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

Saint Paul Public Schools (SPPS)
Stacy Koppen, Nutrition Services Director
651-603-4945
Stacy.Koppen@spps.org

Minnesota Department of Education (MDE)
Monica Herrera, Director of Nutrition, Health and Youth Development
Nutrition, Health and Youth Development Division
651-582-8266
monica.herrera@state.mn.us

2. Region:

Midwest

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

SPPS is in good standing as a School Food Authority in the state of Minnesota. During previous administrative reviews, SPPS has had exceptional results in the Performance Standard One area of review, with little to no errors in Meal Access and Reimbursement.

SPPS received several commendations in their last SNP Administrative Review, and it was noted by one Nutrition Program Consultant’s that “Saint Paul Public Schools is unique in both the sheer volume and the diversity of students it serves. The district staff demonstrated remarkable knowledge of program requirements as well as the necessary organizational skills to run such an extensive program. They are clearly focused on reaching as many students as possible and providing the highest quality of meals they can.”

SPPS is a current sponsor of SNP, CACFP At-Risk, SFSP, FFVP and Minnesota’s Kindergarten Milk Program. SPPS also participates in CEP and Provision II.

4. Description of the challenge the SFA 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]:


SPPS’s vision is to eliminate hunger and provide every child with HOPE (Healthy Options and Positive Engagement) through exceptional food. SPPS’s mission is to provide dependable access to delicious no-cost meals to all children in Saint Paul. Furthermore, SPPS strives to support lifelong learning.

In December 2019, SPPS and the Saint Paul Federation of Educators (SPFE) union, which includes teachers, educational assistants and school and community professionals in the Saint Paul Public Schools (SPPS), began mediation through the Bureau of Mediation Services. While future mediation dates are scheduled, to date, SPPS and SPFE have not yet come to a tentative labor agreement.

On February 20, 2020, SPFE members voted to authorize a strike, and on February 26, 2020, SPFE filed an intent to strike notice with the Bureau of Mediation. SFPE has stated publicly that if a tentative agreement is not reached, their membership will go on strike on March 10, 2020.

While K-12 school programming and classes would be cancelled, SPPS will provide kid spaces in our schools, and community partners in their centers and libraries, where children would have access to warm and supervised places should a strike occur.

SPPS respectfully requests approval for a waiver to be able to operate under SFSP at 24 school sites should an unanticipated school closure occur due to a labor-management dispute. A waiver would ensure that our students who depend on school meals for proper nutrition, including the over 66% that qualify for free or reduced price meals, receive uninterrupted access to no cost nutritious meals.

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

7CFR225.6(d)(1)(iv)

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

Since SPPS is an experienced SFSP sponsor and meals would be served by staff trained in SNP, SFSP and/or CACFP At-Risk meal operations and regulations, there would be no impact on SFA Program operations.

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

Both SPPS and the State Agency reviewed USDA rules, regulations, memos and guidance related to meals served in schools during unanticipated school closures due to labor management disputes. It was determined that submitting a waiver was the appropriate and correct action to take under these circumstances.

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

SPPS and MDE do not anticipate any challenges with the waiver implementation.

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]:


Under normal school day operations, SPPS would operate and claim meals under SNP. Therefore, there would not be an increase in the overall cost of the Program to the Federal Government.

10. Anticipated waiver implementation date and time period:

SPFE filed their intent to strike with the Bureau of Mediation on February 26, 2020. SPFE has stated publicly that if a tentative agreement is not reached by 12:01am Tuesday, March 10, 2020, their membership will go on strike. It is unknown how long the strike will last but SPPS intends to serve meals for the entire strike period.

11. Proposed monitoring and review procedures:

SPPS will be monitored internally by trained Nutrition Services staff.

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

No additional.

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.spps.org/Domain/11231

14. Signature and title of requesting official:

Stacy Koppen
Saint Paul Public Schools Nutrition Services Director
Requesting official’s email address for transmission of response: Stacy.Koppen@spps.org

Monica Herrera
Director of Nutrition, Health and Youth Development
Minnesota Department of Education
Requesting official’s email address for transmission of response: monica.herrera@state.mn.us

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:

Public Notice

In May 2012, the USDA Food and Nutrition Service notified state agencies and providers of Child Nutrition Program sites to seek a waiver of statutory or regulatory program requirements (USDA/FNS Offices. Child Nutrition Program Waiver Request Guidance and Protocol Revisited, SPR-2003, CACFP-2010, SFSP-2010, May 24, 2010).

As part of the waiver request, State Child Nutrition Program and providers are required to notify the public. Saint Paul Public Schools (SPPS) and Minnesota Department of Education: Food and Nutrition are seeking a waiver request to allow SPPS to operate under the Summer Food Service Program at school sites in the event of unanticipated school closures. Specific information is outlined in the waiver request available here.