency of reviews.** This includes monitoring requirements included in Section 17(d)(2)(C) of the Richard B. Russell National School Lunch Act, as amended [42 U.S.C. 1766(d)(2)(C)] and regulations at 7 CFR 226.6(m)(6) and 226.6m(6)(i) through (ii). Any review not completed in PY 2021 will be prioritized in the next Program year.

5. **Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** Regulations at 7 CFR 226.6(m)(6) and 226.6(m)(6)(i)-(ii). Specifically to waive onsite visits and do desk audits instead, and to allow IDOE to carry over and prioritize any CACFP reviews not completed in 2021 to the following program year.
6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:**

If approved, the Indiana Department of Education will include all CACFP staff to complete assigned program reviews for the 2021 fiscal year. There are no impacts on technology, State systems, or monitoring.

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]:**

Indiana does not have any State statutory or regulatory barriers that apply to this waiver request.

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

We do not anticipate any challenges for the CACFP staff except a very heavy work load. It is not possible to know what other challenges COVID-19 will bring as 2020 comes to an end.

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 waiver will not increase the overall cost of the Program to the Federal Government.

10. Anticipated waiver implementation date and time period:

Time of anticipated start: October 1, 2020
Specific end date: September 30, 2021

11. Proposed monitoring and review procedures:

The State Agency will continue to carry out current program monitoring and review procedures as directed by USDA. Sponsors found to have noncompliance issues as related to this waiver will work with the State agency on an individualized corrective action plan and monitors will conduct follow-up reviews scheduled as needed to ensure ongoing compliance.

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

Annually by December 31, the Indiana State Agency will report to FNS the following:
The number of program reviews completed by the CACFP team.

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.doe.in.gov/sites/default/files/nutrition/waiver-public-notice.docx>

14. Signature and title of requesting official :

a. _____
Title: Julie Sutton, School and Community Nutrition Director

b. Requesting official's email address for transmission of response: jsutton@doe.in.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:

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*(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;*

(2) fax: (202) 690-7442; or

*(3) email: program.intake@usda.gov.
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