



# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Catherine Truitt, *Superintendent of Public Instruction*

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**North Carolina Department of Public Instruction (NCDPI)  
National School Lunch Program Waiver Request  
No Administrative Reviews in the NSLP for 2020-2021 school year  
Modified Administrative Review Process for the SFSP  
February 5, 2021**

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for the United States Department of Agriculture (USDA) to waive requirements for State agencies or eligible service providers under certain circumstances.

On March 10, 2020, North Carolina (NC) Governor, Roy Cooper, issued Executive Order 116 which declared a State of Emergency to coordinate the State's response and protective actions to address the Coronavirus (COVID-19) as a public health emergency and to provide for the health, safety and well-being of residents of the State. On March 11, the World Health Organization declared COVID-19 as a global pandemic. Schools in North Carolina remained closed to students until the beginning of the 2020 – 2021 school year, at which time Local Education Agencies (LEAs) were given the authority to provide instruction virtually to students or provide a combination of virtual and on-site instruction. Each LEA had the latitude to determine the re-opening configuration that was best for its students, staff, families and communities. At the start of the 2020 – 2021 school year, nearly 70% of the State's LEAs remained in a virtual learning mode as a result of the pandemic. Given the challenges associated with implementation of the National School Lunch Program (NSLP) under a predominately virtual learning environment, the majority of School Food Authorities (SFAs) in North Carolina opted to exercise the national waiver authority available to them to operate the Summer Food Service Program (SFSP) during the 2020 – 2021 school year.

Prior to the beginning of the 2020 - 2021 school year, the North Carolina State Board of Education and the NC Department of Public Instruction, in collaboration with the NC Department of Health and Human Services, developed guidance for the reopening of schools in response to the COVID-19 pandemic. The approach was based on recommendations from State public health officials and is consistent with guidance provided by the Centers for Disease Control and Prevention (CDC). Each Local Education Agency (LEA) was instructed to develop three reopening scenarios (Plans A, B and C) that meet specific tiered criterion that were consistent with the guidance.

Currently, 98% of the state's School Food Authorities (SFAs) have opted to continue school nutrition program operations during the 2020 – 2021 school year under the SFSP, as this program allows for maximum flexibility and meal reimbursement rates that more accurately reflect the increased cost of school meals given challenges in the K-12 food supply chain as a result of the COVID-19 pandemic.

## SCHOOL NUTRITION AND DISTRICT OPERATIONS

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

This option also enables schools, which are community hubs for food insecure families, to provide food for all children ages 18 and under, not just students enrolled in the LEA. As a result of this transition from the NSLP to the SFSP, the NCDPI respectfully requests a waiver to cancel and reschedule NSLP Administrative and Procurement Reviews for the 2020-21 school year. Currently, the NCDPI is operating under a five-year administrative review waiver that was approved by the USDA in 2019. The department proposes to extend this period to a six-year cycle, with any outstanding reviews that are not completed during the six-year cycle to be conducted in year seven. The department anticipates minimal reviews in year seven of the cycle, but given unforeseen circumstances, often outside the control of the State agency, (i.e. natural and other disasters) there may be a need to conduct minimal reviews during the seventh and final review period.

NSLP Administrative/Procurement Reviews cancelled for the 2020-2021 school year will be rescheduled in the 2021-2022 school year. (Note: this projection is pending the progress/outcome of the pandemic on the sustainable reopening of schools.) This waiver will help minimize the number of visitors who are on school campuses and thereby reduce the potential spread of the Coronavirus (COVID-19) while promoting the national and state objectives of ensuring the health, safety and well-being of our children. The waiver will also help minimize exposure of State agency staff who would ordinarily be on-site conducting reviews. Since most schools may be operating at a reduced on-site capacity or remotely, this waiver will enable SFAs to safely, effectively and efficiently provide nutritious meals to the State's most vulnerable food insecure students, while allowing the State Agency to continue to monitor the overall program operations, financial viability and sustainability while supporting optimal program integrity through a modified SFSP Administrative Review process.

Details of the waiver request are submitted in the format required by the USDA and are described herein.

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

North Carolina Department of Public Instruction (NCDPI), School Nutrition Division

Dr. Lynn Harvey, Director, School Nutrition Division  
[Lynn.Harvey@dpi.nc.gov](mailto:Lynn.Harvey@dpi.nc.gov); 984-236-2901

**2. Region: Southeast**

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

The proposed waiver would apply to all NCDPI-approved School Food Authorities (SFAs) that are approved to participate in the NSLP (including those that contract with a Food Service Management Company), including those that have opted to (and been approved to) transition to the SFSP under the existing national waivers that were issued to during the COVID-19 Pandemic. The waiver would also apply to community organizations serving as sponsors approved to administer the SFSP. The vast majority of SFAs in the state are currently in good standing with all federal food assistance programs. A few are under corrective action from a previous AR or technical assistance review and are demonstrating substantive progress towards deficiencies identified in the reviews. (It is important to note

NCDPI conducts a comprehensive procurement and financial management review as part of the Administrative Review.) Where program complaints emerge or risks are identified, based on an on-going risk assessments, SFAs and/or sponsors are escalated to the review schedule outside the pre-established schedule. The State agency has implemented a monthly claims analysis process to reveal anomalies in meal claiming patterns; all anomalies will be addressed and resolved promptly. Should a program anomaly reflect significant non-compliance, gross program neglect or abuse or potential fraudulent activities, the State agency will take immediate action to fully investigate, even if such investigation involves an on-site review of operations, records or other information/documentation. The State agency is also prepared to respond immediately to program, congressional, civil rights or other complaints with a thorough investigation.

**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]:**

In June 2020, Governor Roy Cooper issued public health guidance for North Carolina’s public schools to guide the gradual re-opening of schools for students in a manner that would support a strong teaching/learning environment while simultaneously protecting the health of students, staff and communities by implementing public health procedures designed to minimize exposure to the Coronavirus. The guidance was developed through a collaboration among the Office of the Governor, the NC Department of Health and Human Services, the NC State Board of Education (NCSBE) and the NC Department of Public Instruction (NCDPI). Shortly thereafter, the NCSBE and NCDPI issued implementation guidance intended to support LEAs to operationalize the public health guidance in the educational environment. The public health guidance included requirements and recommendations for the implementation of school meal programs; the education guidance provided specific requirements and recommendations for administration and operation of the federally assisted school nutrition programs.

The guidance issued by the NCDHHS, entitled [StrongSchoolsNC Public Health Toolkit \(K-12\)](#) requires each LEA to develop three plans designed to support students’ academic instruction based on the statewide COVID-19 metrics. Those plans are briefly described below.

The three plans include requirements that must be met and recommendations that are strongly suggested in the following areas:

Plan C	Plan B	Plan A
<p><b>Schools closed to students;</b> no in-person instruction only remote learning opportunities for students (current implementation plan; and will be implemented at any time should COVID-19 metrics worsen significantly).</p>	<p><b>Moderate Social Distancing;</b> restrictions include required social distancing and reduced student capacity COVID-19 metrics improve or move in a positive direction.</p>	<p><b>Minimal Social Distancing;</b> least restrictive for school reopening (implemented if COVID-19 metrics stabilize or move in a positive direction).</p>

Each plan addresses key public health issues including, but not limited to the following:

- Social distancing and minimizing exposure;
- Cloth face coverings;
- Protecting vulnerable populations;
- Coping and resilience;
- Cleaning and hygiene;
- Monitoring for symptoms;
- Handling suspected, presumptive or confirmed positive cases of COVID-19;
- Communicating and combatting misinformation;
- Water and ventilation systems; and
- Transportation.

Under Plan “B”, each LEA decides how and when to bring students back to their schools, based on the unique academic and operational needs of their respective districts and communities and the current COVID-19 metrics. Reopening options range from alternating days of attendance or alternating weeks of attendance, ½ day rotations of students, synchronous teaching with off-site and on-site learning occurring at the same time, or a hybrid of the options. Additionally, LEAs may choose a more restrictive opening by limiting all on-site learning with discretion as to when students may return to school campuses. To date, 60% of LEA’s remain in Plan “C” to delay on-site learning and continue with remote learning to help prevent community spread of the Coronavirus; this number remains higher than originally planned due to the post-holiday surge in the spread of the Coronavirus.

The challenge faced by the State agency is the regulatory requirement to provide Administrative/Procurement Reviews in the NSLP when the majority of SFAs have transitioned to the SFSP for the duration of the school year. The Food and Nutrition Service (FNS) of the USDA has provided ongoing support throughout the COVID-19 crisis, and its approval of this waiver request is critical to best adapt to the conditions related to continued unanticipated full and partial school closures that continue to exist for many of NC’s public schools. In response to this challenge, the NCDPI is requesting a waiver for monitoring requirements included in Title 7, Subtitle B, Part 210.18 of the Code of Federal Regulations requiring state agencies to conduct administrative reviews of SFAs participating in the NSLP and the SBP, the After-School Snack Program, the Seamless Summer Option and the Fresh Fruit and Vegetable Program at least once during a three-year review cycle.

It is important to note the NCDPI has been granted a waiver from the three-year Administrative Review Cycle to allow a five-year cycle; the waiver was approved in September, 2019 at which time a five-year review cycle was established and all SFAs were scheduled within the five-year review cycle. The five-year AR schedule was established using risk criteria and comprehensive technical assistance provided to each SFA between cycles. Where needed, the schedule is adjusted to review SFAs as needed based on on-going risk assessment and other conditions that may prompt more frequent reviews.

Due to the exceptional circumstances of this public health emergency, the NCDPI is requesting the Administrative Review cycle to be expanded by one year, thus establishing a six-year cycle. This approach allows all ARs that were scheduled in the 2020-2021 school year to be conducted during the following school year, 2021-2022. Since 98% of SFAs operating in NC have transitioned to the SFSP, this leaves few SFAs operating the NSLP, including the SSO component of the NSLP. While the waiver delays the five-year schedule by one, possibly two years, it is important to note that SFAs will still undergo an SFSP

Administrative Review. This approach is efficient and effective and helps prevent exposure to the Coronavirus by limiting the number of State agency staff physically on school sites. It is important to note the public health guidance limits the numbers of “visitors” on the school property in order to limit student and staff exposure to COVID-19. Further, as identified in the FNS-issued nationwide waiver (COVID-19: Child Nutrition response #8) providing flexibility in the requirement to complete monitoring requirements on site, FNS has recognized that it may no longer be safe to meet monitoring requirements on site while during the public health emergency. Additionally, with many LEAs choosing remote learning as well as the unpredictability of dates that schools/LEAs will be open due to the pandemic, coordinating the scheduling of reviews is almost impossible.

The expected outcomes of this waiver are (1) improved program integrity in the SFSP along with (2) continuous technical assistance and other support necessary to assist LEAs and community organizations in effectively achieving their goal of providing nutritious, appealing, easily accessible meals to food insecure children who have been adversely impacted through the COVID-19 pandemic. Another anticipated outcome is the most efficient and effective use of State agency staff and resources in monitoring and supporting compliance of SFAs and sponsors.

The NCDPI will continue to provide oversight and technical assistance remotely to all SFAs using its Zone-based approach to technical assistance and support. Please note, the NCDPI is organized in a manner that positions Consultants/Specialists in seven educational zones in which they reside to allow Consultants/Specialists to focus their efforts on the SFAs within their respective geographic regions. The Consultants/Specialists are in weekly contact with SFA personnel to address matters proactively, provide web-based training and technical assistance, to proactively address problems when they emerge and to seek compliance-based solutions should problems arise.

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

Since the majority of SFAs have transitioned from the NSLP to the SFSP as a result of the pandemic, the NCDPI respectfully requests a waiver from the following State Agency Monitoring Requirements established for the NSLP;

- **7 CFR 210.18** Administrative review:
- **7 CFR 210.18(c)** Timing of administrative reviews and cycle.
- **7 CFR 210.18(e)** Number and type of schools to review, including Seamless Summer Option review requirement.
- **7 CFR 210.18(f)** Scope of review.
- **7 CFR 210.18(i)(3)** Notification time frames (review reports, etc.).
- **7 CFR 210.18(l)** Fiscal Action.
- **7 CFR 210.18(m)** Transparency requirements.
- **7 CFR 210.18(n)** Reporting requirements.
- **7 CFR 210.18(p)** Appeals process and deadlines.
- **7 CFR 210.19(a)(5)** Food Service Management Company (FSMC) review cycle requirements.
- **7 CFR 245.11 (a)-(b)** Notification of second review of applications.
- **7 CFR 210.10(h)(2)** Requirement to review trans fats.

Specifically, NCDPI is seeking a waiver to suspend the Administrative/Procurement Reviews scheduled in the 2020-2021 school year, since the majority of SFAs have transitioned to the SFSP during the pandemic. As mentioned previously, the NCDPI has an approved waiver for Administrative Reviews to be conducted every five years for all SFAs. Since the reviews will be suspended in the 2020-2021 school year, the waiver to allow a six-year Administrative Review cycle would mean that NSLP Administrative/Procurement Reviews would resume in the 2021-2022 school year. Any review that is not conducted during the six-year period, which is beyond the control of the NCDPI, would be conducted during a seventh year. While reviews conducted during the seventh year are not anticipated, activities beyond the control of the SFA or the NCDPI could occur (natural disasters or other events), which would require the State agency to conduct a review in year seven. The department will take all reasonable measures, within its control, to prevent the carryover of Administrative/Procurement Reviews into a seventh year.

**Further, the NCDPI requests waivers from the following SFA-level monitoring activities for any SFA that is operating the NSLP during the period of the pandemic; including but not limited to:**

- **7 CFR 210.8(a)(1)** Onsite Reviews
- **7 CFR 220.11(d)(1)** Review of Reimbursement Procedures
- **7 CFR 210.9(b)(c)** After School Snack Program - Onsite monitoring requirements

The department will continue to monitor SFAs and sponsoring organizations by implementing many of the monitoring standards prescribed for the SFSP, since the majority of SFAs are currently operating the SFSP in lieu of the NSLP. **However, the NCDPI requests flexibility to waive the requirement found at 7 CFR 225.7(d)(2)(ii)(B) that prescribes an annual review of sponsors whose reimbursements count as half the aggregate from the previous year. NCDPI will comply with all other monitoring requirements found at:**

- **7 CFR 225.7(d)(2)(ii)(A)** Conduct a review of every sponsor at least once during the first year of operation
- **7 CFR 225.7(d)(2)(ii)(C)** Annually review every sponsor which experienced significant operation problems in a prior year
- **7 CFR 225.7(d)(2)(ii)(D)** Review each sponsor at least once every three years
- **7 CFR 225.7(d)(2)(ii)(E)** Conduct reviews of at least 10% of each sponsor's sites
- **7 CFR 225.7(d)(2)(iii)(3)** Conduct follow-up reviews as needed
- **7 CFR 225.7(d)(2)(iii)(6)** Inspect FSMC facilities for vended sponsors

Currently, there are 141 SFAs/sponsors approved to operate the SFSP. Of those, 132 are SFAs and 9 are sponsors. The NCDPI proposes to conduct a minimum of 51 reviews of the participating SFAs and 22 returning sponsors for the 2020-2021 program year. SFAs originally scheduled for a 2020-2021 NSLP Administrative/Procurement Review are scheduled to undergo a comprehensive SFSP Desk Audit. While the NSLP Administrative/Procurement Reviews will not be conducted, a significant number of SFAs will be examined as a means of promoting regulatory compliance, effective program outcomes and overall program integrity in the SFSP. Likewise, sponsors will undergo a comprehensive review that includes a full assessment of the site, vendor and sponsor.

Given the prior year's reimbursement as a result of the COVID-19 response and the implementation of the SFSP from mid-March 2020 through the end of the fiscal year, NCDPI

would be required to conduct a minimum of 106 reviews for the participating SFA/sponsors. Approval of the waiver to allow the NCDPI to conduct a modified SFSP review based on criteria other than the sponsor's percentage of the total reimbursements (half of the aggregate from the prior year) allows the NCDPI to conduct more comprehensive, value-added reviews of SFAs and sponsors, where the combination of compliance review and technical assistance will provide opportunities for improved program compliance, more efficient and sustainable operations and overall program integrity. Upon this waiver approval, NCDPI plans to conduct a minimum of 73 reviews of participating SFAs/sponsors; this number of reviews does not include new sponsor, follow-up, site and FSMC reviews. This waiver will continue to allow the NCDPI to develop its SFSP AR schedule based on the remaining Federal regulations, while utilizing a risk assessment analysis. This approach also ensures the selection of SFAs and sponsors to undergo the modified SFSP AR is based on quality of the review as opposed to a specific quantity of reviews. This will enable the department to target SFAs and sponsors that need additional administrative support and compliance guidance in order to improve program operations currently and in the future.

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

The NCDPI anticipates only a positive impact on program outcomes, continuity of operations, technology infrastructure, state systems and monitoring as a result of this waiver to suspend Administrative/Procurement Reviews in the 2020-2021 school year due to the COVID-19 pandemic. NCDPI does not anticipate any required state-level program operational changes, including those affecting technology, State systems and monitoring.

In addition to the 51 SFSP Administrative Reviews (desk audits) proposed in this waiver request, NCDPI will continue to provide administrative and operational support for all SFAs and sponsoring organizations. Technical assistance, consultation and/or professional development will be provided to SFA and sponsor personnel through bi-monthly Zone Updates where School Nutrition Consultants and Specialists directly interact with School Nutrition professionals and representatives from sponsoring organizations. (Note: all SFAs and sponsoring organizations are divided into geographic zones throughout the State; Consultants and Specialists reside in and are assigned to the SFAs and community organizations within their respective assigned zone.) More intensive technical assistance and professional development will be provided on a per SFA/sponsor basis as needed based on observations, SFA questions/feedback from the weekly Zone events, routine monitoring of SFA and sponsor claims data, program complaints and indicators of potential challenges to program operations and ultimately program integrity. Raleigh-based Consultants/Specialist, who have expertise in focused areas will participate in technical assistance, consultation and professional development where instances warrant a more comprehensive, focused approach. In addition, the department will conduct bi-monthly COVID-19 Webinars with all SFAs and sponsoring organizations to keep them abreast of program updates, best practices, tools and resources available to support compliance and other information/resources intended to support program success, child/staff health, well-being and safety, overall program sustainability and integrity. The department will also provide a bi-monthly web-based publication to help keep program administrators well informed or regulatory matters, program updates, best practices, professional development opportunities and available resources to promote program success.



**7. 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]:**

Please see responses to Items Number 6 and 11 for steps taken and procedures implemented by the NCDPI to address regulatory barriers at the State level. For the SFSP, the flexibilities provided under this waiver are expected to reduce the financial challenges associated with additional staffing necessary to meet the fifty percent (50%) aggregate requirement for conducting Administrative Reviews and increase the overall quality of reviews.

The NCDPI would still be required to comply with sections of 7 CFR 225.7 (ii) in the implementation of the following oversight responsibilities:

- Conducting a review of every new sponsor at least once during the first year of operation;
- Annually reviewing every sponsor which experienced significant operational problems in the prior year;
- Reviewing each sponsor at least once every three years; and
- As part of each sponsor review, conducting reviews of at least 10 percent of each sponsor's sites, or one site, whichever number is greater.

If approved, this waiver request will remove the monitoring barriers placed on the State agency to meet the quantity of reviews based solely on reimbursement. This will allow the NCDPI to be more intentional in selecting reviews based on program integrity, operational compliance and risk. The waiver, if approved, will allow the NCDPI to more effectively use federal funds to improve program operations, support program sustainability and enhance program integrity through training and technical assistance, consultation and professional development. This approach would also support greater participation in programs that serve the needs of food insecure, vulnerable children.

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

NCDPI does not anticipate any challenges with the waiver implementation. To ensure Program integrity and fraud prevention, the State Agency will provide daily and weekly virtual Technical Assistance throughout the Covid-19 pandemic and will investigate program complaints, serious technical assistance issues (meal counting/claiming, meal pattern non-compliance, food safety, civil rights violations, etc.) promptly. The State Agency will also conduct desk audits of SFAs, and sponsors enrolled in the SFSP during the Covid-19 pandemic and review meal pattern compliance.

