



"Fighting Hunger... Feeding Hope"™

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

Regional Food Bank of Oklahoma, Ryan Abernathy, ravernathy@rfbo.org, 405-600-3151

2. Region: Southwest

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

This waiver request is applicable for all returning sites sponsored by the Regional Food Bank of Oklahoma who are in good standing

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 Regional Food Bank of Oklahoma is requesting a waiver for all returning sites in good standing under our sponsorship for Summer Food Service Program (SFSP) flexibilities and policies that were rescinded by the USDA Food and Nutrition Services (FNS) on October 11, 2018 through SFSP 01-2019 Summer Food Service Program Memoranda Recission. The impact and challenges faced as a result of the rescinded flexibilities and policies to the Regional Food Bank of Oklahoma are detailed below.

Program Monitoring

The Regional Food Bank in 2018 served as the sponsor for 131 SFSP sites across our 53-county service area. Oklahoma ranks 51st in the nation in SFSP participation, and the Regional Food Bank is the largest sponsor in the state, with a goal of continuing to expand our services. To maintain this level of service, the Regional Food Bank, at our own cost, hires over a dozen seasonal employees to monitor sites, administrate the program, and prepare the meals served to children at these sites. The personnel resources necessary to monitor all SFSP sites in the first week of operation would require an increase in cost of approximately 33% and that cost increase would only allow the Regional Food Bank to maintain our existing sites. Expansion to new sites would be impossible. In fact, the additional monitoring required without this waiver, would put us in a position of having to reduce the number of sites we serve, especially in vulnerable and underserved rural areas, because the monitoring load would increase beyond our operational budget for this fiscal year.

The goal of this waiver is to reinstate the rescinded flexibilities and policies to allow for efficient and cost effective program management and reduce the administrative and financial burden on the Regional Food Bank.



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Approval of this waiver will allow the Regional Food Bank to continue implementing streamlined measures for effective program management and operation. In addition, if approved, the Regional Food Bank will not be required to spend additional funds and staff time to implement additional reviews of previously compliant sites.

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

The Regional Food Bank of Oklahoma is requesting all flexibilities and policies rescinded in SFSP 01-2019 be reinstated. The individual regulations to be waived are outlined below:
Current regulation to be waived: 7 CFR 225.15(d)(2) *"Sponsors shall visit each of their sites at least once during the first week of operation under the program and shall promptly take such actions as are necessary to correct any deficiencies."*

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

The first week site visit for sites that operated in SFSP successfully in the previous year (or other most recent period of operation) and had no serious deficiency findings, or that participated successfully in the Child and Adult Care Food Program (CACFP) will be waived for the Regional Food Bank. The Regional Food Bank will continue to monitor all sites within the first four weeks of operation and will maintain a reasonable level of site monitoring, including any necessary follow-up reviews.

Anticipated impact on Program operations

This waiver will significantly decrease administrative burden and allow for efficient and effective oversight of program operations. The Regional Food Bank will continue to ensure program integrity through a thorough application approval process, technical assistance visits, administrative reviews, and training. In addition, no change will need to be made to current technology systems as a result of this waiver. Approval of this waiver will be cost neutral for the Regional Food Bank.

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

- Increased administrative labor cost for the Regional Food Bank to conduct first week site visits for all sites.
- Increased administrative labor costs will result in less available funds for the purchase of high quality food.
- Loss of sites due to increased administrative burden to conduct site visits at each site during the first week of operation.



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These combined impacts will result in a significant decrease in program sites due to increased administrative burden. This will result in decreased access to the program, a decrease in meals served to children and ultimately an increase in childhood hunger in Oklahoma

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]:

The flexibilities and policies rescinded by the USDA FNS on October 11, 2018 through SFSP 01-2019 *Summer Food Service Program Memoranda Rescission* will increase financial burden and create barriers to program access and effective program operation. To address these barriers, the Regional Food Bank is submitting this waiver. In addition, the Regional Food Bank works closely with the Oklahoma State Department of Education (OKSDE) to ensure sponsors operating both SFSP and CACFP are in good standing.

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]:

There is no anticipated impact on Federal administrative costs for State Agency oversight with implementation of this waiver.

10. Anticipated waiver implementation date and time period:

This waiver will be implemented immediately upon approval for program year 2019 and remain in effect for a period of five years.

11. Proposed monitoring and review procedures:

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



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

The Regional Food Bank 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]:

The public notice is located at: <https://www.regionalfoodbank.org/programs/summer-feeding>

14. Signature and title of requesting official:

A handwritten signature in black ink, appearing to read "Ryan Abernathy". The signature is written over a horizontal line that spans the width of the text area.

Name: Ryan Abernathy

Title: Senior Director of Health Programming

Requesting official's email address for transmission of response: ravernathy@rfbo.org