FY 2027 CACFP STATE WAIVER REQUEST TEMPLATE FOR SPONSORING ORGANIZATIONS TO CONDUCT OFFSITE MONITORING OF DAY CARE HOMES IN RURAL AREAS

Background

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

Important FY 2027 revision: This rural-only approach modifies the offsite monitoring waiver approach originally distributed for FY 2027. Effectively with all approvals going forward, a Sponsoring organization must document that the DCH meets at least one of the rural criteria below to be eligible for an offsite monitoring review. Requests that do not satisfy this rural eligibility requirement will not be approved under this approach.

The longstanding interpretation of the authorizing statutory provisions and regulations in the Child and Adult Care Food Program (CACFP) require sponsoring organizations to conduct monitoring reviews onsite. Food and Nutrition Administration (FNA) understands that the use of offsite monitoring in prior years was effective for many sponsoring organizations of day care homes (DCH). This optional waiver request form was designed to streamline the process for State agencies requesting a waiver for sponsoring organizations to conduct one offsite monitoring review only for DCHs located in a rural area and participating in the CACFP.

Rural means:

(1) any area in a county that is not part of a Metropolitan Statistical Area based on the Office of Management and Budget's Delineations of Metropolitan Statistical Areas;

(2) any area in a county classified as non-metropolitan based on the USDA Economic Research Service's Rural-Urban Continuum Codes and Urban Influence Codes;

USDA is an equal opportunity provider, employer, and lender.

(3) any census tract classified as non-metropolitan based on the USDA Economic Research Service's Rural-Urban Commuting Area codes;

(4) any area of a Metropolitan Statistical Area that is not part of a Census Bureau-defined urban area;

(5) any area of a State that is not part of an urban area as determined by the Secretary

(6) any subsequent substitution or update of these classification schemes created by Federal governing bodies; or

(7) any 'pocket' within a Metropolitan Statistical Area that, at the option of the State agency and with FNS Regional Office approval, is determined to be rural in character based on other data sources.

State agencies and eligible service providers are encouraged to submit complete waiver requests as soon as possible. Implementation of this waiver will begin on the date of approval through September 30, 2027.

FY 27 CACFP OFFSITE MONITORING OF DCHs IN RURAL AREAS WAIVER REQUEST

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

State agency:

West Virginia Department of Education, Office of Child Nutrition

Date (Click on box to select date):

11/02/2026

Mailing Address:

Building 6, Room 750, Charleston, WV 25305-0330

Name and Title of person completing this form:

Jamie Chapman, Coordinator

Name and Title of person to whom the response should be addressed:

Anthony Crago, Director Office of Child Nutrition WVDE

2. SSE Hub (Click on box to select):

Mid-Atlantic

3. Affirmation that eligible service providers participating in the waiver are in good standing:

Please check one: Yes ■ No □

If No, please explain:

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i. How many sponsoring organizations, in good standing, with DCHs in rural areas as defined above, are eligible to apply for this waiver?

Six

ii. How many DCH providers, in good standing and located in a rural area as defined above, are eligible to receive one offsite monitoring visit?

163

4. Description of the challenge the State agency is seeking to solve as it relates to conducting onsite monitoring visits, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Sections 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

■ Allow sponsoring organizations to conduct one offsite monitoring visit only for DCHs located in a rural area and participate in the CACFP to reduce administrative burden while ensuring all review elements are met within the timeframes set forth in regulation.

i. Please describe the rural characteristics and the current challenges and burdens that impact the sponsoring organization's ability to monitor eligible DCHs on-site.

Rural geography: WV's mountainous terrain, remote communities, winding roads and dispersed provider locations.

Operational burdens: Travel time, mileage, fuel costs and limited monitoring personnel.

Program oversight: Off-site monitoring allows sponsors to use staff time and resources more efficiently while continuing to meet monitoring requirements.

ii. If citing distance criteria, also provide a description of the travel burden such as mile radius, travel time, or multiple modes of transportation required to review the DCH on-site.

The rural nature of the state is impacting monitoring activities. WV has 6 active FDCH sponsors with Catholic Charities being the largest sponsor and having the most expansive coverage of the state. Therefore, there are some staffing limitations with only 6 sponsors serving WV. Catholic Charities is the only sponsor that has additional program staff to assist with monitoring of FDCH sites and activities. The other sponsors all conduct monitoring with one person each and no additional staff. There are areas FDCH sponsors travel that have limited internet and cell service that requires a 4-wheel drive vehicle.

iii. Please describe how this waiver will address the challenges and burdens selected above.

This approach aims to address the unique challenges faced by FDCH sponsors, providing them with a more adaptable and accessible method of compliance. WV's FDCH sponsors have been largely successful in using virtual monitoring in the past. WV FDCH sponsors have cited that without a virtual monitoring option; there will be an increase in administrative costs.

iv. Please describe how the implementation of this waiver will sustain participation in the Program for sponsoring organizations and DCHs.

The anticipated impact on the FDCH program operations involves streamlining the review process, leveraging technology to improve monitoring capabilities, and offering sponsors a more tailored approach to compliance. By embracing virtual reviews, we strive to support the FDCH program's objectives while accommodating the specific needs of sponsors in WV.

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

Child and Adult Care Food Program (CACFP):

■[7 CFR 226.16(d)(4)(iii)]. Frequency and type of required facility reviews.

- Specifically, that all three monitoring reviews must be conducted on-site.

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

The WVDE will require written approval of the sponsor monitoring procedure to include how virtual monitoring visits will be conducted, via video (either Zoom, Microsoft Teams, FaceTime, or Google Duo). The procedure will include how sponsors will ensure visits are complete and how they will address provider(s) that miss their unannounced visits. Additionally, the procedure will demonstrate how and when a monitor will determine if a provider will be determined seriously deficient due to missed virtual visits, in addition to other regulatory reasons for serious deficiency determination.

All other monitoring requirements will be followed as required. Pre-approval and four-week visits will be conducted in person for new providers. Serious Deficiency follow up reviews will be conducted in person.

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]:

■ No regulatory barriers are expected at the State level.

If regulatory barriers are expected at the State level, please list steps taken to address them in the box below:

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

■ No challenges to the State or eligible providers are anticipated with this waiver implementation.

If the State or eligible service providers anticipate challenges implementing this waiver, please explain in the box below:

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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 by non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:

☒ No anticipated increase in Federal Government costs.

☐ Other, please specify:

_____

10. Anticipated waiver implementation date and time period:

This waiver will be in effect from **Date of Approval** through **September 30, 2027**.

11. Proposed monitoring and review procedures:

State agencies should provide, in detail, a plan for offsite monitoring visits by sponsoring organizations, including procedures to verify and document that each DCH approved for an offsite review is located in a rural area. Please note that in all cases, sponsoring organizations of DCHs must conduct at least one unannounced review on-site annually which includes the observation of meal service.

i. What oversight measures will the State agency implement to ensure Program integrity?

The WVDE will host a training to discuss virtual monitoring requirements for FDCH sponsors. The WVDE OCN will provide TA on conducting virtual reviews via video conferencing. Sponsors found to have compliance issues as related to this waiver will work with the state agency on an individualized corrective action plan. Documentation of waiver activities will be maintained in the state system.

ii. Please describe the alternative monitoring plan the sponsoring organization plans to implement.

A. Please select which technology platform(s) will be used to conduct the offsite monitoring visit.

All of the above

B. Please describe how sponsoring organizations will address findings during their offsite monitoring visit.

Any problems or non-compliance findings during a site monitoring review must be followed up to ensure they have been corrected. This may require the sponsor to perform an additional review of the DCH onsite to ensure findings have been corrected. If the sponsor finds one or more areas of non-compliance during the follow up visit, the next review of the site must be unannounced.

C. How will sponsoring organizations address providers that miss their virtual visit?

Sponsoring organizations will address providers that miss their virtual visit by implementing a monitoring plan that includes a virtual visit requirement. This plan will ensure that all providers are held accountable for their participation in the monitoring process. The sponsoring organization will provide an attestation stating that at least one onsite monitoring visit per home is unannounced and includes a meal service observation. This will help maintain the integrity of the CACFP and ensure that all providers are meeting the program's requirements.

D. Additional information:

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12. Affirmation that the State agency will verify rural eligibility and require eligible sponsoring organizations to submit a monitoring plan prior to the approval of utilizing offsite strategies for one monitoring review.

Please check one: Yes ■ No ☐

If No, please explain:

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13. Proposed reporting requirements (including type of data and due date(s) to FNA):

Upon approval, the State agency must report the following on their annual waiver report:

- A description of how this waiver allowed the Program(s) to provide nutritional meals and/or snacks to Program participants;
- A description of how this waiver improved services for the Program(s) participants;
- A description of how the waiver reduced the administrative burden necessary to operate the Program(s);
- A description of how the waiver has facilitated sponsoring organizations' oversight abilities and responsibilities;
- A summary of how many sponsoring organizations utilized this waiver and how many were recruited or retained as a result of the waiver approval;
- A summary of how many DCHs were monitored offsite during the waiver period;
- A summary of program integrity measures taken to identify any misuse of Federal funds and identify fraudulent activities, and, if anything was identified, any actions taken; and
- A summary of any technical assistance measures that were provided by the State agency to sponsoring organizations and to DCH providers by the sponsoring organizations.

Public Notice

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://wvde.us/student-support-wellness/child-nutrition

State agency Signature

Signature and title of requesting official:

Anthony Crago

Title: WVDE Child Nutrition Director

Requesting official's email address for transmission of response:

acrago@k12.wv.us

TO BE COMPLETED BY FNA REGIONAL OFFICE:

FNA 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 by SSE Hub:

☐ 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.

SSE Hub Analysis and Recommendations:

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FY27_OffsiteMonitoringofDCHs_RuralWaiverRequest-acc

Final Audit Report 2026-11-06

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