



September 11, 2023

Puerto Rico State Agency, Department of Education  
FFVP Waiver Request for SY 2023 2024, Parent or Guardian Meal Pick-up

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. 4625762

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

Yanira A. Díaz Zayas- FFVP Coordinator, [diazzy@de.pr.gov](mailto:diazzy@de.pr.gov)

2. Region: Mid Atlantic Regional Office
3. Eligible service providers participating in waiver and affirmation that they are in good standing:

Statewide waivers request for FFVP participants schools in good standing, for continuing offering nutritious meals during unexpected school closures.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Programs, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

The Puerto Rico State Agency seeks to resolve the challenges that FFVP participants schools could confront in the case of an emergency, such as natural disasters, or similar circumstances, that can produce a school

closure, by allowing a parent or guardian to pick-up their food at the place intended.

In addition, students can still benefit from nutritious meals while learning from home, avoiding food insecurity. The SA intends to reduce and alleviate the burden on the Child Nutrition Program during a time of emergency, while maintaining program's integrity.

Without this waiver, FFVP participant schools will spend an extraordinary amount of time completing activities related to regulatory burden rather than focusing on prioritizing the service for students during an emergency. This will also maintain a high participation in the programs, and minimize negative impact.

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

**Fresh Fruit and Vegetable Program:**

- PRSA is requesting Parent/Guardian Meal Pickup (Section 19(b) of the National School Lunch Act, NSLA) [42 U.S.C. 1769a]

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

If approved, this waiver will allow FFVP participants schools in good standing, to serve meals to children, during a situation of virtual learning. Approval of these waivers will ensure that children have the daily nutrition needed without any interruption by allowing the parent or guardian meal pick-up.

Through follow-up visits, and technical assistance the State agency will maintain a track of Institutions that will be approved for the use of these waivers.

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

- a) The participants will not be receiving meals daily in the case of an emergency;



b) The FFVP participant schools will not receive funds by reimbursement, affecting their financial area, leading them to not comply with the program meal patterns.

**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 barriers had been identified at State Level.

**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 to Program costs for PRSA oversight with implementation of this waiver.

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

The waiver will be effective upon approval date through June 30, 2024

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

FFVP participant schools will be monitored by the PRSA and standard review procedures will continue to be followed.

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

PRSA 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]:

<https://de.pr.gov/aesan/wp-content/uploads/2023/09/2023-PR-SA-Waiver-For-FFVP.pdf>

14. Signature and title of requesting official:



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

