

## CHILD NUTRITION PROGRAM STATE CEP 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 NSLP/SBP sponsors in good standing to operate Community Eligibility Provision (CEP).

### 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 school closure and low enrollment numbers, Child Nutrition Programs is requesting a waiver for NSLP/SBP sponsors to have an extended timeframe to collect student data records and an extended deadline to submit CEP applications to the State Agency; additionally, an extension for the State Agency to process new or renewing CEP applications and student data. This will allow districts more time to enter accurate records of all enrolled students and accurate record keeping. It would also allow the State Agency time to ensure all student data is accurately processed and all districts receive the proper notification.

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

- **ISP Data as of April 1** under Sections 11(a)(1)(F)(iii)(I)(bb), (a)(1)(F)(iv)(I)(bb), (a)(1)(F)(v)(I), and (a)(1)(F)(v)(II)(bb) of the Richard B. Russell National School Lunch Act (NSLA), 42 U.S.C. 1759a, and FNS regulations at 7 CFR 245.9(f)(3)(i), (f)(4)(i), (f)(4)(v)(A), (f)(4)(viii), and (f)(4)(ix)
- **Due April 15** LEA Notification Requirements under Section 11(a)(1)(F)(x)(IV) of the NSLA, 42 U.S.C. 1759a and 7 CFR 245.9(f)(5)
- **Due April 15** State Agency Notification Requirements under Section 11(a)(1)(F)(x)(II) of the NSLA, 42 U.S.C. 1759a and 7 CFR 245.9(f)(6)
- **Due May 1<sup>st</sup>** State Agency Publication Requirements under Section 11(a)(1)(F)(x)(III) of the NSLA, 42 U.S.C. 1759a and 7 CFR 245.9(f)(7)
- **June 30** election date under Section 11(a)(1)(F)(x)(I) of the NSLA, 42 U.S.C. 1759a and FNS regulations at 7 CFR 245.9(f)(4)(i)

<b>CEP Requirements</b>	<b>Annual Deadline</b>	<b>Waiver Deadline</b>
Data Used to Calculate ISP	April 1	Anytime between April 1-June 30, 2022
LEA Notification	April 15	June 15, 2022
State Agency Notification	April 15	June 15, 2022
State Agency Publication	May 1	June 30, 2022
Elect CEP for Following SY	June 30	August 31, 2022

**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 NSLP/SBP sponsors on the CEP process; affected CEP/NSLP/SBP Sponsors will follow the same requirements as normal CEP application/renewal procedures to have more time to gather accurate data. State Agency will follow normal CEP application/renewal procedures as well, with an extended deadline to process and notify all sponsors.

**Existing Sponsors**

- LEAs with a district-wide ISP of at least 40 percent (eligible for CEP);
- LEAs with a district-wide ISP greater than or equal to 30 percent but less than 40 percent (near-eligible for CEP);
- LEAs currently participating in CEP; and
- LEAs in the fourth year of CEP participation with a district-wide ISP greater than or equal to 30 percent but less than 40 percent (eligible for grace year).

Regulations at 7 CFR 245.9(f)(6) also require that State agencies annually notify LEAs of the above-referenced eligibility categories by April 15. Instead, State agencies must notify LEAs of CEP eligibility by **June 15, 2022**.

**7. 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]:**

DEED has provided technical assistance to support sponsors in providing accurate student data, and regular reminders of deadlines for current CEP requirements.

**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(l)(1)(A)(iii) of the NSLA]:**

There is no anticipated increase in costs to the federal government; if the waiver is approved, we anticipate a small increase in CEP applications/renewals.

**10. Anticipated waiver implementation date and time period:** For the remainder of the federal fiscal 2022 with CEP data to be utilized in federal fiscal year 2023.

**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 NSLP Admin. review, such as meal count forms, claiming percentage forms by site, and claim backup.

**12. Proposed reporting requirements:** DEED will review final claiming percentages when they are submitted with claims for reimbursement in the SNP Child Nutrition Database.

**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

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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(I)(1)(A)(ii) of the NSLA**

**Regional Office Analysis and Recommendations:**