

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.

- 1. State agency submitting waiver request and responsible State agency staff contact information:**
Ohio Department of Education
Office of Nutrition
Brigette Hires, Administrator
25 S. Front St.
Columbus, Ohio 43215
614-425-9560
Brigette.Hires@education.ohio.gov
- 2. Region: Midwest**
- 3. Eligible service providers participating in waiver and affirmation that they are in good standing:** The school district is Mahoning County Career and Technical

Center and Valley STEM, IRN: 051243. The districts resource management review in school year 2023-2024 and had no areas of concern.

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:

MCCTC is seeking permission to apply for CEP waiver 7 CFR 245.9 (f)(4)(i) after the 6/30/24 deadline. MCCTC accepts students from 13 area schools. Those sending districts are participating in the CEP Program this coming school year. MCCTC & Valley STEM shares pertinent information with the sending schools. The district has been receiving numerous communications from the community and parents about concerns that we are not participating in the program causing more financial stress on our student's families.

5. Specific Program requirements to be waived (include statutory and regulatory citations).

MCCTC is requesting to apply for CEP waiver 7 CFR 245.9(f)(4)(i) after the June 30, 2024 deadline. After learning that so many neighboring districts got approved for the CEP program, MCCTC's administration had question our economically disadvantaged numbers because they thought our percentage of directly certified students should have had been higher. When reviewing our directly certified reports a mistake was detected. We did not count any of the Medicaid students. Instead of only taking out Medicaid reduce we took out all Medicaid students. When properly counted, our percentage increased to a number we were comfortable with to apply for the program. Unfortunately, we discovered our mistake after the June 30th deadline. When the waiver was announced we took the opportunity to correct our mistake.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring: If we are not approved for the waiver MCCTC will operate under the Provision 2 Program.

Attachment A

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(I)(2)(A)(ii) of the NSLA]:

8. Anticipated challenges State or eligible service providers may face with the waiver implementation: We do not see any issues with the implementation of the waiver. We will be very appreciative for the opportunity to help fight childhood hunger by participating in the program.

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]: We are optimistic that we will be approved for the waiver to fight childhood hunger. If any additional costs should arise the administration has worked with the school board to cover cost from the general fund.

10. Anticipated waiver implementation date and time period: We would like to implement the waiver for school year 2024-2025. The school year will begin on August 19th, 2024 and run through May 29th, 2025.

11. Proposed monitoring and review procedures: MCCTC uses Pay Schools as our point of sale system. As the students come through the line it accurately accounts for every reimbursable meal to ensure each student only receives one reimbursable breakfast and one reimbursable lunch per day. Each day the Director of Food and Nutrition pulls the required reports to accurately submit monthly claims to DEW. This is how we determine what reimbursements are coming back to the SFA. The school will have our students fill out free and reduced meal applications to ensure we are claiming meals based off of students status.

12. Proposed reporting requirements (include type of data and due date(s) to FNS): Each day the Director of Food and Nutrition pulls the required reports to accurately submit monthly claims to DEW. This is how we determine what reimbursements are coming back to the SFA.

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]:

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://mahoningctc.com/high-school/mcctc-food-services-information/>

14. Signature and title of requesting official:



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: