



CHILD NUTRITION PROGRAM STATE WAIVER REQUEST TEMPLATE

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or regulatory requirements for the Child Nutrition Programs (CNP), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, *Child Nutrition Program Waiver Request Guidance and Protocol- Revised*, May 24, 2018.

- 1. State agency submitting waiver request and responsible State agency staff contact information: Ohio Department of Education, Office of Integrated Student Supports (hereby known as the State Agency), Brigitte Hires, Child Nutrition Program Manager**

- 2. Region: Midwest**

- 3. Eligible service providers participating in waiver and affirmation that they are in good standing: The State Agency will confirm this prior to approving a school's waiver.**

- 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]: The State Agency is requesting a waiver to enable sponsors to serve meals in a non-congregate setting and at school sites during school closures related to the coronavirus. The State Agency would apply this waiver, as needed, to SFSP and SSO sponsors providing meals during unanticipated school closures due to the coronavirus. Meals served by sponsors during these school closures would be claimed either through SFSP or SSO.**

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:((7 CFR 225.6)(e)(15) and (7 CFR 225.6(d)(1)(iv).

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring: Minimal Impact. Sponsors will apply and claim within the software already used.

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 State Agency does not anticipate regulatory barriers.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation: Schools may have challenges anticipating the amount of meals to prepare and challenges with staffing if an area is quarantined.

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 waiver is not anticipated to increase the overall cost of the program.

10. Anticipated waiver implementation date and time period: Unknown. There are no schools closed in Ohio presently for this virus. The waiver is requested until June 30, 2020.

11. Proposed monitoring and review procedures: Administrative Review process

12. Proposed reporting requirements (include type of data and due date(s) to FNS): Will report number of schools and meals served by deadlines set by USDA.

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]:<http://education.ohio.gov/Topics/Student-Supports/Coronavirus-COVID-19-FREQUENTLY-ASKED->



Title: Child Nutrition Program Manager

Requesting official's email address for transmission of response:
Brigitte.Hires@education.ohio.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:**