



GOVERNMENT OF PUERTO RICO

DEPARTMENT OF EDUCATION

STATE AGENCY, FOOD AND NUTRITION SERVICES

Acting Director | Lourdes N. García Santiago, MBA, LND | [garciasln@de.pr.gov](mailto:garciasln@de.pr.gov)

May 9, 2022

PR's SFSP and SSO Waivers Request  
Non – Congregate Setting, Parent Guardian Meal Pickup and  
Unanticipated School Closures  
COVID-19

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

Puerto Rico State Agency, Food and Nutrition Services of the Department of Education (AESAN)

P.O. Box 190759

San Juan, Puerto Rico 00919-0759

Tel: 787-759-2000 ext. 6292, 5044

SA Contact: Lourdes N. Garcia – SA Acting Director, [garciasln@de.pr.gov](mailto:garciasln@de.pr.gov)

Carmen M. Vega – SFSP Coordinator, [vega\\_car@de.pr.gov](mailto:vega_car@de.pr.gov)

Enid Llabrés - SSO Acting Coordinator [llabres\\_e@de.pr.gov](mailto:llabres_e@de.pr.gov)

2. Region:

MARO

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

Statewide waivers requested for sponsors of SFSP and SSO, in good standing, to provide meals during an outbreak or extraordinary cases of COVID-19. In These waivers will be implementing by programs operators when congregate meals service is limited by the pandemic.

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]:

During December 2021 until February 2022, the COVID-19 positivity levels increased to 47%. Right now, the positivity cases are in 23.3% and may vary day by day. The SA is requesting the non-congregate, Parent Guardian Meal Pickup and Unanticipated School Closures waivers for groups of participants affected because an outbreak of the COVID-19. With this waiver approval, the operators of SFSP and SSO will avoid spread of the virus that participants could be exposed during a congregate sitting service. It will be implemented if it is needed and during extraordinary cases.

Non-Congregated, Parent Guardian Meal Pickup and Unanticipated School Closures waivers would be approved to good standing sponsors and sites to avoid spread the virus in case of outbreak.

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

See Attached Check List.

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

If approved, these waivers will allow SFSP and SSO sponsors in good standing to serve meals to children of 18 years old and under during extraordinary cases due of coronavirus, in a non-congregate setting. Approval of these waivers will ensure that children have the nutrition needed throughout summer.

Thru trainings, visits and reviews, the SA will maintain a track of sponsors that were approved to utilize these waivers during a COVID-19 outbreak or extraordinary cases related to it.



### Anticipated impact

If FNS do not approve these waivers, it will affect the possibility to serve free meals to children with COVID-19 virus. These waivers approval will help sponsors to avoid hunger to most vulnerable population in Puerto Rico during the emergency of COVID-19.

If the waiver is not approved, the following impact will likely occur:

- a) The participants affected will not be receiving any meal daily,
- b) The SSO and SFSP sponsors cannot be empathic with their needy communities, serving meals to those groups affected because the COVID-19,
- c) The SSO and SFSP sponsors will not receive funds by reimbursement, affecting their financial area, and
- d) Affect nutritional, physical and well-being families' health during an outbreak of COVID-19.

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 state level barrier have been identified.

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

There are no anticipated challenges with waiver 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(l)(1)(A)(iii) of the NSLA]:

There is no anticipated impact on PR' SA administrative cost, SAE and SAF, for state agency oversight with implementation of this waiver.





10. Anticipated waiver implementation date and time period:

See Attached Check List.

11. Proposed monitoring and review procedures:

SFSP and SSO sponsors and sites will be monitored by the PR-SA and standard review procedures will continue to be follow.

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(l)(1)(A)(ii) of the NSLA]:

Spanish PN

<https://de.pr.gov/aesan/wp-content/uploads/2022/05/2022-PSAV-y-SSO-Dispensa-COVID-19.pdf>

English PN

<https://de.pr.gov/aesan/wp-content/uploads/2022/05/2022-SFSP-and-SSO-COVID-19-Waivers.pdf>

English FNS letter request

<https://de.pr.gov/aesan/wp-content/uploads/2022/05/2022-SFSP-and-SSO-Waivers-Request-for-summer.pdf>

Spanish FNS letter request

<https://de.pr.gov/aesan/wp-content/uploads/2022/05/2022-SFSP-y-SSO-Solicitud-de-dispensa-para-verano.pdf>

14. Signature and title of requesting official:



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Lourdes N. García Santiago, MBA, LND  
Title: PR' SA Acting Director  
Email: garciasln@de.pr.gov

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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: