

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 in good standing approved to operate 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(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

Beginning with USDA policy memo COVID-19: Child Nutrition Response #2, and several iterations, USDA has provided exceptions to congregate feeding as a result of closures due to COVID-19. Adjacent USDA policy waiver memos for Parent Pick-up and Meal Time Requirements were implemented as necessary when conditions require non-congregate feeding.

Local agency school data collected for Pandemic EBT reflects a significant reduction in school closures during school year 21-22; however, pandemic related closures do still exist. This waiver would allow the state agency to be responsive if the need arises on a community by community basis.

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

7 CFR 225.6(e)(15) "Maintain children on site while meals are consumed."

*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][I]).

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; SFSP/SSO Sponsors will be required to apply for the waiver and must meet eligibility requirements to be approved.

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 issued waivers for non-congregate feeding, parent pick-up, and meal time requirements during the past two years due to COVID-19; it is our request to have the ability to approve waivers for alternate meal services if a community experiences high levels of COVID-19 if the agency has the capacity to provide meals- to- go in a safe manner.

In order to be eligible for the waiver, a program site will have to be in the “high” category using the CDC’s Community Level Databank (<https://www.cdc.gov/coronavirus/2019-ncov/science/community-levels.html>). A waiver would only be approved while a community is in the high category which would be monitored weekly.

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

None at this time; however, we do anticipate unserved children if we experience another wave of the pandemic over the summer months 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 that many sponsors will qualify and opt-in.

10. Anticipated waiver implementation date and time period: May 1, 2022 – September 30, 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 duration.

12. Proposed reporting requirements: DEED will review final meal counts when they are submitted with claims for reimbursement in the SFSP 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>) *pending*

14. Signature and title of requesting official:

A handwritten signature in black ink, appearing to be 'JD' 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: