

School Year 20-21 Non-Congregate Meals Waiver Request for School Food Authorities Operating Online Instruction and/or During Unanticipated School Closures due to COVID-19

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

Ohio Department of Education
Office of Integrated Student Supports
Brigitte Hires, Child Nutrition Program Manager
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- 2. Region:**

Midwest

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

Any Child Nutrition Program school food authority in good standing approved by the Ohio Department of Education, Office of Integrated Student Supports who will have a proportion of enrolled students receiving online based instruction to minimize the exposure and spread of COVID-19. Additionally, schools may have to go to all online instruction during the 2020-2021 school year due to a COVID-19 outbreak.

School food authorities that would fall under this waiver are operating a modified school configuration in connection with COVID-19. The school food authorities would follow USDA and Ohio Department of Education guidance.

- 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]:**

In school year 20-21 due to COVID-19, many Ohio schools will conduct a modified school schedule where children are receiving instruction online at least one day per week, in some cases the children are receiving all instruction online. Additionally, schools may have to abruptly go to an online instruction model during the 2020-2021 school year due to a COVID-19 outbreak. The Ohio Department of Education is requesting this waiver to support school food authorities providing access to nutritious meals while minimizing potential exposure.

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

The Ohio Department of Education requests a waiver of requirements at 42 U.S.C. 1753(b)(1)(A) and 42 U.S.C. 1761(a)(1)(D) to serve meals through the National School Lunch Program and School Breakfast Program in a congregate setting.

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

If approved, the Ohio Department of Education will provide technical assistance to school food authorities on providing school lunch, school breakfast and afterschool care snack meal services in a non-congregate manner. There are no impacts on technology, State systems, or monitoring.

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]:**

There are currently no State level regulatory barriers related to this specific issue.

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

At this time, the Ohio Department of Education does not anticipate challenges from the establishment of this state-wide waiver at the state or sponsor level. Rather, it is anticipated the waiver will allow school food authorities to provide nutritious meals to students who will have online instruction.

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 establishment of this waiver will not increase the overall cost of the Program to the Federal Government.

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

Anticipated waiver implementation start date is: The first day of the 2020-2021 school year in Ohio (estimated at July 15 for year round schools) through June 30, 2021 or the last day of the 2020-2021 school year, whichever is sooner.

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

State agency staff in the Office of Integrated Student Supports will monitor implementation of this waiver.

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

Ohio Department of Education will report to FNS all requested data for the waiver in the timelines required 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/Supporting-Whole-Child-Nutrition>

14. Signature and title of requesting official:



Title: Child Nutrition Program Manager

Requesting official's email address for transmission of response:

Brigitte.Hires@education.ohio.gov

Phone: 614-466-0522

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:

Date Received:.....

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:

Recommend Approval

Recommend Denial