

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

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

*Submitted March 19, 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

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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 Maine school districts 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]:** This request is to able to provide lunch and breakfast to students effected by school closure. The waiver will provide flexibility to provide meals during an unanticipated school closure pandemic outbreak, natural or man-made disaster, and storms that caused a school(s) to close unexpectedly. The waiver would allow NSLP apply NSBP meals to be offered during the time period of closure. Regulations/guidance with the exception of meals consumed off site, picked up the days before. Meals would still meet meal pattern requirements and accountability standards. Meals are consumed off site in a non-group setting.

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:** Richard B. Russell National School Lunch Act 4(b), 7 CFR 210.10(l), 7CFR 220.2, 7CFR 210.7 areas of waiver ; serving times, accountability more then 1 meal per day, and taking food off site.

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Meals would be provided to students using this alternative method after approved by State Agency. Regulations and requirements still would be met except for meals meal times, accountability day before and off site. We anticipate no impacts on technology, state systems, or monitoring.

**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 DOE 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:** Communication and education about the availability of the program during closure. Instructions on how to file claims for reimbursements.

**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 is to allow meals to be offered ahead of time and

consumed off site. The only additional cost will be the staff costs to review waivers and any follow-up USDA wishes to do.

**10. Anticipated waiver implementation date and time period:** This is unknown if actually will be needed but in preparation Maine wants to be ready. We are using the motto "Be Prepared." There is real possibility of this in Maine. The waiver would be for the period of March 9<sup>th</sup>, 2020, through July 1<sup>st</sup>, 2020.

**11. Proposed monitoring and review procedures:** District will contact CN/DOE of their intent to serve meals under this waiver. DOE staff will monitoring implementation of this waiver.

**12. Proposed reporting requirements (include type of data and due date(s) to FNS):** Maine DOE will track districts using this waiver. Documentation will be reviewed during Administrative reviews.

**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 will shared in a DOE webinar 3/23 to all districts and interested parties.

**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: