

***Child Nutrition Program Waiver Request***  
***Maine Department of Education***  
*Administrative Review Cycle*  
*April 18, 2025*

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

Maine Department of Education, Child Nutrition  
Jane McLucas, Director of Child Nutrition  
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**2. Region:** Northeast

**3. Eligible service providers participating in waiver and affirmation that they are in good standing:** All School Food Authorities (SFAs) operating the National School Lunch Program (NSLP) in Maine are eligible for this waiver request. All SFAs are in good standing with no major unresolved administrative review findings that would preclude them from waiver participation.

**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]:** The Maine Department of Education (MDOE) is requesting a waiver of the 3-year administrative review cycle as defined in 7 CFR 210.18(c), transitioning to a 5-year cycle beginning with School Year 2025–2026.

The MDOE Child Nutrition office operates with limited staffing and resources. The existing 3-year cycle requires reviewing approximately one-third of Maine's 214 SFAs each year. Shifting to a 5-year cycle would reduce this annual review load by about 40%, significantly relieving the burden on the small administrative team.

Additionally, Child Nutrition staff have expanding responsibilities, including supporting SFAs with:

- a. Implementation of new or updated meal pattern regulations
- b. Education and support of the Buy American provision
- c. Navigating changes in program regulations and maintaining integrity
- d. Providing timely and ongoing training and technical assistance

Reducing the administrative review load will:

- a. Free staff capacity to conduct proactive trainings and regional workshops
- b. Improve the quality of reviews by allowing more preparation & follow-up
- c. Strengthen relationships with SFAs by reducing overregulation
- d. Enhance overall compliance and reduce repeat findings

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** MDOE requests a waiver of the 3-

year administrative review cycle requirement as outlined in 7 CFR 210.18(c), to permit a 5-year administrative review cycle.

- 6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Under the proposed waiver, MDOE will implement a 5-year review cycle for all SFAs while maintaining interim oversight through:
- a. Risk-based monitoring of high-priority SFAs
  - b. Technical assistance and follow-up visits, as needed
  - c. Continued use of the CNPWeb platform for managing review schedules, documentation, and reporting

This shift will enable MDOE to offer more robust training opportunities, respond to evolving program requirements, and enhance field support without sacrificing accountability.

- 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]:** MDOE has already transitioned its procurement review cycle from a 3-year to a 5-year cycle with success. This change, combined with our review software, has helped address some internal capacity limitations. The proposed administrative review adjustment is a logical step in the alignment of reviews.

- 8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** The primary challenge is ensuring oversight for high-risk SFAs between full review cycles. MDOE will mitigate this risk through:
- a. Regular risk assessments, using a robust risk-assessment tool
  - b. Targeted site visits, when deemed necessary
  - c. Prompt follow-up to technical assistance needs

- 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 waiver will not increase federal costs. In fact, it may reduce costs by eliminating the need for contract staff hired to support the current schedule. Existing staff and resources are sufficient to implement the 5-year review model.

- 10. Anticipated waiver implementation date and time period:** Implementation will begin with School Year 2025–2026, with review schedules set in June 2025, and notifications sent to superintendents by the end of August 2025.

- 11. Proposed monitoring and review procedures:** MDOE will:
- a. Build out 5-year review cycle
  - b. Use internal risk assessment tools to identify and monitor high-risk SFAs, and add them to review cycle as needed
  - c. Provide targeted site visits, technical assistance, and follow-up between full reviews

- d. Document all actions using review management software to maintain federal and state accountability

**12. Proposed reporting requirements (include type of data and due date(s) to FNS):**

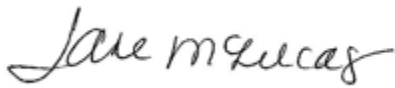
MDOE will submit an annual report to FNS by June 30 each year, including:

- a. Number and type of reviews completed
- b. Summary of findings
- c. Monitoring and technical assistance provided
- d. Training and support activities

**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]:** The public was notified of this request on the Maine DOE Child Nutrition website: <https://www.maine.gov/doe/index.php/schools/nutrition/laws>

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



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Director, Child Nutrition  
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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:**