



**ADMINISTRATIVE REVIEWS, FREE MEALS ELIGIBILITY,  
SUMMER SEAMLESS FLEXIBILITY, SFA'S YEARLY ON-SITE REVIEW**

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

Lourdes N. García Santiago  
Acting Director  
State Agency, Food and Nutrition Services  
PR Department of Education  
Email: [garciasln@de.pr.gov](mailto:garciasln@de.pr.gov)  
Phone: (787) 723-9090 exts. 2350, 2355

**2. Region: MARO**

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

**School Foods Authorities**

- a. PR DOE School Food Authority (Autoridad Escolar de Alimentos)
- b. Academia Dailén
- c. Col. Dr. Roque Díaz Tizol (Cosey)
- d. Academia Cristo Rey
- e. Mi Angel de la Guarda
- f. El Faro Christian Academy
- g. Colegio San Judas Tadeo
- h. Colegio La Milagrosa (y sus satélites)
- i. Colegio Ponceño
- j. Santa María Reina

**CACFP sponsors- See attachment**

**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]:**

### a. Administrative Review

The NSLP's SA programed 65 Administrative Reviews (AR) corresponded to the FY 2019 – 2020 Cycle. The SA monitors have been completed 35 AR. From 65 required for this FY; 28 schools have affected by the earthquake emergency that PR has been suffer since January 7, 2020.

From this 28 schools, 16 schools are close as a result of the emergency because the physical structure is dangerous or compromised and 12 AR has to be reschedule by the SA monitors. We still don't know if these schools will be able to reopen and if so, we don't know when the start date would be.

If this waiver is approved, it gives us the opportunity to verify the action plan for the reopening of the schools and to be able to reschedule them. If schools cannot be reopened, another option would be to select other schools that have the same or similar criteria to complete the required visits.

#### **FY 2019-2020 ARs can't be completed because schools are closed, affected by the emergency**

<b>School Name</b>	<b>District</b>	<b>Region</b>
1. Jorge Washington II	Lares	Arecibo
2. Daniel Vélez Soto	Lares	Arecibo
3. Superior Especializada Agricola	Corozal	Bayamón
4. Salvador Brou	Cayey	Caguas
5. Superior Conchita Cuevas	Gurabo	Caguas
6. José M. Massari	Arroyo	Caguas
7. Medianía Alta/Elemental	Loiza	Humacao
8. Eugenio María de Hostos	Las Marías	Mayaguez
9. Lola Rodríguez de Tió	San Germán	Mayaguez
10. Carib Christian Academy	Aguadilla	Mayaguez
11. Colegio San Antonio de Padua	Isabela	Mayaguez
12. Segunda Unidad Pedro Meléndez	Santa Isabel	Ponce
13. Antonio Romero	Jayuya	Ponce
14. Lysander Borrero	Vllalba	Ponce
15. Colegio Sagrado Corazón	Ponce I	Ponce
16. Intermedia René Marquéz	Carolina II	San Juan

## FY 2019-2020 ARs to Reschedule

School Name	District	Region
1. Colegio San Juan Bosco	Arecibo I	Arecibo
2. Nueva Urbana (Fco.)	Ciales	Arecibo
3. Rafael Colón Salgado	Bayamón II	Bayamón
4. Academia Teresa Cancel	Toa Alta	Bayamón
5. Academia Espiritu Santo	Toa Baja	Bayamón
6. Academia Adventista	Caguas II	Caguas
7. Lidia Fiol/Elem	Humacao	Humacao
8. Camilo Vallé Elemental	Luquillo	Humacao
9. Colegio La Luz	Juncos	Humacao
10. Manual Boada	San Juan IV	San Juan
11. El Señorial	San Juan V	San Juan
12. Colegio Bautista Elem.	Carolina I	San Juan

### b. Free Meals Eligibility

Many families in Guanica, Guayanilla, Peñuelas, Ponce, Utuado and Yauco [Municipalities declared as major disaster and other 10 approved on January 22, 2020 (Adjuntas, Cabo Rojo, Corozal, Jayuya, Lajas, Lares, Maricao, San Germán, San Sebastián y Villalba.)] have been affected by the earthquake and have lost their jobs, homes and the access to basic services. All these factors may affect the socioeconomic level of the students; therefore it is impossible for families and the administration of educational institutions to assume the expenses for food. Currently, there are approximately 181,737 students affected throughout the island (SBP and NSLP) and 5,101 in CACFP.

The approval of this waiver gives the opportunity to the sponsors who were affected to be able to lift the services and recover the losses arising. In light of the situation informed above, we are requesting to allow the PR's SA to claim all the meal saved in School Breakfast Lunch and Snack, Child and Adult Care Food Program, under the free reimbursement rate from January 7, 2020 to May 31, 2020.

