

*Child Nutrition Program Waiver Request  
Maine Child Nutrition DOE  
Waiver Request for Offer Versus Serve in SFSP for Non-SFA Sponsors  
Submitted December 1, 2022*

1. **State agency submitting waiver request and responsible State agency staff contact information:** Maine Department of Education Child Nutrition, Adriane Ackroyd, [adriane.ackroyd@maine.gov](mailto:adriane.ackroyd@maine.gov), 207-592-1722, 136 State House Station, Augusta, Maine 04333
2. **Region:** Northeast
3. **Eligible service providers participating in waiver and affirmation that they are in good standing:** Maine is requesting a state-wide waiver for non-SFA SFSP Sponsors in good standing.
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]:** Offer versus Serve (OVS) allows all Summer Food Service Program (SFSP) sponsors to better manage food cost and reduce food waste by increasing acceptability of summer meals by participants. Maine has many non-SFA sponsors who can or do benefit from OVS, including public or private non-profit camps and an Upward Bound program with sites that utilize college dining as part of their program experience.
5. **Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:** Section 13(F)(6) of the NSLA, 42 USC 1761(F)(6), and 7 CF 225.16(F)(1)(II). The final rule: Streamlining Program Requirements and Improving Integrity in the Summer Food Service Program (SFSP). This waiver will apply to Non-SFA sponsors.
6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Maine Department of Education completes training for SFSP sponsors on the proper way to implement OVS. Training will continuously be strengthened to ensure all Sponsors comply with the OVS requirements.
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]:** Historically, when allowed, Maine has allowed OVS for all SFSP sponsors. Training on OVS has been included in the mandatory annual training sponsors receive. OVS compliance has also been monitored during summer administrative reviews.
8. **Anticipated challenges State or eligible service providers may face with the waiver implementation:** This waiver has been in place historically in Maine. Maine does not anticipate any additional challenges as a result of extension.

**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]:** By continuing OVS, sponsors may be able to reduce food waste and decrease overall cost to their program. Since OVS has been allowed for all sponsors in Maine, continuing the allowance may also uphold program integrity. It is not anticipated that this waiver would lead to increased costs as it is a continuation.

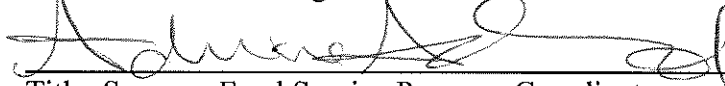
**10. Anticipated waiver implementation date and time period:** Through September 30<sup>th</sup>, 2023 with the option of extending to future years if allowable.

**11. Proposed monitoring and review procedures:** Maine will continue to review per federal regulations. Maine keeps track of Summer compliance review findings by category and uses this data for training and technical assistance.

**12. Proposed reporting requirements (include type of data and due date(s) to FNS):** Maine will collect the number of non-SFA sponsors and sites that make use of OVS, including the number of meals served. If there are meal pattern findings related to OVS at these sites, information will be reported. This data can be submitted by December 31<sup>st</sup>.

**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.maine.gov/doe/schools/nutrition/laws>

**14. Signature and title of requesting official:** Adriane Ackroyd, Assistant Director and Summer Food Service Program Coordinator for Maine



Title: Summer Food Service Program Coordinator

Requesting official's email address for transmission of response:

adriane.ackroyd@maine.gov

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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:**