**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(I)(1)(A)(iii) of the NSLA]:**

Cancelling the NSLP Administrative/Procurement Reviews for School Year 2020-2021 will decrease the overall cost of the program to the Federal Government for one year. Daily per diem (mileage, lodging, meals, incidentals, etc.) will be significantly reduced. The additional cost of temporary staff to assist in reviews (compensation, travel, training) will be eliminated as other State staff will manage the SFSP ARs. Consequently, the proposed requested waiver will not increase the overall cost of the Program to the USDA and, in fact, the waiver



flexibility will result in cost-saving by using existing resources and funds previously allocated, without the need for additional funding.

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

NCDPI proposes implementation of this waiver for School and Federal Year 2020-2021, (July 1, 2020 through September 30, 2021). The NSLP Administrative/Procurement Reviews that were postponed during the 2019 – 2020 school year will be rescheduled beginning in October of 2021 and will be scheduled throughout 2022. SFSP's reviews will be conducted during March 2021-September 2021.

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

Please see responses to Items #5, #6 and #7 to support the response to this item. As discussed in response Number 6 above, NCDPI agrees to suspend the administration of the NSLP Administrative/Procurement Reviews for School Year 2020-2021. The State Agency, following the COVID-19 guidelines necessary to protect the health of all involved, will transition to conducting Technical Assistance, Consultation and Professional Development as necessary to assist the SFAs and sponsors to continue to meet program goals, provide nutritious, appealing meals for children (whether they are located at the school site or are remote learning), and operate programs in compliance with Federal regulations. The department will take all reasonable measures to identify potential program risks by regularly monitoring claims data to determine atypical meal counting, claiming and/or consolidation anomalies. The department will take appropriate measures to address errors and establish corrective action plans for SFAs and community organizations that serve as sponsors of the SFSP.

Further, the NCDPI agrees to:

- Continue offering web-based and other based educational opportunities for professional development to include but not limited to conducting bi-monthly COVID-19 Briefings, bi-weekly technical assistance, including in-depth problem solving as needed by sub-recipients; weekly publication of the School Nutrition Update, conducting professional "office hours" for individual consultation with program specialists and the dissemination of USDA Memos and other tools/resources required for program sustainability and integrity;
- Monitor the financial management of the SFAs through review of the quarterly statewide financial report submitted by SFAs on a semi-annual or as needed basis;
- Review of Coronavirus Relief Fund expenditures of all SFAs that receive the funds;
- Conduct desk audits of selected SFSP sponsors in meal counting, consolidation and claiming;
- Conduct desk audits of meal pattern requirements;
- Administer existing waivers with fidelity, requiring SFAs to use only as needed; and
- Offer Technical Assistance, consultation and professional development focusing on the areas of risk to include meal counting, consolidation and claiming, compliance with the meal pattern, and other general areas including but not limited to compliance with Civil Rights, Financial Management, Resource Management, On-Site Reviews, and other program requirements as indicated.

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

The NCDPI will provide data to the Southeast Regional Office of the Food and Nutrition Service (FNS) through the annual FNS-640 report. The department will also contact all SFAs potentially affected by this waiver to notify them that no NSLP Administrative/Procurement Reviews will be conducted during School Year 2020-2021. The tentative AR schedule for School Year 2021-2022 will be provided to those SFAs scheduled for an Administrative/Procurement Review during this period.

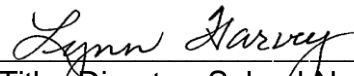
For the SFSP, the NCDPI will provide data to support the total number of SFAs and community organization sponsors selected for the SFSP review scheduled, which includes SFAs and sponsors that are scheduled for a compliance review, new sponsors, and sponsors with significant operational problems. NCDPI will provide the data to FNS no later than December 31 of each program year

**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]:**

Website Link:

<https://childnutrition.ncpublicschools.gov/news-events/waiver-requests>

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



Title: Director, School Nutrition Division

Email address for transmission of response: [Lynn.Harvey@dpi.nc.gov](mailto:Lynn.Harvey@dpi.nc.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:**