


January 31, 2020

Waiver Request to continue Closed Enrolled Site area eligibility qualification

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, 207-624-6726, 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. In summer 2019, Maine had 20 sponsors operate 29 closed enrolled sites using area eligibility to qualify the sites.
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]:** Maine is requesting a waiver for extending area eligibility to closed enrolled sites as the 2019 waiver was successful. Maine has historically approved sponsors in area eligible areas to operate closed enrolled sites due to security concerns. For instance, there may be an organization that provides services to young children in a building that is area eligible; we can use this waiver to qualify this site as enrolled.
5. **Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** Section 13(a)(1)(A)(i)(III) of the NSLA, 42 USC 1761(a)(1)(A)(i)(III), and 7 CFR 225.15(F)
6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** This requirement may place an undue burden on sponsors who operate closed enrolled sites, or sites that operate weekly with different groups of participants. Maine State Agency expects that this administrative burden will result in a reduction in the number of all types of summer meals served if unable to continue participation in SFSP.

Rescinding this allowance also leads to sponsors having to choose between operating an open site or not one at all. Our data analysis from 2019 reinforced this concern. This would be a disservice to children who would benefit from the program if sponsors chose to not operate the site. Prior to approving sites to be area eligible, we verify that the status is accurate using either school data or the USDA mapping tool for area eligibility.

In addition, changes will need to be made to Maine's claiming system, which is a cost and burden to the State Agency.

- 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]:** Maine has used this flexibility after talking through the reasons for the request with sponsors. Approval of closed enrolled sites that are area eligible is only given if there is a justifiable reason, typically, security concerns. Sponsors are encouraged to operate open sites in area eligible locations.
- 8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** This is a continuing waiver; Maine does not foresee any additional challenges with 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]:** This is a continuing waiver; Maine does not foresee any additional costs to the federal government. The costs would stay the same.
- 10. Anticipated waiver implementation date and time period:** Through April 30th, 2022 with the option of extending to future years if allowable.
- 11. Proposed monitoring and review procedures:** Maine would continue monitoring per regulatory requirements. During the administrative review process of the SFSP, verification of how sites are eligible occurs. In addition, prior to approval, validation of site eligibility occurs.
- 12. Proposed reporting requirements (include type of data and due date(s) to FNS):** Maine would continue to report as required by federal regulations. Maine can gather data including, the number of sites that use this waiver, as well as the number of meals served. This data can be submitted by December 31st, 2020.
- 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/programs/sfsp>
- 14. Signature and title of requesting official:** Adriane Ackroyd, Summer Food Service Program Coordinator for Maine
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- Title: Summer Food Service Program Coordinator
Requesting official's email address for transmission of response:
adriane.ackroyd@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:**