



## 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(1) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(1), 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 (CNPs), 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 Nutrition, Brigitte Hires, Director

**2. Region:** Midwest

**3. Eligible service providers participating in waiver and affirmation that they are in good standing:** Whitehall City Schools, 045070

**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(1)(2)(A)(iii) and 12(1)(2)(A)(iv) of the NSLA]:** We would like to establish a new CEP base year after September 30 deadline. We failed to meet the September 30, 2021 deadline to establish a new base year due to our confusion between the CEP and the Seamless Summer Option (SSO). I was not involved in the establishment of CEP and we were equating both programs equal on their overall impact on our District. Although, each student will have the same result of meals being provided at 'no cost', the impact to our school funding from the State of Ohio is massive. The school funding provides resources for our district-wide operations. Not having the CEP designation will cause us to lose 2/3 of our economically disadvantage funding from the State of Ohio or an estimated \$1,680,075. We most definitely would have established a new CEP base year for the 2021-2022 school year had we known the impact of not establishing a new CEP base year. We are imploring you for consideration to allow us to establish the new CEP base year after the September 30, 2021 deadline. We have already changed our procedures and responsibilities to ensure activities are completed in a timely manner. Thank you again for your consideration.

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(1)(2)(A)(i) of the NSLA]:** We are requesting to apply for CEP after the deadline.

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Our student population will see no impact if our CEP request is denied because we would utilize the Seamless Summer Option (SSO). Our student will continue to be provided meals at 'no-cost'. The impact of not having the CEP approved would affect our overall state funding. We anticipate the funding reduction because not all of our students will be designated as economically disadvantaged due to the SSO and not the CEP.

**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]:**

**8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** State funding reduction as mentioned in #4 and #6.

**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 will not increase the overall cost of the Program to the Federal Government because we would be using the SSO. If we are incorrect about not increasing cost to the Federal Government, any additional cost will be paid from non-Federal funds.

**10. Anticipated waiver implementation date and time period:** Whitehall City Schools with a start date of August 23, 2021.

**11. Proposed monitoring and review procedures:** As the current Treasurer of Whitehall City Schools, I was not involved in the previous CEP process. I am now active in the process and I will make sure all future requirements are met for the CEP program.

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

**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]:**

**14. Signature and title of requesting official :** 

\_\_\_\_\_  
Title: Treasurer

\_\_\_\_\_  
Requesting official's email address for transmission of response:

**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:**