

SY2026 Unanticipated School Closures with Remote Learning Waiver & FAQ



Maine DOE has been approved to offer statewide waivers to allow local Program operators to serve meals in a non-congregate setting when congregate meal service operations in schools are limited due to natural disasters, unscheduled major building repairs, court orders relating to school safety or other issues, labor-management disputes, or, when approved by the State agency for a similar unanticipated cause. **This waiver allowance is allowed up to a 10-day approval, after such, an approval from the USDA FNS Regional Office is required.**

Waiver Application Process

Requests for SY2026 Unanticipated School closers are through a Microsoft Form here:
[SY2026 Unanticipated School Closure with Remote Learning Waiver Request](#)

To ensure a timely response, please complete the form in its entirety.

Important Waiver Information

Application to use waivers is to be at the time of the unanticipated closure, and not prior to an event or in preparation of an event.

National School Lunch Program (NSLP) and School Breakfast Program (SBP) - School buildings are closed with virtual learning

- Non-Congregate Meal Service
- Meal Service Times
- Parent Guardian Meal Pick Up
- Offer vs Serve

Child and Adult Care Food Program At-Risk Only (CACFP)

- School buildings are closed with virtual learning
- Non-Congregate Meal Service
- Meal Service Times
- Parent Guardian Meal Pick Up
- Enrichment Activity

Mandatory reporting will be included in this year's waivers, if issued. Requirements may include reporting the number meals served, site locations, dates the waiver was used, and reason for the unanticipated closure. Information requested will include: a description of how the waiver impacted meal service operations at participating sites; a description of whether the waiver resulted in improved services to children; a description of how the waiver reduced the quantity of paperwork necessary to administer the Program; and a summary of benefits and challenges associated with the waiver. Please call the Child Nutrition Office at 207-624-6842 with any questions.

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Guidance Documents

- Richard B. Russell National School Lunch Act (NSLA), 42 U.S.C. 1760(I), Section 12
- [7 CFR Part 210 – National School Lunch Program](#)
- [7 CFR Part 220 – School Breakfast Program](#)
- [7 CFR Part 226 – Child and Adult Care Food Program](#)

Questions and Answers

1. **How do I apply for the waivers?** You must complete the Microsoft Forms request using the link above. Please ensure all applicable waiver options are selected. NSLP, SBP, and CACFP (remote learning must be in place). You will hear from our office for approval.
2. **When should I request the waiver?** You should request the waiver at time of need. This can be shortly before knowledge of an unanticipated closure (such as a storm) or as soon as possible after the event.
3. **Can I use the waiver for snow days?** Yes, snow days are considered unanticipated school closures as you have not planned for specific dates school will be closed for snow.
4. **Can I use the waiver for planned remote days, such as professional development days or voting?** No, these waivers are only for unanticipated closures. Planned remote learning days are not considered unanticipated.
5. **Do meal pattern requirements need to be followed?** Yes, if you plan to apply for the waivers and claim meals for reimbursement, meal pattern guidelines must be followed.
6. **Can I distribute meals before the unanticipated event?** You can distribute the meals before the event. For instance, you may have a plan for meals to go home the day before a potential storm. The meals would be claimed for the day of the closure with remote learning.
7. **What if I distribute meals and in-person learning occurs?** If in-person learning ends up taking place because the school didn't close, you would be unable to claim the meals sent home since the students would have access to meals at school that day. The cost of the meals sent home would also be an unallowable cost to the non-profit food service account.
8. **Do I need to count meals at point of service?** Yes, meals must be counted at the point of distribution to students. If you claim by free, reduced, paid, you must count meals by student name.