



United States Department of Agriculture

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 XX-2018, CACFP XX-2018, SFSP XX-2018, *Child Nutrition Program Waiver Request Guidance and Protocol- Revised*, Month XX, 2018.

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

The Pennsylvania Department of Education
Vonda Cooke Ramp, State Director, Child Nutrition Programs

For Sponsor:

Project SHARE of Carlisle

2. Region: MARO

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

The **Project SHARE of Carlisle** is with in good standing for SFSP.

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]:

Project SHARE of Carlisle has children arrive on site at 9:00. Children receive a morning snack at 9:30. Children are then served lunch at 11:30. Project Share wants to assure that children who have not eaten breakfast have a healthy start to their morning. Unfortunately, the time between snack and lunch meal is limited to two (2) hours making the snack un-reimbursable.

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

Time between meals: 7 CFR 225.16(c)(1)

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

Project SHARE of Carlisle is requesting a waiver to allow sites to serve lunch before the three-hour window after serving snack and lunch to best accommodate the SFSP meal service for the children at the sites. Approval of this waiver will allow Project SHARE to continue to provide a healthy snack for children as they arrive (most have not had breakfast) and then provide a nutritious lunch starting at 11:30. If the waiver is not approved children who have not eaten breakfast may not get something to eat until lunch is served. It is not sustainable for Project SHARE of Carlisle to continue to serve the snack and not be reimbursed.

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 not any state regulatory barriers.

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

Project SHARE of Carlisle does not anticipate any challenges when implementing the waivers.

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]:

There will be no additional cost to extend the meal service time.

10. Anticipated waiver implementation date and time period:

Anticipated waiver implementation time period will be for 06/17/2019 to 08/07/2019 for the 2019 SFSP. We understand the request may not be retroactive, in which case the implementation date will be effective with approval of this waiver request. However, if the waiver is approved retroactively, Project SHARE has meal count documentation to support the morning snacks that have been served.

11. Proposed monitoring and review procedures:

The Sponsor will be conducting SFSP on-site reviews as required by regulations.

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

The Sponsor will report any issues to the State agency.

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]:

Project SHARE of Carlisle is requesting a waiver from 7 CFR 225.16(c)(1) to allow sites to serve before the three-hour window between snack and lunch to best accommodate the SFSP meal service for the children at the sites.

This is required public notice that the Project SHARE of Carlisle submitted a request to USDA that would allow the continued use of serving Breakfast and /or Snacks beyond the one-hour limit.

Add link

14. Signature and title of requesting official: This will be completed by PDE

Title:

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(l)(1)(A)(ii) of the NSLA

- **Regional Office Analysis and Recommendations:**

