



State of New Jersey

DEPARTMENT OF AGRICULTURE
HEALTH / AGRICULTURE BUILDING
PO BOX 330
TRENTON NJ 08625-0330

PHIL MURPHY
Governor
SHEILA OLIVER
Lt. Governor

DOUGLAS H. FISHER
Secretary

CHILD NUTRITION PROGRAM NEW JERSEY STATE WAIVER REQUEST

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

New Jersey Department of Agriculture (NJDA)
Division of Food and Nutrition
National School Lunch Program (NSLP)
Child and Adult Care Food Program (CACFP)
PO Box 334
Trenton, NJ 08625-0334
Director: Rose Tricario
NSLP Coordinator: Arleen Ramos-Szatmary
CACFP Coordinator: Stephanie Mullin

2. Region:

Mid-Atlantic (MARO)

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

All School Food Service Authorities (SFAs), and Child and Adult Care Food Program (CACFP) Institutions that will participate in the waiver are in good standing with NJDA.

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]:

Due to the ongoing public health emergency related to COVID-19 and to minimize potential exposure, the NJDA is requesting a waiver of the requirement that eligible schools and at risk afterschool care centers serve afterschool meals and snacks in a structured and supervised environment, with an educational or enrichment activity.

The waiver of these requirements supports access to nutritious afterschool meals and snacks while ensuring best practices that will provide greater safety measures to protect the health of

children and Program staff. Moreover, a congregate meal service operation in the afterschool care programs is difficult to manage and control while practicing social distancing and wearing personal protective equipment such as masks, gloves, and eyewear.

In addition, the waiver of these requirements will also ensure children previously enrolled in an afterschool enrichment or educational program at a school or afterschool program center, continue to receive afterschool meals and snacks, as they have depended on previously to alleviate hunger in their community. The continuation of the afterschool meal service through a non-congregate meal service option is needed, since these children are now required to participate in a virtual enrichment or educational (remote) environment and/or half day programs, where an onsite afterschool program is no longer provided. This waiver will ensure children are not denied the right to participate in the afterschool meal programs, due to an imposed, remote, virtual afterschool enrichment, or operational change, as a result of safety measure imposed by the school or center, due to the COVID19 pandemic.

Finally, of great concern is the impact of the rising rate of parent unemployment in New Jersey on childhood hunger. This waiver for afterschool dinner and snacks meals to continue as a non-congregate meal service option, without requiring a enrichment component and supervised environment, is critically needed assistance to support families with children, when so many parents are already struggling to provide meals for their families, due to the increasing level of unemployment, during the COVID19 pandemic.

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

The specific program regulations requested to be waived are: 17(r)(2)(B) and 17(a)(2)(C); 42 U.S.C. 1766(r)(2)(B); 42 U.S.C. 1766(a)(2)(C); 7 CFR 210.10(o)(1)(ii); and 7 CFR 226.17a(b)(1)(ii) and (iii).

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

The NJDA does not anticipate an impact on Program procedures and operations including the SA's electronic data system used for application, claiming, and reporting.

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 NJDA does not anticipate any regulatory barriers at the State level. All SFAs and CACFP Institutions have permanent agreements and are familiar with Program requirements.

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

The NJDA does not anticipate that the implementation of the waiver will present challenges to the State or approved SFAs and CACFP Institutions.

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 NJDA does not anticipate that this waiver will increase the overall cost of the Program to the Federal Government.

10. Anticipated waiver implementation date and time period:

The anticipated implementation date is September 1, 2020 through June 30, 2021.

11. Proposed monitoring and review procedures:

The NJDA will approve individual request to implement the waiver. The State agency will follow standard monitoring and review procedures.

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

The NJDA will report to FNS any compliance issues noted with this waiver. The State agency will request sponsor data on how this waiver has impacted meal service, children's access to nutritious meals and the number of meals served at individual sites. Reports will be submitted within the required timelines.

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]:

The public notice is located at <https://www.nj.gov/agriculture/divisions/fn/childadult/>

14. Signature and title of requesting official:



8.17.2020

Title: Division Director

Requesting official's email address for transmission of response: rose.tricario@ag.nj.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:**