### c. Summer Seamless Option and Summer Food Service Program during unanticipated school closure

PRDOE is requesting flexibility for School Food Authorities (SFAs) and Summer Food Service Program's (SFSP) sponsors to operate the Seamless Summer Option (SSO) or the SFSP, respectively, during an unanticipated regular school year closure. These options will help SFAs and sponsors to continue serving nutritious meals that students and children would normally receive daily, when unanticipated school closure occur as due rebuilding from earthquake take place.

Utilizing school sites can reduce paperwork and administrative burden for sponsors and make for an easier transitions for sponsors and students. Prohibiting to use of school sites for SFSP or SSO meals service during unanticipated school closures may limit students' and children access to healthy meals.

*Note: During a regular year, the DOE SFA operate 855 schools. On Tuesday January 28, 2020, it is expect to open, 224 schools.*

This waiver approval will help sponsors to avoid hunger to most vulnerable population in Puerto Rico during an emergency of the earthquake and to claim meal served.

**d. SFAs Yearly On-Site Review**

PRDOE request flexibility of the required yearly on-site review to be conducted by SFAs under 7CFR 220.11(d)(1) for school year 2019-20 as SFAs may be incapable to completing on site review for the second semester of this school year due earthquake in the island.

Number of On-site reviews required 2019-2020 school year (second semester)	748
On – Site Review in scheduled	224*
On Site Review not completed	524**

\*These schools will be open on Monday, January 28, 2020.

\*\*We still don't know if these schools will be able to reopen and if so, we don't know when the start date would be; we will update the information as soon as we have it.

If this waiver is approved, it gives us the opportunity to verify the action plan for the reopening of the schools and to be able to reschedule them

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

**a. Administrative Review**

PRDOE is seeking flexibility of the 3 year administrative review cycle required under 7CFR 210.18 to allow PRDOE additional time to complete AR of school food authorities for all applicable nutrition programs given the present circumstance. In addition, PRDOE is seeking flexibility of the requirement on 7CFR 210. 18(l) that the State fiscal action for violation under Performance Standards 1 and 2 for those standards not granted flexibility in intervening years.

**b. Free Meals Eligibility**

In light of the situation informed above, we are requesting to allow the SA to claim all the meal saved in School Breakfast, Lunch and Snack, Child and Adult Care Food Program for the municipalities declared as major disaster (Guanica, Guayanilla, Peñuelas, Ponce, Utuado and Yauco), under the free reimbursement rate from January 7, 2020 to May 31, 2020. According to the 7CFR 245.3 & 245.4, 7CFR 226.23, 7CFR 225.6.

**c. Summer Seamless Option and Summer Food Service Program during unanticipated school closure** 7 PRDOE is seeking a waiver for 7CFR 225.6(d)(1)(iv), which does not allow SFSP and SSO meal to be served in school sites during unanticipated school closure.

**d. SFAs Yearly On-Site Review**

PRDOE request flexibility of the required yearly on-site review to be conducted by SFAs under 7CFR 220.11(d)(1) for school year 2019-20 as SFAs may be incapable to completing on site review this school year due earthquake in the island.

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

In the case of Administrative Reviews SA will continue rescheduled the AR according to the PRDOE School Restart Plan. If schools cannot be reopened, another option would be to select other schools that have the same or similar criteria to complete the required visits.

For SFSP and SSO the procedure will be:

1. The PR' SA agency provides public notice to SFSP & SSO of waivers availability.
2. SFSP & SSO request waivers to PR' SA by completing the SFSP waiver solicitation form.
3. The PR' SA evaluate waivers request according to:
  - a. Administrative Review Findings
  - b. Number of sites serving meals during summer
  - c. Sites operated successfully during previous fiscal years
  - d. Available resources and staffing
4. The PR' SA recommends waivers for FNS approval.
5. The PR' SA notifies FNS waiver approval to the SFSP & SSO.
6. The SPSP Coordinator maintains a centralized log of all approved waivers.
7. The PR' SA will monitor SFSP sites visit during program performance period.

**7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(I)(2)(A)(ii) of the NSLA]:**

The state agency has not had to address any barriers as these flexibilities were in place. If the waiver is not approved, there will be an increase in administrative burdens, an increase in barriers to participation, and it will create a negative effect on program operations.

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

There are no anticipated challenges with the waivers implementation for eligible sponsors.

**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]:**

There is no anticipated impact on PRSA administrative cost, SAE and SAF, for state agency oversight with implementation of these waivers.

