

## 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 (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), 25 South Front Street, Columbus, Ohio, 43215, 614-425-9560*
  
- 2. Region:** *Midwest*
  
- 3. Eligible service providers participating in waiver and affirmation that they are in good standing:** *YouthBuild Columbus Community School / IRN #132985*
  
- 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]:** *We are applying for CEP after the 9/30/22 deadline because we were unable to secure a vendor until after the school year had already started. Our vendor from the 21-22 school year quit and we were unable to secure a new vendor until after the school year began on September 7, 2022. I received responses from thirteen different vendors and they were all unable to offer us services. We started the school year ordering shelf stable foods to serve the students. In mid-September, we were contacted by On The Shield Catering and they were able to take on YouthBuild but couldn't start until October 3, 2022.*
  
- 5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** *We are applying for CEP after the 9/30/22 deadline; Regulation 7 CFR 245.9 [f] [4] [i]*



6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:**  
*If we do not get approved for CEP, YouthBuild would go back to collecting traditional apps for all students. Our vendor from last year quit in July and we were unable to find a vendor until after the school year had already started. Not having CEP this year would financially stress YouthBuild this year, having started the year purchasing food for students without the option for claiming.*
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]:** None are anticipated by the state. An audit is already  
conducted and the school has a 43.08% ISP.
8. **Anticipated challenges State or eligible service providers may face with the waiver implementation:** *If we are not approved, we will lose a significant amount of money this year for food service. The school started the year purchasing food that was not eligible for reimbursement because we are a smaller charter school and most vendors turned down our bid because we were too small.*
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]:**  
*This waiver will not increase the costs for the Government. Our school covers all extra costs from their non-Federal, general funds.*
10. **Anticipated waiver implementation date and time period:** *YouthBuild Columbus Community School (IRN #132985) would like their CEP participation to be effective as of 9/7/22.*
11. **Proposed monitoring and review procedures:** *Moving forward, we will ensure that all contracts are fully executed in accordance with ODE and USDA's time frame and that all CEP applications are submitted in advance of the deadline. We have never missed the deadline in the past and will not miss it again.*
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]:** [www.ybccs.org](http://www.ybccs.org) – *The waiver will be housed in the Policies Tab - <https://ybccs.org/policies/>*
14. **Signature and title of requesting official :** *Jason Wiggins*  
*Corporate Services Manager*  


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Title: *jwiggins@oakmontedu.org*

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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(I)(1)(A)(ii) of the NSLA**

- **Regional Office Analysis and Recommendations:**