



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

District of Columbia Fresh Fruit and Vegetable Program Waiver Request

Fresh Fruit and Vegetable Program for meal sites

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

District of Columbia Office of the State Superintendent of Education

Lindsey Palmer, RDN, LD

Director of Nutrition Programs - Child Nutrition Programs and Food Distribution

Division of Health and Wellness

Office of the State Superintendent of Education (OSSE)

Government of the District of Columbia

1050 First St. NE, 6th Floor

Washington, DC 20002

Office: (202) 724-7861

Mobile: (202) 304-2153

Email: Lindsey.Palmer@dc.gov

2. Region: Mid-Atlantic Regional Office (MARO)

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

OSSE is seeking a waiver that would apply to school food authorities (SFAs) operating the Fresh Fruit and Vegetable Program (FFVP) in the District of Columbia that are 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.

Due to the public health emergency related to COVID-19, OSSE is requesting two key items for FFVP as pertaining to Section 19(b) of the National School Lunch Act (NSLA) [42 U.S.C. 1769a] and clarified in Memorandum SP 12-2020, issued on April 9, 2020. These are as follow:

(1) A waiver of the requirement that schools operating FFVP may not provide FFVP services to parents or guardians in a non-congregate setting unless they are accompanied by their child(ren), and

(2) A waiver in the event that SFAs with elementary schools approved for FFVP are not distributing meals at elementary school sites, which permits FFVP to be distributed at the SFAs' middle or high school meal sites operating the Summer

Food Service Program (SFSP) or Seamless Summer Option (SSO) that are in good standing,

Parents are currently permitted to pick up meals for students for the Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) without the accompaniment of their children. This waiver would streamline access for FFVP, ensuring alignment between programs and reducing burden on families during the public health emergency. Further, if elementary school FFVP sites are closed, the waiver will support children's access to fresh fruits and vegetables by allowing for utilization of other local meal sites for FFVP.

5. Specific Program requirements to be waived (include statutory and regulatory citations).

Section 19 of the National School Lunch Act (NSLA) [42 U.S.C. 1769a] as clarified in Memorandum SP 12-2020, issued April 9, 2020.

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

OSSE anticipates increased distribution of fresh fruit and vegetables through the FFVP. Currently, FFVP operations have significantly declined due to fewer FFVP elementary schools distributing meals and FFVP, and the inability for parents to pick up produce along with meals at a meal distribution site. These waivers would increase access to fresh fruits and vegetables while maintaining social distancing. OSSE does not anticipate any negative impacts to technology, or program monitoring.

7. Description of any steps the State has taken to address regulatory barriers at the State level.

OSSE has provided detailed guidance to SFAs on operating the FFVP during COVID-19 through updated guidance documents and routine open calls with SFA leaders. The requirement for a child to be present for pick-up remains a barrier to children accessing fresh fruits and vegetables through the FFVP. The requirement for FFVP to be served at an elementary school remains a barrier as not all FFVP elementary schools are serving meals at this time.

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

OSSE does not anticipate any challenges for the State or eligible service providers. OSSE will provide detailed guidance to sponsors on the proper implementation of the waiver.

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.

This waiver will not increase program costs. The program's reimbursement process will be the same as the FFVP. No additional costs will be approved for schools operating under this waiver.

10. Anticipated waiver implementation date and time period:

May 13, 2020 through September 30, 2020 or until the expiration of the federally declared public health emergency, whichever is earlier.

11. Proposed monitoring and review procedures:

OSSE will implement existing FFVP monitoring procedures and modify them to include standards for parental pickup. The State Agency will keep a record of the waiver, if granted, and the training and communication associated with sharing this information with sponsors for effective implementation at their sites.

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

- Number of sponsors;
- Number of original sites and new sites added;
- Reported to USDA 30 days after the end of the waiver period.
- The State Agency will continue to abide by any and all required submission of data as established by regulation or upon request.

13. Link to or a copy of the public notice informing the public about the proposed waiver

<https://osse.dc.gov/publication/dc-usda-waiver-request>

14. Signature and title of requesting official:



Signature:

Title: State Agency Director

Requesting official's email address for transmission of response:

lindsey.palmer@dc.gov