

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.

IL CNP Waiver 21-009 Summer Food Service Program Meal Service Time

1. State agency submitting waiver request and responsible State agency staff

contact information:

Illinois State Board of Education (ISBE)
Nutrition Department
100 N. First Street
Springfield, IL 62777

Mark Haller, Director

2. Region:

Midwest

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

Any Illinois approved School Food Authority (SFA) approved to operate in the Summer Food Service Program (SFSP) in good standing and operating during a school closure or COVID social distancing remote e-learning.

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, Illinois schools will have modified school schedules where children may be in attendance in person, partial days with on-line instructions, every other day, or on-line. In addition, there may be unanticipated school closures due to a COVID-19 outbreak. ISBE is requesting this waiver to support school food authorities operating the Summer Food Service Program to allow flexibility for meal service times to support access to nutritious meals while minimizing potential exposure to the novel coronavirus.

ISBE requests a waiver of requirements at 7 CFR 225.16(c)(1) and (2). to serve meals through the Summer Food Service Program in a non-congregate setting.

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

7 CFR 225.16(c)(1) and (2).

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

Minimal Impact. Sponsors will be given technical assistance to provide meals in a non-congregant setting.

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:

No significant challenges.

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(I)(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:

This waiver would go into effect during the 2020-2021 school year as schools require remote learning or a school is closed due to a coronavirus outbreak. The waiver is requested through the duration of the 2020-2021 school year or June 30, 2021 whichever is sooner.

10. Proposed monitoring and review procedures:

Administrative Review

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

As requested by USDA.

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(I)(1)(A)(ii) of the NSLA]:

<https://www.isbe.net/Documents/CNP-State-Waiver-Request.pdf>

14. Signature and title of requesting official : Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA



Mark Haller
Director
Nutrition Department

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:

- **Regional Office Analysis and Recommendations:**