

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST
Waiver Request for Lower Kuskokwim School District, Ayaprun School

1. State agency submitting waiver request and responsible State agency staff contact information:

Alaska Department of Education and Early Development
Child Nutrition Programs
Samantha Simien, NSLP Coordinator
Samantha.simien@alaska.gov
PO Box 110500
Juneau, AK 99811-0500
907-465-8709

2. Region: Western Region

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

This waiver request is on behalf of the Lower Kuskokwim School District, Ayaprun School in Newtok, Alaska. The SFA is 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 Alaska Department of Education and Early Development, Child Nutrition Programs (DEED CNP) is requesting a waiver for Ayaprun School in Newtok, Alaska due to a temporary school closure due to a disaster emergency that has caused safety concerns. Newtok is an Alaskan Native village with a population of 222 residents, current school enrollment of 145 students with 100% CEP Free Claiming.

During this closure the school has temporary classrooms set up in the gym area. Classes are being held in three, two-hour sessions every day. The children are not able to eat in the gym and do not attend class at the same time, so congregate feeding is not an option at the normal school meal times.

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

DEED CNP is requesting a waiver of the following:

- NSLA, 42 USC 1753(b)(1)(A), the Child Nutrition Act, 42 USC 1773(b)(1)(A) to allow non-congregate meal service in the National School Lunch Program and

School Breakfast Program,

- 7 CFR 210.10(l) and 7 CFR 220.8(l) to all the SFA to serve at mealtimes that are achievable in a meal delivery system; and
- 7 CFR 210.10(d) and 7 CFR 220.8(d) fluid milk requirement and meal pattern allow the SFA to provide one choice of milk due to the inability to access the proper equipment and clean water to safely provide the powdered nonfat chocolate milk normally offered.

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

If approved, the SFA will maintain NSLP meal service by adhering to the meal pattern except for the fluid milk requirement, having a point-of-service, meal counts, menus, and production records. The SFA will report the total number of meals served under this waiver. The meal items will be frozen and prepackaged and/or factory packaged. The site will leave them in the packaging and thaw the items for meal service. The SFA will be offering factory packaged sandwiches, UHT milk, and 4oz factory packaged fruit cups. Vegetables will be portioned and packaged at our central kitchen in Bethel, frozen, and sent to the school.

Meals would be served daily to students that attend classes. The students would go through the serving line and be counted. Students will pick up their meals in the school from the serving line. They will continue to provide offer vs serve. Meals will be served between 12:00pm to 4:00pm due to staggered classroom times. Students will be attending classes in two-hour increments starting at 10:00am. The first group will get meals as they leave at 12:00pm, the second group will get them as they leave at 2:00pm, and the third group will get their meals at 4:00pm as they leave.

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]:

The current State waivers in place for these regulations are not specific to this type of catastrophic event. This is an unanticipated event that has caused disruption to the day-to-day services that the school provides, and because of it the school will not meet the requirements under 7 CFR 210 and 7 CFR 220 without a waiver from FNS.

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

DEED CNP does not anticipate these waivers will present any challenges to the SA or SFSP sponsors; the Lower Kuskokwim School District may face significant unallowable costs if the 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]:

DEED CNP does not anticipate this waiver will increase the overall cost of the program to the Federal government because the site is approved to participate, this waiver merely waives barriers to participation due to the disaster emergency.

10. Anticipated waiver implementation date and time period:

To be effective immediately until the school district and the Village of Newtok can resolve the school’s construction issues, and water concern in the community. We would like to request a 90-day approval to be renewed as needed and to terminate the waiver upon resumption of on-site classes.

11. Proposed monitoring and review procedures:

DEED CNP will request meal counts, and may monitor menus, meal count process, and production records. DEED CNP will also require the school district to provide a quarterly summary/update and submit a written request to continue the waiver if needed.

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

DEED CNP will report to FNS the total meals served under this waiver and will submit a summary of the waiver progress upon request.

13. Link to or copy of the public notice informing the public about the proposed waiver [Section 12(I)(1)(A)(ii) of the NSLA]:

[School Nutrition Programs - Education and Early Development \(alaska.gov\)](#)

14. Signature and Title of requesting official:



Name: Samantha Simien
Title: NSLP/SBP Coordinator, Alaska Department of Education and Early Development
Email address for transmission of response: samantha.simien@alaska.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(I)(1)(A)(ii) of the NSLA**

Regional Office Analysis and Recommendations: