

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST

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

Alaska Department of Education and Early Development
Child Nutrition Programs
Jo Dawson, Program Manager
PO Box 110500
Juneau, AK 99811-0500
907-465-8708

- **Region:** Western Region
- **Eligible service providers participating in waiver and affirmation that they are in good standing:**

Alaska Department of Education and Early Development, Child Nutrition Programs is requesting a state-wide waiver for all sponsors who operate the Fresh Fruit and Vegetable Program (FFVP). Schools that would fall under this waiver are operating in communities where the schools are operating virtual learning for some or all of class instruction in connection with the COVID-19 pandemic.

- **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]:**

Challenge: Requiring children to leave their homes to be physically present with their parent or guardian to receive fresh fruits and vegetables puts those children at increased risk of contracting the COVID-19 virus and violates public health recommendations.

Goal: To provide FFVP fresh produce to participants in a way that mitigates potential exposure to COVID-19 and that allows a parent/guardian that understands the need for social-distancing to pick up the FFVP produce for their children.

Expected Outcome: Children will have increased access to nutritious fresh fruits and vegetables as healthy snack options during this uncertain time without being potentially exposed to the novel coronavirus.

- **Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:**

Alaska CNP requests to waive the requirement at Section 19(b) of the Richard B. Russell National School Lunch Act (NSLA) (42 USC 1769a) that requires FFVP foods be served directly to students.

- **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:**
If approved, Alaska CNP will provide technical assistance to schools serving FFVP during the unanticipated school closure to allow parent/guardian to pick up. Sites electing to opt-in to the wavier will be required to inform the State Agency of their intention to do so prior to implementing. The State Agency will continue to monitor FFVP reimbursement requests to ensure that the operating and administrative costs are within the Program's guidelines. There are no impacts on technology, State systems, or monitoring.
- **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]:**
No barriers have been identified at the state agency level. There are currently no state-level regulatory barriers related to this specific issue.
- **Anticipated challenges State or eligible service providers may face with the waiver implementation:**
There are no anticipated challenges with this waiver request.
- **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]:**
Alaska DEED CNP does not anticipate that this waiver will increase the overall cost of the grant program to the Federal government.
- **Anticipated waiver implementation date and time period:**
To be effective for school year 2021-2022
- **Proposed monitoring and review procedures:**
Alaska CNP will provide technical assistance to sponsors on the process and procedures for implementing the waiver. The State agency will continue to monitor FFVP reimbursement requests to ensure that the operating and administrative costs are within the Program's guidelines. Sites electing to opt-in to the wavier will be required to inform the State Agency of their intention to do so prior to implementing.
- **Proposed reporting requirements (include type of data and due date(s) to FNS);**
DEED CNP will report to FNS by the following information by December 31st each year that the

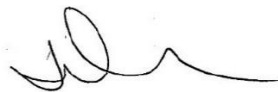
waiver is in place:

1. The number of recipient agencies monitored under the waiver
2. The number of sites monitored under the waiver

- **Link to or copy of the public notice informing the public about the proposed waiver [Section 12(I)(1)(A)(ii) of the NSLA]:**

[Alaska Department of Education and Early Development, Child Nutrition Programs \(https://education.alaska.gov/cnp\)](https://education.alaska.gov/cnp)

- **Signature and Title of requesting official:**



Name: [Jo Dawson](#)

Title: Child Nutrition Programs Manager

Alaska Department of Education and Early Development

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:

x

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

*Please note the public notice shall be posted on AK DEED website by May 4, 2021

Regional Office Analysis and Recommendations:

WRO finds the Alaska Department of Education & Early Development (DEED) presents a strong case for allowing parent/guardian pick up of FFVP snacks during school year 2021-2022. As schools in Alaska continue operating with virtual and hybrid learning models, it is essential to allow flexibilities to provide the FFVP to eligible children to ensure continued access to healthy snacks and provide optimal nutrition. Further, DEED seeks this flexibility to limit COVID exposure and ensure safety measures are in place. FFVP Operators may opt-in to the waiver explaining how they will ensure FFVP snacks are only provided to eligible students. DEED will monitor operations during the waiver period (SY 21-22) and provide technical assistance where necessary.

Kari A. Kramer 3 May 2021

Kari A Kramer