**10. Anticipated waiver implementation date and time period:**

From January 7, 2020 to May 31, 2020.

**11. Proposed monitoring and review procedures:**

PR SA will continue to monitor per regulations.

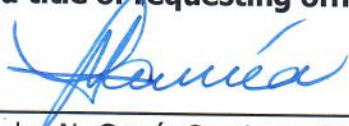
**12. Proposed reporting requirements (include type of data and due date(s) to FNS):**

PR SA will collect and submit data as required.

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

Because we are requesting them due to the emergency, it could not be published. If waivers are approved, they will be published on the PRDOE website.

**14. Signature and title of requesting official :**



\_\_\_\_\_  
Title: Lourdes N. García Santiago, SA Acting Director

Requesting official's email address for transmission of response:

---

**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:**

**CENTROS AFECTADOS POR EL TERREMOTO 7 DE ENERO DE 2020**

<b>Agencia/Centro Independientes</b>	<b>Región</b>	<b>Municipio</b>	<b>Acuerdo Enviado por AESAN</b>	<b>Nombre de la Entidad</b>	<b>Matrícula</b>
Centro Independientes	Mayaguez	San Sebastian	CCC-013	CCD- MUNICIPIO DE SAN SEBASTIAN	104
Centro Independientes	Ponce	Ponce	CCC-041	CCD PRE ESCOLAR YMCA DE PONCE	28
Centro Independientes	Ponce	Ponce	CCC-043	CCD PONTIFICIA UNIV. CATOLICA	56
Agencia	Ponce	Ponce	CCC-049	PHS MUNICIPIO DE PONCE	1736
Agencia	Mayaguez	Mayaguez	CCC-051	PHS MUNICIPIO DE MAYAGUEZ	48
Centro Independientes	Ponce	Ponce	CCC-055	CCD SOR ISOLINA ISOLINA FERRE INC	42
Centro Independientes	Ponce	Guayanilla	CCC-061	CCD MUNICIPIO DE GUAYANILLA	241
Centro Independientes	Ponce	Guánica	CCC-067	CCD MUNICIPIO DE GUANICA	20
Centro Independientes	Mayaguez	Cabo Rojo	CCC-113	CCD CINDIRELLA NURSERY DAY CARE	115
Centro Independientes	Mayaguez	Mayaguez	CCC-122	CCD MUNDO INFANTIL	25
Agencia	Mayaguez	Lajas	CCC-137	CCD MUNICIPIO DE LAJAS	48
Agencia	Ponce	Adjuntas	CCC-140	PHS MUNICIPIO DE ADJUNTAS	100
Agencia	Mayaguez	Mayaguez	CCC-172	PHS SEASONAL HEAD START DIOCCESIS DE MAYAGUEZ	282
Centro Independientes	Ponce	Ponce	CCC-174	CCD TITI MILLIE	43
Centro Independientes	Mayaguez	Cabo Rojo	CCC-179	CCD MUNICIPIO DE CABO ROJO	33
Agencia	Ponce	Yauco	CCC-189	CCD MUNICIPIO DE YAUCO	105
Centro Independientes	Ponce	Jayuya	CCC-199	CCD MUNICIPIO DE JAYUYA	30
Centro Independientes	Ponce	Jayuya	CCC-204	CCD DULZURA INFANTIL MUNICIPIO DE JAYUYA	19
Centro Independientes	Ponce	Ponce	CCC-220	CCD HEAVENLY KIDS	45
Agencia	Mayaguez	San German	CCC-229	CCD PR SPECIAL COMMUNITY	17
Agencia	Ponce	Peñuelas	CCC-253	PHS MUNICIPIO DE PEÑUELAS	398
Agencia	Mayaguez	San Sebastian	CCC-256	PHS MUNICIPIO SAN SEBASTIAN	337
Agencia	Ponce	Uturado	CCC-258	PHS MUNICIPIO DE UTURADO	620
Agencia	Mayaguez	San German	CCC-269	EHS MUNICIPIO DE SAN GERMAN	166
Centro Independientes	Ponce	Ponce	CCC-287	CCD TESORITOS DAY CARE	51
Centro Independientes	Ponce	Ponce	CCC-295	CCD CRECIENDO JUNTOS DAY CARE	124
Agencia	San Juan	Peñuelas	CCC-054	ACUDEN	24
Agencia	Bayamón	Villalba	CCC-252	PHS Orocovis	120
Agencia	San Juan	Maricao	ACD-001	ADC	27
Agencia	San Juan	Adjuntas	ACD-001	ADC	34
Agencia	San Juan	San Sebastian	ACD-001	ADC	63

TOTAL

5101