

Waiver Request to continue to allow SFSP Sponsors to use Offer vs. Serve (OVS)

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

State Agency: Hawaii Department of Education - Hawaii Child Nutrition Programs

State Agency Staff: Daniel Sutcharitkul – SFSP Program Specialist

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**2. Region:** Western Regional Office

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

All Summer Food Service Program (SFSP) sponsors approved to operate the SFSP in the state of Hawaii.

**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 offer versus serve (OVS) meal service style simplifies Program administration and reduces food waste and costs while maintaining the nutritional integrity of the SFSP meal that is served. The recession of the *Waiver of Meal time Requirements and Unitized Meal Requirements in the Summer Food Service Program*, originally published in SFSP 11-2011, impacts the operation of the SFSP at some of Hawaii's SFSP sites that used the SFSP meal pattern. In Hawaii in 2018, 6 SFSP sponsors, totaling 9 sites served meals using OVS under the SFSP meal pattern. All 9 are sites operated under non-School-Food-Authority sponsors. It is expected, as a result of the recent recession of waiver SP 10-2017, SFSP 06-2017, that food waste in Hawaii SFSP sites will increase significantly, especially at sites where time and temperature controlled (TCS) foods are served, such as TCS milk, hot entrees, and cut fresh fruits and vegetables. With the increased waste potential of these items, sponsors will be discouraged from serving meals that include these types of items.

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

Hawaii Child Nutrition Programs (HCNP) requests to waive the unitized meal requirements for the SFSP meal pattern, established under 7 CFR 225.16(f)(1)(ii), to extend the option to implement offer versus serve (OVS) to all SFSP sponsoring organizations at both schools and non-school sites.

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

HCNP would like to reinstate the SFSP OVS meal pattern requirements, as stated in SP 10-2017, SFSP 06-2017. This includes the following requirements:

*Breakfast:*

- The following four food items must be offered:
  - One serving of fruit/vegetable,
  - One serving of bread/bread alternate,
  - One serving of fluid milk, and
  - One additional serving of fruit/vegetable, bread/bread alternate, or a serving of a meat/meat alternate.
- All the food items offered must be different from each other.
- A child must take at least three of any of the four food items offered.

*Lunch or Supper:*

- The following four food components must be offered through at least five different food items:
  - One serving of meat/meat alternate,
  - Two servings of fruit and/or vegetables (two different food items),
  - One serving of bread/bread alternate, and
  - One serving of fluid milk.

Any Sponsor-both school food authority sponsors and other sponsors-hoping to implement this waiver at a particular site must indicate their intentions on their site application and this must be approved by the state agency prior to implementation. This is the same procedure previously followed by HCNP. Our agency anticipates that the establishment of this state-wide waiver will have minimal, if any, impact on Program operations, including technology, State systems, and monitoring, since these processes are already in place in our staff and sponsor training, Program materials, and state Program application system.

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

Hawaii Child Nutrition Programs (HCNP) requests to waive the unitized meal requirements for the SFSP meal pattern, established under 7 CFR 225.16(f)(1)(ii), to extend the option to implement offer versus serve (OVS) to all SFSP sponsoring organizations at both school and non-school sites.

**8. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(I)(2)(A)(ii) of the NSLA]:**

HCNP had not addressed any Program regulatory barriers at the State level. There are currently no State level regulatory barriers related to this specific issue.

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

Our agency does not anticipate that the establishment of this state-wide waiver will pose any challenges at the state or sponsor level since this waiver was already well established in state and sponsor operations prior to the SFSP waiver rescission for SP 10-2017, SFSP 06-2017.

**10. 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 establishment of this state-wide waiver will not increase the overall cost of the Program to the Federal Government because HCNP has existing state-developed training and state-developed Program materials to support implementation of this waiver and no additional staff hours are needed at the state level to support implementation and monitoring for this waiver. This waiver will also result in less food waste at SFSP sites, which reduces unnecessary costs to the Federal Government.

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

The anticipated waiver implementation start date is April 1, 2019 and the waiver is to remain in place through March 31<sup>st</sup>, 2022.

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

All previously established State monitoring and review procedures will remain in place during the waiver period. Sponsors will be required to monitor their own sites' implementation of the OVS requirements for the SFSP meal pattern, as applicable, during the state required monitoring visits already established. State Program monitors will maintain the same state procedures for monitoring sites' implementation of the OVS requirements for the SFSP meal pattern. Components of the state SFSP review form intended to review and document OVS implementation at sites using the SFSP meal pattern will be maintained.

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

HCNP will annually report to FNS the following information by March 31st, each year the waiver is in place:

- Number of SFSP sponsors implementing SFSP meal pattern with OVS service style
- Sponsor feedback summary regarding the following key points (will be collected via optional sponsor feedback survey provided to all SFSP sponsors annually):
  - Does the SFSP OVS meal service style positively impact

- your operation of the SFSP? If, so, how?
- What barriers would your SFSP face if OVS was not permitted under the SFSP meal pattern?

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]:

**14. 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]:** <http://hcnp.hawaii.gov/overview/sfsp/>

**15. Signature and title of requesting official:** Daniel Sutcharitkul, Summer Food Service Program Specialist for Hawaii



Title: Summer Food Service Program Hawaii

Requesting official's email address for transmission of response:

[Daniel\\_Sutcharitkul@notes.k12.hi.us](mailto:Daniel_Sutcharitkul@notes.k12.hi.us)

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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:**