



**CHILD NUTRITION PROGRAM
STATE WAIVER REQUEST
SUMMER FOOD SERVICE PROGRAM/SEAMLESS SUMMER OPTION
WAIVER REQUEST FOR PHYSICAL PRESENCE
FOR HAWAII CHILD NUTRITION PROGRAMS**

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or regulatory requirements for the Child Nutrition Programs (CNP), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, Child Nutrition Program Waiver Request Guidance and Protocol - Revised, May 24, 2018.

Subject of waiver request: Summer Food Service Program and Seamless Summer Option – Physical Presence of a Child for Reimbursable Meals

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

Name of State agency: Hawaii Child Nutrition Programs
State agency staff contact: Sharlene Wong
Mailing address: 650 Iwilei Road, Suite 270, Honolulu, HI 96817
Telephone number: (808) 587-3600
Email address: Sharlene.Wong@k12.hi.us

2. Region: Western Region



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

The State Agency (SA), Hawaii Child Nutrition Programs (HCNP) requests this waiver for SFSP, Seamless Summer Option (SSO), National School Lunch (NSLP) and School Breakfast Program (SBP) sponsors/SFAs, in good standing, in the event of an unanticipated school closure to have flexibility to allow parents to pick up meals for children who are unable to be present during meal pick up times either due to disability or to comply with the non-congregation or social distancing recommendations.

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 number of confirmed cases of COVID-19 has continued to grow throughout the country and Hawaii has 90 confirmed cases as of March 24, 2020. The Hawaii Department of Education is already taking steps towards slowing the spread of the virus by closing schools until April 30th and the State of Hawaii is encouraging non-congregation and social distancing.

To prevent COVID-19 from spreading via social distancing, some parents will be unable to bring some or all their children to feeding sites to pick up meals either due to disability or to meet the non-congregation and social distancing recommendations. Normally, the child(ren) would have to be present for the meal to be reimbursable. The goal of this waiver is to allow parents to pick up meals for their children during this unanticipated emergency school closure.

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

HCNP is requesting a waiver of the requirement found at 7CFR 225.6(e)(15), maintaining children on site while meals are consumed, due to the COVID-19.

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

Sponsors and SFAs who are willing to participate in SFSP, SSO, NSLP/SBP during an unanticipated closure may submit a request to HCNP to allow parents to pick up meals for children who are unable to be present during the meal service pick up times either due to disability or to comply with non-congregation and social distancing recommendations



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]:

No regulatory barriers at the State level.

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

No anticipated challenges

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]:

The establishment of this statewide waiver will not increase the overall cost of the program to the federal government. These programs would be operating in a situation where normal USDA Child Nutrition programs are closed due to COVID-19. All meals will be required to meet the federal meal patterns.

10. Anticipated waiver implementation date and time period:

The anticipated waiver implementation start date is effective immediately.

There is currently no foreseeable solution to COVID-19 at this time and HCNP would like to request the authority to allow SFSP, SSO, NSLP, SBP sponsors/SFAs to allow parents to pick up meals for children who are unable to be present during the meal pick up times either due to disability or to comply the non-congregation and social distancing recommendations.

11. Proposed monitoring and review procedures:

HCNP will track and provide oversight to all SFSP, SSO, NSLP, SBP participants who are approved to operate during the emergency unanticipated school closures and are approved to allow parents to pick up meals for their children either due to disability or to comply with the non-congregation and social distancing recommendations.

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

HCNP will report the following data points once the health emergency has passed and schools are re-opened.

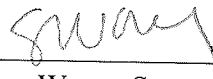


- A description of the impact the waiver had on meal service operations, children’s access to nutritious meals, and participation in SFSP, SSO, NSLP, and SBP
- The number of sponsors and sites that used the waiver
- The number of meals provided at school sites during unanticipated school closures
- The number of meals provided at non-school sites during unanticipated school closures
- A summary of findings associated with the waiver

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]:

Link to public notice: <https://hcnp.hawaii.gov/overview/sfsp>

14. Signature and title of requesting official :

- Signature: 
- Title: Sharlene Wong, Summer Food Service Program, Program Administrator, Hawaii Child Nutrition Programs.

Title: Summer Food Service Program Hawaii
Requesting official’s email address for transmission of response:
Sharlene.Wong@k12.hi.us

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:

- Date Received: _____

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:**

- Recommend Approval
- Recommend Denial

Explanation:



United States Department of Agriculture