

**School Year 21-22 Waiver Request to Allow Parents and Guardians to Pick Up
Fresh Fruit and Vegetable Program (FFVP) Snacks for Children**

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

**Ohio Department of Education
Office of Nutrition
Brigette Hires, Director
25. S. Front St.
Columbus, OH 43215
614-425-9760
Brigette.Hires@education.ohio.gov**

2. **Region:**

Midwest

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

Any School Food Authority in good standing approved for the Fresh Fruit and Vegetable Program (FFVP) by the Ohio Department of Education, Office of Integrated Student Supports during the 2021-2022 school year.

School food authorities that would fall under this waiver 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 21-22 due to COVID-19, Ohio schools might have modified school schedules where some children may be online, some children may be in school partial day, some children may be in school a full day and all children might be online. The modifications in school schedule and social distancing of children is in attempt to minimize the exposure and spread of COVID-19. As such, schools may be in a situation to offer both in school and non congregate meals due to both students in school and online.

The request for this waiver is to allow for the distribution of FFVP snacks at approved program schools in a non-congregate method for off-site consumption and allow parents or guardians to pick up the FFVP snacks on behalf of their children. Currently program regulations require the snack to be served to the child.

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 is requesting a waiver to the requirements under section 19(b) of the NSLA [42 U.S.C. 1769a] which requires schools participating in the FFVP to make fresh fruits and vegetables available to students.

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 to maintain required FFVP documentation. There are no expected 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 promote healthy and nutritious snacks while minimizing exposure to COVID-19 during the 2021-2022 school year by allowing offsite consumption of snacks and parents or guardians to pick up snacks on behalf of their students.

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: Immediately and continue through June 30, 2022 or the last day of the 2021-2022 school year, whichever is sooner.

11. Proposed monitoring and review procedures:

State agency staff in the Office of Nutrition 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/Food-and-Nutrition/Resources-and-Tools-for-Food-and-Nutrition/Food-and-Nutrition-Waivers>

14. Signature and title of requesting official:



Title: Director

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