



**Consolidated Waiver Application
Agreement to Waive Regulatory
Requirements of CNP Services due to a
Disaster Emergency**

Child Nutrition Programs
Finance and Support Services
P.O. Box 110500
Juneau, Alaska 99811-0500

Alaska Child Nutrition Programs has been authorized to provide the following waivers for SFSP, SSO and NSLP/SBP/FFVP sponsors in good standing.

In order to be eligible for the waiver, a program site will have to be approved by the State Agency and USDA Federal Nutrition Services (FNS). Sponsor must submit a separate Waiver application for each program selected.

Sponsor Name
Lower Kuskokwim School District

Sites that will participate in selected Emergency Waiver (*attach additional page for additional sites*):

Site Name (s)
Ayaprun School Newtok

Select each waiver you wish to utilize during the safety mitigation period.

Summer Food Service Program (SFSP) and Seamless Summer Option (SSO):

The waivers in this section apply to SFSP and SSO for summer 2022. However, FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when congregate meal service is limited due to a Disaster Emergency

- ☐ Waiver 1: Non-Congregate Meal Service during Summer 2022 [42 U.S.C. 1753(b)(1)(A), 42 U.S.C. 1761(a)(1)(D), and 7 CFR 225.6(e)(15)]
- ☐ Waiver 2: Parent/Guardian Meal Pickup during Summer 2022 [42 U.S.C. 1761(f)(3), 7 CFR 210.10(a), 7 CFR 220.2, 7 CFR 220.8(a), 7 CFR 225.2, and 7 CFR 225.9(d)(7)]

National School Lunch Program (NSLP) and School Breakfast Program (SBP):

The following waivers are intended to provide needed flexibility to support school food authorities (SFAs). FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when congregate meal service is limited due to a Disaster Emergency.

- ☒ Waiver 3: Non-Congregate Meal Service [42 U.S.C. 1753(b)(1)(A) and 42 U.S.C. 1773(b)(1)(A)]
- ☐ Waiver 4: Parent/Guardian Meal Pickup [7 CFR 210.10(a), 220.2 (Breakfast), and 220.8(a)]
- ☒ Waiver 5: Meal Service Times [7 CFR 210.10(l) and 220.8(l)]
- ☐ Waiver 6: Offer Versus Serve [42 U.S.C. 1758(a)(3) and 7 CFR 210.10(e)]

School Year Administration (NSLP/SBP/SFSP):

The following waivers allow State and local Program operators to overcome administrative challenges resulting from COVID-19 and to appropriately allocate their limited staffing resources to ensure safe service of meals to children as they respond to and recover from the disaster. FNS expects Program operators will only use these flexibilities for the duration and extent that they are needed.

- ☐ Waiver 9: Administrative Review Onsite Requirements [7 CFR 210.18]
 - Onsite Requirement for SFA Onsite Reviews by February 1 [7 CFR 210.8(a)(1) and 220.11(d)(1)]
 - Onsite Requirement for Afterschool Care Reviews [7 CFR 210.9(c)(7)]
 - Onsite Requirement for Periodic On-site Visits when Utilizing an FSMC [7 CFR 210.16(a)(3) and 220.7(d)(1)(iii)]

Fresh Fruit and Vegetable Program (FFVP):

The following waivers are intended to provide needed flexibility to support schools in continuing to participate in the FFVP. FNS expects that flexibilities under the waivers in this section will only be implemented by Program operators when the FFVP elementary school is closed for in-person instruction and congregate meal service is limited due to a Disaster Emergency.

- ☐ Waiver 14: Parent/Guardian FFVP Pickup [42 U.S.C. 1769a]
- ☐ Waiver 15: Alternate Site [42 U.S.C. 1769a(a)]

Unanticipated School Closures:

The waivers in this section apply to SFSP and SSO during unanticipated school closures. FNS expects that flexibilities under these waivers will only be implemented by Program operators when congregate meal service is limited due to a Disaster Emergency.

- ☐ Waiver 16: Non-Congregate Meal Service during Unanticipated School Closures in SY 2022-23 [42 U.S.C. 1753(b)(1)(A), 42 U.S.C. 1761(a)(1)(D), and 7 CFR 225.6(e)(15)]
- ☐ Waiver 17: Parent and Guardian Meal Pick-Up during Unanticipated School Closures (SFSP/SSO) [42 U.S.C. 1761(f)(3) and 7 CFR 210.10(a), 220.2 (Breakfast), 220.8(a), 225.2, and 225.9(d)(7)]
- ☐ Waiver 18: Meal Service Times for Unanticipated School Closures in SY 2022-23 [7 CFR 225.16(c)(1) and 225.16(c)(2)]

- ☐ Waiver 19: Meals at School Sites for Unanticipated School Closures in SY 2022-23 [42 U.S.C. 1761(c)(1) and 7 CFR 225.6(d)(1)(iv)]

Child and Adult Care Food Program (CACFP):

The waivers in this section apply to CACFP. FNS expects that operational flexibilities under these waivers will only be implemented by Program operators when congregation is limited due to the disaster emergency. FNS expects that monitoring flexibilities will only be implemented when disaster conditions interfere with the ability of State agencies and sponsoring organizations to conduct reviews onsite. Waiver 20: Non-Congregate Meal Service [42 U.S.C 1753(b)(1)(A) and 7 CFR 226.19(b)(6)(iii)]

- ☐ Waiver 21: Parent/Guardian Meal Pick-Up [7 CFR 226.2]
☐ Waiver 22: Meal Service Times [7 CFR 226.20(k)]
☐ Waiver 24: Sponsoring Organization Onsite Monitoring Visits [7 CFR 226.16(d)(4)(iii)]

Please describe services affected by the approved Waiver for your program.

Meals to be offered: (<i>Breakfast, Lunch, Snack, FFVP, At-Risk Meals</i>)
<p>Lunch - We will offer students NSLP reimbursable meals. However due to the nature of how meals will need to be served we will only be able to offer 1 milk option. 1% white milk. We would like to request that 1 milk option (1%UHT white milk) be added to the waiver. I have contacted several companies to purchase shelf stable UHT fat free chocolate milk but as of yet have not been able to purchase this item.</p> <p>The school had a fire at the end of January. Due to the fire the school lost power and water pipes and sewer lines throughout the school cracked and burst. The school now has a new generator and has steady power. However the school has no access to clean water and no way to safely make powdered nonfat chocolate milk for the students. Additionally due to the fact that the school has no running water and no access to clean water. 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. For example we 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.</p>
Meal Service Time Flexibility (<i>including parent/guardian pick-up and meal delivery</i>):
<p>noon to 4. Students will be attending classes in two hour increments starting at 10am. The first group will get meals as they leave at noon, the second group will get them as they leave at 2, and the third group will get their meals at 4 as they leave.</p>
Meal Delivery Methods (<i>Curbside pick-up, Mobile sites, Home Delivery</i>):
<p>Students will pickup their meals in the school from the serving line. We will continue offer vs serve.</p>
Meal Options (<i>Full week of meals at one time, 2-3 days at one time, Weekend meals, Bulk Food, Shelf-stable meals</i>):
<p>Meals would be served daily to students that attend classes. The students would go through the serving line and be counted.</p>

Meal Counting Method <i>(Standard POS, Mobile technology, Paper roster, clicker):</i>
Standard POS. Newtok has a trained meal counter. The school uses Powerlunch. If the internet is down then we use tick sheets.
Parent or Guardian Pick-Up <i>(Describe processes in place to ensure that meals are distributed only to parents or guardians of enrolled children, and that duplicate meals are not distributed or attach written procedures):</i>
Not needed. Only students that attend classes will be picking up lunches from the serving line.
Procedure for notifying parents and guardians regarding program services while utilizing Wavier flexibilities:
A letter will be sent home with the students, posted on the village bulletin board, and posted on the school facebook page.
CACFP Sponsoring Organizations Onsite Monitoring <i>(Describe processes in place to explain when virtual monitoring will take place and assurances of complete monitoring visit within required timeframes)</i>

The sponsor agrees to provide DEED Child Nutrition Programs with reporting requirements to be sent with waiver approval by DEED and the following as applicable:


- A summary of the use of the non-congregate feeding flexibilities by local program operators,
- A summary of the use of the parent or guardian pick-up flexibilities by local program operators,
- A summary of the use of the meal-time flexibilities by local program operators,
- A summary of the use of the SSO option by local program operators,
- A summary of the use of the offer versus serve flexibilities by local program operators,
- A summary of the use of the Administrative Reviews, Monitoring and Reporting flexibilities,
- A summary of the use of Alternative Site flexibility (FFVP),
- A summary of the use of the Meals at School Sites for Unanticipated School Closures flexibilities,
- A description of how each waiver resulted in improved services to program participants.
- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in SFSP.
- A description of how the waiver impacted the quantity of paperwork necessary to administer the program.

Failure to comply with reporting requirements may result in the State Agency denying future waiver requests. Please contact the appropriate program DEED representative for additional information.

Signature of Authorized Representative and Date

 4-04-2023

Approval Signature of DEED Child Nutrition Programs and Date

 NSLP Coordinator 04/07/2023

Waiver Instructions

If a sponsor has multiple child nutrition programs they wish to apply for, a separate Waiver Application for each program (SFSP and SSO, NSLP and SBP, School Year Administration NSLP/SBP/SFSP, FFVP, Unanticipated School Closure, or CACFP) will be submitted. For example, if a sponsor is requesting a waiver for a SFSP site and a NSLP site, they will submit two separate applications to the appropriate CNP contact on list below.

Upon Waiver application approval you will receive instructions from DEED with reporting guidelines and any additional required information needed to document necessary data regarding USDA requirements.

Current timelines for reporting Waiver usage:

1. CACFP – Month end documenting waiver flexibilities used.
2. SFSP – Year-end for FY2022 SFSP program
3. NSLP/SSO – End of summer session waivers, and prior to beginning of SY2023
4. NSLP/SSO – Year-end for SY23 school year.
5. FFVP – Year-end for SY2023 school year

DEED CNP Program Contact Information:

- Program Coordinator (USDA Foods, TEFAP, FFVP)
 - Sue Lampert: (907) 465-8710
- Program Coordinator (NSLP)
 - Samantha Simien: (907) 465-8709
- Program Coordinator (CACFP)
 - Ann-Marie Martin: (907) 465-8711
- Program Specialist (SFSP)
 - Chris Mariano: (907) 465-4788

Non-Discrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

2. **fax:**

(833) 256-1665 or (202) 690-7442; or

3. **email:**

program.intake@usda.gov

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From: [Amanda West](#)
To: [Simien, Samantha S \(EED\)](#); [Northey, Gavin \(EED\)](#); [Robin Tenille](#)
Subject: waiver for LKSD
Date: Monday, April 3, 2023 3:11:30 PM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

In a previous email I mentioned that Newtok School in Lower Kuskokwim School District was closed due to a fire on January 26th. Power was restored March 7th however it was unstable and a generator house needed to be built around the new generator. School was temporarily held in the church and has not resumed in the building for all students until today. The school still has no running water. Water pipes going from the school to the water plant were cut after the fire so that water could drain and hopefully not burst the pipes. Unfortunately due to no power and extremely cold temperatures pipes throughout the school burst. All of the classrooms are closed off. Maintenance is cutting into walls in the hallways and classrooms as they try to find all the leaks. It looks like a construction zone through most of the school. Classes are being held in 3, 2 hour sessions every day in the school gym. Kids are entering and exiting from the gym.

The village of Newtok asked for food assistance in early March due to the fact that the school being closed and students not getting meals at the school was becoming a hardship. The Food Bank of Alaska sent a one time emergency response package of food to Newtok. The food and delivery was at no cost to the district. It included 5000 shelf stable meals. enough for 300 people, 3 meals a day, for 1 week.

My question is, would I be able to send lunches home with the kids. The kids can not eat in the gym. The temporary classrooms are set up there. I sent factory packaged sandwiches, packaged fruit cups, frozen pre portioned vegetables in each of the subgroups, UHT milk, and bottled water following the NSLP guidelines and portion sizes. Nothing would need to be prepared or removed from its packaging. It would be taken straight from the boxes and handed to the kids as they were leaving after their classes. I have someone who can pass out the food and complete the production records as well as a meal counter. May we get a waiver for non congregate meals, for meal times since due to space restrictions all the kids can not be at the school at the same time, and for 2 milk choices? I have 1% UHT white milk. I have been unable to purchase UHT nonfat chocolate milk. The village water is under a boil water notice and the school has no running water so the school would be unable to safely make flavored powdered milk.

Thank you,
Amanda West

Food Service Director
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