

*Child Nutrition Program Waiver Request
Maine Child Nutrition DOE
Waiver request to extend the CEP application deadline
Submitted May 12, 2023*

1. State agency submitting waiver request and responsible State agency staff contact information:
Maine Child Nutrition Department of Education, Jane McLucas jane.mclucas@maine.gov 207-624-6842

Jane McLucas
Child Nutrition DOE
136 State House Station
Augusta, ME 04333-0136

2. Region: Northeast

3. Eligible service providers participating in waiver and affirmation that they are in good standing:
This would be for the Maine State Agency, Maine Department of Education Child Nutrition (MDOE) and eligible sponsors of NSLP, 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]: The request is to extend the deadline for application for CEP until August 15, 2023. Maine's Meals at No Cost legislation has made CEP a more viable option for LEA's. This waiver would give flexibility to LEA's that have been short staffed or without leadership additional time to submit the CEP application. This waiver could lead to additional LEA's being able to participate in CEP.

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

We are requesting a waiver of the following requirements:

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)

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

There will be no impact on program operations, or technology systems to incorporate the deadline change. As an alternative to the requirements and applicable deadlines listed above, we are requesting to extend all CEP deadlines in accordance with the chart below:

CEP Requirement	Annual Deadline	Waiver Deadline
Elect CEP for SY 2022-2023	June 30	August 15, 2023

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]: There are currently no state level regulatory barriers that would impact this issue.

There are no regulatory barriers at the state level

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

There are no anticipated challenges with this waiver currently.

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]:

Extending deadlines will not result in increased cost to the Federal Government, rather it will allow LEA's the time they need to ensure they are completing all CEP activities in line with Federal regulations, and specifically will allow LEA's to make an informed decision about whether CEP is financially viable for their school/district.

10. Anticipated waiver implementation date and time period: June 30-August 15, 2023

11. Proposed monitoring and review procedures:

All required activities regarding CEP will continue to take place, but the election deadline will be delayed. There will be no changes to the required monitoring and review procedures

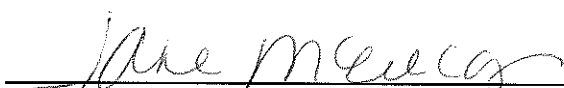
12. Proposed reporting requirements (include type of data and due date(s) to FNS):

The state agency will report to USDA how this flexibility assisted with potentially increasing CEP participation in Maine, no later than March 31, 2024

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]: This will be shared on the MDOE Child Nutrition website.

<https://www.maine.gov/doe/schools/nutrition/laws>

14. Signature and title of requesting official: Jane McLucas, Child Nutrition Director for Maine Department of Education



Title: Child Nutrition Director

Requesting official's email address for transmission of response: jane.mclucas@maine.gov

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(l)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations: