

CHILD NUTRITION PROGRAM

IL CNP Waiver 21-014 FFVP Non-Congregate Waiver

Waiver Request to Allow Non-Congregate Feeding at Sites that Participate in the Fresh Fruit and Vegetable Program (FFVP)

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

Illinois State Board of Education
 Nutrition Department
 100 North First Street, W-270
 Springfield, IL 62777

Mark Haller, Director
 Child Nutrition Programs
mhaller@isbe.net
 217-782-2491

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 this waiver on behalf of all NSLP Sponsors determined to be in good standing in the State of Illinois who are operating FFVP during the ongoing COVID-19 outbreak.

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 maintain children on site while FFVP snacks are consumed outside of the NSLP and SBP. This will allow non-congregate snack service during this school year to minimize potential exposure to the coronavirus in the event of off-site remote learning.

Requirement under the Richard B. Russell National School Lunch Act at 42 USC 1753(b)(1)(A), USC 1761(a)(1)(D) and 42 USC 1769(a): Child Nutrition Program meals must be served in a congregate setting and must be consumed by participants on site.

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
42 USC 1753(b)(1)(A), 42 USC 1761(a)(1)(D), 42 USC 1769(a)	NA	Maintain children on site while meals are consumed.

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

There are no 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 State agency monitoring of FFVP sponsors will continue as part of the administrative review (7 CFR 210.18 requirements). If feasible, desk audits and virtual reviews of the currently awarded FFVP grantees may be performed to assess compliance of the FFVP grant on an annual basis.

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

No later than December 31, 2021, MDE 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, Director
Nutrition Department
Illinois 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:**