

# ***Child Nutrition Program Waiver Request***

## ***Maine Child Nutrition DOE***

*Submitted March 26, 2020*  
*Fresh Fruit and Vegetable Program*

**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](mailto:walter.beesley@maine.gov) 207-624-6875

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Child Nutrition DOE  
136 State House Station  
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**2. Region: NERO**

**3. Eligible service providers participating in waiver and affirmation that they are in good standing:**

This would be for eligible summer sponsors and seamless summer.

**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]:**

Due to the school closure many schools are left with unused FFVP funds. Instead of sending thousands of dollars back to USDA not benefiting children, schools will be able to spend this money and provide children with a fruit and vegetable snack, in addition to their meals, that would otherwise go unused. Schools that are operating NSLP during the closure have this option; however, many schools in Maine that have FFVP are operating the Summer Food Service Program (SFSP) and are area eligible (50% or more free and reduced). Many schools have expressed their concern with having unused funds go to waste.

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:** Allow FFVP awarded schools operating the Summer Food Service Program (SFSP) to use their funds and offer a fruit/vegetable snack during the school closure. According to the FFVP handbook (page 4), FFVP can only be used by schools participating in the NSLP.

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** We anticipate no impacts on technology, state systems, or monitoring. Schools will be instructed to provide the FFVP in addition to the breakfast and lunch meal (not as part of the fruit and vegetable component of the meal).

**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]:** 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:** None at this time.

**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(I)(1)(A)(iii) of the NSLA]:** This waiver will provide fresh fruit and vegetable and reduce the amount of money returned to the USDA by allowing schools to use funds they have been awarded for SY 2020. It will decrease the overall cost and be a benefit to students.

**10. Anticipated waiver implementation date and time period:** Whereas Maine schools are mostly closed the waiver would start immediately through September 30<sup>th</sup>, 2020 or whichever comes first.

**11. Proposed monitoring and review procedures:** claims submitted and check-ins

**12. Proposed reporting requirements (include type of data and due date(s) to FNS):** this will follow the same reporting requirements prior to COVID-19

**13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(I)(1)(A)(ii) of the NSLA]:** this was shared in a DOE webinar to all districts and interested parties.  
<https://www.maine.gov/doe/schools/nutrition>

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

Director Child Nutrition **Title:** Requesting official's email address for transmission of response:  
[walter.beesley@maine.gov](mailto: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(I)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations: