

***Child Nutrition Program Waiver Request***  
***Maine Child Nutrition DOE***  
*SFSP Onsite Monitoring Requirements for Sponsors Waiver*  
*Submitted May 12, 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](mailto: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 eligible Maine Summer Food Service Program Sponsors in good standing.

**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]:** In light of the exceptional circumstances of the COVID-19 Public Health Emergency, MDOE is requesting to waive the onsite SFSP monitoring requirements to help minimize potential exposure to COVID-19. This waiver would apply to monitoring of schools and institutions operating Summer Food Service Program (SFSP) during the months that traditional summer would operate.

The Governor of Maine has released a plan to safely reopen, which runs through at least August. The plan maintains physical distancing requirements. Providing MDOE with this waiver better ensures SFSP monitoring in Maine aligns with the plan.

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:** 7 CFR 225.15(d) – onsite monitoring by sponsoring organizations

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** As an alternative to onsite monitoring and to ensure program integrity, MDOE recommends that sponsoring organizations, to the maximum extent practicable, continue monitoring activities of program operations offsite (e.g., through a desk audit). 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(I)(2)(A)(ii) of the NSLA]:** Educate MDOE staff and local administrators of current methods under Federal and State regulations and what the waiver would allow. 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. MDOE staff are currently working with programs off site and will be available to provide support to sponsoring organizations.

**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]:** 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 – September 30, 2020

**11. Proposed monitoring and review procedures:** DOE staff will continue to monitor the implementation of this waiver. To ensure program integrity, MDOE recommends that sponsoring organizations, to the maximum extent practicable, continue monitoring activities of program operations offsite (e.g., through a desk audit).

**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.

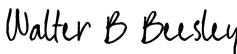
**13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:** This will be shared on the MDOE Child Nutrition website.

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

**Title:** Director Child Nutrition

Requesting official's email address for transmission of response:

[walter.beesley@maine.gov](mailto:walter.beesley@maine.gov)

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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:**

# ***Child Nutrition Program Waiver Request Maine Child Nutrition DOE***

*SFSP Onsite Monitoring Requirements for State Agency Waiver  
Submitted May 12, 2020*

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

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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 State Agency, Maine Department of Education Child Nutrition (MDOE).

**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]:** In light of the exceptional circumstances of the COVID-19 Public Health Emergency, MDOE is requesting to waive the onsite SFSP monitoring requirements to help minimize potential exposure to COVID-19. This waiver would apply to monitoring of schools and institutions operating Summer Food Service Program (SFSP) during the months that traditional summer would operate.

The Governor of Maine has released a plan to safely reopen, which runs through at least August. The plan maintains physical distancing requirements. Providing MDOE with this waiver better ensures SFSP monitoring in Maine aligns with the plan.

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:** 7 CFR 225.7(d)(2)(ii)

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** As an alternative to onsite monitoring and to ensure program integrity, MDOE will, to the maximum extent practicable, continue monitoring activities of program operations offsite (e.g., through a desk audit). 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(I)(2)(A)(ii) of the NSLA]:** Train MDOE staff and educate local administrators of current methods under Federal and State regulations and what the waiver would allow. There are currently no state level regulatory barriers that would impact this issue.

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

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

**Title:** Director Child Nutrition

Requesting official's email address for transmission of response:

[walter.beesley@maine.gov](mailto:walter.beesley@maine.gov)

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**Regional Office Analysis and Recommendations:**