

## SESP Streamlining Rule Compliance Date Waiver

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:

Ohio Department of Education, Office of Nutrition who is in good standing.

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 Office of Nutrition requests this waiver in order to prioritize our limited resources to meet the requirements of the newly passed omnibus legislation which includes systems changes to meet the new provisions for non-congregate in rural areas, which must be met this summer. Implementing both the non-congregate rural requirement along with the new requirements in the *Streamlining Program Requirements and Improving Integrity in the SFSP Final Rule*, simultaneously will be a unwieldy burden.

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

The Office of Nutrition is requesting a waiver of the compliance date May 1, 2023, as published in the *Streamlining Program Requirements and Improving Integrity in the SFSP Final Rule*, to extend to January 1, 2024.

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

The Office of Nutrition will ensure that all sponsors are meeting requirements with regard to financial viability, financial management, administrative capability, and program accountability, in addition to continuing to meet all program integrity measures as outlined in regulations while utilizing this waiver.

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 waiver.

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:

Waiver implementation would start immediately and expire January 1, 2024.

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 adhere to all reporting requirements as prescribed by the 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]:

<https://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:

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Title: Director

Requesting official's email address for transmission of response:

[Brigitte.Hires@education.ohio.gov](mailto: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**

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**request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:**

- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;**
- (2) fax: (202) 690-7442; or**
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).**

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