***Child Nutrition Program Waiver Request***

***Maine Child Nutrition DOE***

***Local School Wellness Policy Triennial Assessments in the National School Lunch and School Breakfast Programs Waiver***

***December 4, 2020***

**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 the Maine School Food Authorities, or local educational agencies as USDA references.

**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 light of the exceptional circumstances of the COVID-19 Public Health Emergency, MDOE is requesting to waive the requirement that local educational authorities (LEAs) conduct a triennial assessment of their local wellness policies by June 30, 2021, and instead allow LEAs to conduct their assessments by June 30, 2022. The vast majority of LEAs in Maine are not currently operating the School Breakfast Program/National School Lunch Program. The Summer Food Service Program is being used instead.

The public health crisis continues, and currently, the reason USDA released a nationwide waiver for this last year still stands. As FNS noted in nationwide waiver #18, “Providing a revised deadline for completion of these requirements is vital to ensure LEAs can continue to focus on providing meals and meal supplements safely to children.”

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** 42 U.S.C. 1758b(b) and 7 CFR 210.31(e)(2)

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** There are no anticipated impacts on technology or state systems.

**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]:** 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:** There are no challenges anticipated.

**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]:** The only additional cost MDOE anticipates is the staff costs to review waivers and any follow-up USDA wishes to do.

**10. Anticipated waiver implementation date and time period:** July 1 – June 30, 2021

**11. Proposed monitoring and review procedures:** DOE staff will continue to monitor the implementation of this waiver. To ensure program integrity, MDOE will, to the maximum extent practicable, continue monitoring activities of program operations.

**12. Proposed reporting requirements (include type of data and due date(s) to FNS):**  Within 1 year after the date the waiver is approved, MDOE will report a summary of the use of this waiver by MDOE and a description of whether and how this waiver resulted in improved services to program participants.

**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 will be shared on the MDOE Child Nutrition website.

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

**Title**: Director Child Nutrition

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:**

 **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:**