



CHILD NUTRITION PROGRAM

IL CNP Waiver 21-011 Afterschool Activity Requirement

Waiver Request of the Activity Requirement in Afterschool Care Child Nutrition Program

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

Illinois Department of Education
Alzina Building
100 N. First Street
Springfield, IL 62711

Mark Haller, SNS
Nutrition Department
mhaller@isbe.net
217-728-2491

2. Region:

Midwest

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

The Illinois State Board of Education (ISBE) is requesting the waiver on behalf of all NSLP and CACP sponsors determined to be in good standing in the State of Illinois operating during the ongoing COVID-19 pandemic.

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]:

This request is to waive the regulatory requirement to have an educational or enrichment activity when afterschool meals and snacks are served in the Afterschool Meals program. This will allow afterschool meals and snacks to be sent home if non-congregate meal service during the school year is used to minimize potential exposure to the coronavirus in the event of off-site distance learning.

Requirement under section 17(r)(2)(B) and 17A(a)(2)(C) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1766(r)(2)(B) and 42 U.S.C. 1766a(a)(2)(C), respectively, afterschool meals and snacks must be served in a school or program with an educational or enrichment purpose. FNS regulations further require at 7 CFR 210.10(o)(1)(ii) and 7 CFR 226.17a(b)(1)(ii) and (iii), eligible schools and at-risk afterschool care centers to serve afterschool meals and snacks in a structured and supervised environment, with an educational or enrichment activity

The educational enrichment activity requirement for Afterschool Care in the Child Nutrition Program poses a major challenge due to COVID-19. Congregate feeding and enrichment group activities enables the virus to spread more rapidly. Therefore, Child Nutrition sponsors are challenged to provide afterschool meals while having to maintain “social distancing.” Social distancing is an integral strategy to lessen the spread of COVID-19. The CDC has recommended maintaining a minimum of 6 feet of distance and limiting contact time to bare minimum.

If schools use off-site distance learning in the school year because of COVID-19 concerns, students will not be on site for enrichment activities and will also not be able to consume nutritious traditional afterschool meals.

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

NSLA Citations	7 CFR Citations	Requirement
<ul style="list-style-type: none"> • 17(r)(2)(B) and 42 USC 1766(r)(2)(B) • 17A(a)(2)(C) and 42 USC 1766a(a)(2) 	<ul style="list-style-type: none"> • 210.10(o)(1)(ii) • 226.17a(b)(1)(ii) and (iii) 	Eligible schools and at-risk afterschool care centers to serve afterschool meals and snacks in a structured and supervised environment, with an educational or enrichment activity.

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

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 no regulatory barriers at the State level to provide the requested waiver.

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

There are no challenges anticipated at the State and sponsor level.

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.

10. Anticipated waiver implementation date and time period:

Implementation date requested: July 1, 2020.

Time period requested: June 30, 2021.

11. Proposed monitoring and review procedures:

Current Child Nutrition monitoring of sponsors is included in the administrative review. This practice will continue as it is consistent with 7 CFR 210.18 and 7 CFR 226.6 requirements.

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

No later than December 31, 2021, ISBE will report to USDA the number of sponsors and sites that used this waiver.

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

14. Signature and title of requesting official:



Title: Mark Haller, SNS
Nutrition Department
IL State Board of Education

Requesting official's email address for transmission of response: mhaller@isbe.net

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:**