

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST

1. 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

2. Region: Western Region

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

This waiver is limited to CACFP for-profit 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]:

Due to statewide shelter in place issued by Alaska Governor Mike Dunleavy, Child Nutrition Programs is requesting a waiver for minimum enrollment thresholds for CACFP for-profit centers due to changing enrollment factors with a focus on essential workers who may not meet the low-income requirements.

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

7 CFR 226.17(b)(4) Each child care center participating in the Program shall claim only the meal types specified in its approved application in accordance with the meal pattern requirements specified in §226.20. For-profit child care centers may not claim reimbursement for meals served to children in any month in which less than 25 percent of the children in care (enrolled or licensed capacity, whichever is less) were eligible for free or reduced price meals or were title XX beneficiaries.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

Alaska DEED/CNP will provide detailed information and instructions to the CACFP sponsors on the waiver process; affected CACFP Sponsors will be required to apply for the waiver. The use of the waiver will be limited to the duration of the state mandated shelter in place as a result of COVID-19.

Existing Sponsors

- Be in good standing
- Located in an area experiencing a documented unanticipated school closure
- Sponsor must maintain this documentation
- Sponsor must continue to document eligibility

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]:

Several child care programs have indicated enrollment changes due to economic and employment shifts with families; there is the potential that the increased child care needs for essential workers may cause for-profit centers to be ineligible for reimbursement for meals served. This waiver would allow the state agency to waive the 25% minimum eligibility requirement and continue to reimburse claims at the annual blended rate established by the sponsor at the beginning of FY2020 (Alaska uses the blended rate system).

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]:

There is no anticipated increase in costs to the federal government; despite the waiver if approved, we anticipate a drop in participation from what was expected previous to COVID-19.

10. Anticipated waiver implementation date and time period: During the COVID-19 pandemic from March 2020 through the remainder of the federal fiscal year, to be revisited if COVID-19 remains an issue.

11. Proposed monitoring and review procedures: DEED does not plan on conducting any additional monitoring as a result of the waiver, but will require reporting on sites and meals. We may also review documentation from these meal services at a regularly scheduled CACFP review, such as meal count forms, production records, and cycle menus.

12. Proposed reporting requirements: DEED will review final meal counts when they are submitted with claims for reimbursement in the state's CACFP Child Nutrition Database. Additionally, DEED will report this data in the FNS 44 reports as applicable and fulfill any additional WRO/FNS data requests.

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]:

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

14. 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:

- 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: