



CHILD NUTRITION PROGRAM

IL CNP Waiver 21-019 Milk Variety in NSLP

Waiver Request of the Milk Variety and Type Requirements for Take-Home Meals in the National School Lunch Program and School Breakfast Program

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

Illinois State Board of Education
100 N. 1st Street
Springfield, IL 62712

Mark Haller, Director of Nutrition
Nutrition Department
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 the waiver on behalf of all NSLP and SBP sponsors determined to be in good standing in the State of Illinois operating 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 serve a variety of fluid milk with meals for the NSLP and SBP. We propose to have one type of fluid milk available for take-home meals. Schools would be able to serve flavored, unflavored, fat-free, low-fat, 2% or whole milk to students 6 years and older. This will allow flexible and alternate meals such as grab-n-go, curbside feeding, and classroom feeding service during this school year to minimize potential exposure to the COVID-19. This will help minimize costs for the sponsor allowing for centralized and efficient meal production, staffing, purchasing, and reduced food waste..

Requirement under Richard B. Russell National School Lunch Act at 42 USC 1758 (a)(1)(B)(2)(A), and 7 CFR 210.10(d) and 220.8(d): Schools must offer students a variety (at least two different options) of fluid milk. All milk must be fat-free or low-fat. Milk may be unflavored or flavored provided that unflavored milk is offered at each meal service.

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 1758 (a)(1)(B)(2)(A)	7 CFR 210.10(d) and 220.8(d)	Schools must offer students a variety (at least two different options) of fluid milk. All milk must be fat-free or low-fat. Milk may be unflavored or flavored provided that unflavored milk is offered at each meal service.

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 NSLP monitoring of sponsors is included in the Administrative Review. This practice will continue as it is consistent with 7 CFR 210.18 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]:

The proposed waiver will be posted at <https://www.isbe.net/Documents/CNP-State-Waiver-Request.pdf>

14. Signature and title of requesting official:



Title: Mark Haller, Director of Nutrition
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:**