

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 SFSP sponsors approved to operate in under an area-eligibility waiver for open and enrolled SFSP/SSO sites.

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]:

USDA policy memo COVID-19: Child Nutrition Response #85 has allowed school districts to provide all meals at all participating schools at no charge to students; although districts have encouraged the continued submission of income eligibility applications (primarily for P-EBT purposes), school district eligibility data is lower than traditionally reported. For SY21-22 we are showing a 7% reduction in eligibility; however anecdotal data does not imply that we have fewer families in the state meeting the requirements, just fewer families submitting school meal applications. The result of this information gap is that many programs that traditionally rely on strong data may be unable to be approved for participation. This request is for a 1-year moratorium on eligibility, if pricing programs resume next year, it is believed that school district data will resume as a data source for eligibility.

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

7 CFR 225.2 "Areas in which poor economic conditions exist."

*The Richard B. Russell National School Lunch Act (NSLA) allows the use of school data to establish area eligibility in the CACFP (Title 42, US. Code [42 USC] 1766[f][3][A][ii][I][bb]) and SFSP (42 USC 1761[a][I][A][i][I]). The NSLA also allows the use of census data to establish Tier I eligibility for CACFP day care home (42 U S C 1766[f][3][A][ii][I][aa]) and area eligibility for SFSP sites (42 USC 1761[a][I][A][i][II]).

Title 7, Code of Federal Regulations Section 225.2 defines ' areas in which poor economic conditions exist'.

FNS Policy Memorandum SP 10-2015, CACFP 04-2015, SFSP 03-2015 provides guidance on the use of school and census data to establish area eligibility in the CNPs.

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 SFSP/SSO sponsors on the waiver process; affected SFSP/SSO Sponsors will be required to apply for the waiver.

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]:

DEED has issued area-eligibility waivers the past two years due to COVID-19; it is our request to continue to provide area eligibility waivers until school districts resume standard data collection processes for free and reduced-price applications. Without this strong data set we feel it is unduly punitive to deny eligibility for the peripheral programs.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

None at this time; however, we do anticipate local-level program disruptions if this waiver is not approved.

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; even if this waiver is approved as written, we do not anticipate 100% participation rate statewide. Most School Food Authorities who operated SFSP/SSO at the beginning of the public health emergency, have not continued to provide these programs.

10. Anticipated waiver implementation date and time period: May 2022 – September 2022

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.

12. Proposed reporting requirements: DEED will review final meal counts when they are submitted with claims for reimbursement in the SFSP Child Nutrition Database. Additionally DEED will report this data in the FNS 418/FNS 10 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
\(https://education.alaska.gov/cnp\) pending](https://education.alaska.gov/cnp_pending)

14. Signature and title of requesting official:

A handwritten signature in black ink, appearing to be 'JL' followed by a stylized flourish.

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: