

Child Nutrition Program Waiver Request

Maine Child Nutrition DOE

Revised and Submitted June 11, 2020

Fresh Fruit and Vegetable Program

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

Maine Child Nutrition Department of Education, Walter Beesley walter.beesley@maine.gov 207-624-6875

Walter Beesley
Child Nutrition DOE
136 State House Station
Augusta, ME 04333-0136

2. Region: NERO

3. Eligible service providers participating in waiver and affirmation that they are in good standing: This would be for SFAs participating in FFVP that serve FFVP foods at currently approved Summer Food Service Program (SFSP) or Seamless Summer Option (SSO) sponsors in good standing, operating during an unanticipated school closure due to COVID-19 in order to provide FFVP foods along with SFSP/SSO meals.

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(I)(2)(A)(iii) and 12(I)(2)(A)(iv) of the NSLA]: Due to the school closure many schools are left with unused FFVP funds. Instead of sending thousands of dollars back to USDA not benefiting children, SFSP and SSO sites will be able to provide FFVP foods, along with the SFSP/SSO meals, that would otherwise go unused. Many schools have expressed their concern with having unused funds go to waste. The waiver would allow FFVP produce to be served at sites other than approved FFVP elementary school sites so that children who would typically receive FFVP may continue to do so if there is no meal service at their usual elementary school.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]: MEDOE requests a waiver of Section 19a of the NSLA that requires that each school selected to participate in FFVP be an elementary school. Currently, FFVP may only be served at elementary school sites.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring: We anticipate no impacts on technology, state systems, or monitoring. Schools will be instructed to provide the FFVP in addition to the breakfast and lunch meal (not as part of the fruit and vegetable component of the meal) at non elementary, seamless summer, and SFSP sites being operated in their SFA.

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]: There are currently no state level regulatory barriers that would impact this issue.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:
None at this time.

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]: This waiver will provide fresh fruits and vegetables and reduce the amount of money returned to the USDA by allowing schools to use funds they have been awarded for SY 2020. It will decrease the overall cost and be a benefit to students.

10. Anticipated waiver implementation date and time period: Whereas Maine schools are mostly closed the waiver would start immediately through June 30th, 2020 or whichever comes first.

11. Proposed monitoring and review procedures: claims submitted and check-ins

12. Proposed reporting requirements (include type of data and due date(s) to FNS): this will follow the same reporting requirements prior to COVID-19

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]: this was shared in a DOE webinar to all districts and interested parties.
<https://www.maine.gov/doe/schools/nutrition/laws>

14. Signature and title of requesting official:

Director Child Nutrition Title: Requesting official's email address for transmission of response:
walter.beesley@maine.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: June 11, 2020

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: