



## **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  
Bridgette Hires, Director  
25 S. Front St.  
Columbus, Ohio 43215  
614-425-9560  
Bridgette.Hires@education.ohio.gov**
- 2. Region: Midwest**
- 3. Eligible service providers participating in waiver and affirmation that they are in good standing:** **East Cleveland School District IRN 043901  
1843 Stanwood Rd  
East Cleveland, Ohio 44112**
- 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]:** I would like to use the Direct Certification list obtained 8/8/2022 to establish a new CEP base year 2022-2023. I started my position as Food Service Supervisor in July 2022 (after 6-30-22 document deadline) and realized when CEP audit was to be conducted that the Direct Certification list could not be found and were not available for 2021 school year. I would like to use the Direct Cert list of 8/8/2022 to establish a CEP base year for 2022-2023

**5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]: 7 CFR 245.9(f)(4)(v)(i) & 7 CFR 245.9(f)(4)(v)(A)(1)**

I am new in this position and was not made aware until after the September 30<sup>th</sup> deadline that CEP had expired. I have not been able to find Direct Certification results list from last school year 21-22. I would like to use the Direct Certification results list obtained in 08/8/22 to establish a new CEP base year 2022-2023

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** I will ensure all records are kept dually with Thomas Domzalski who is the Director of DATA, Research & Assessment/E.M.I.S for the East Cleveland School District

SP 15-2018, CACFP 12-2018, SFSP 05-2018

Page 1

Attachment A

**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]:**

**8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** If we are not granted this waiver we would be unable to offer our students free meals. This is an at risk school with a significant number of CEP students, not having the CEP program would create a significant hardship to our students and the schools financial ability to provide free meals. The ability to provide our students with a free breakfast and lunch daily are extremely important to the educational success of our students.

**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 no increase to overall cost of the program; participation is same as previous base year participation.

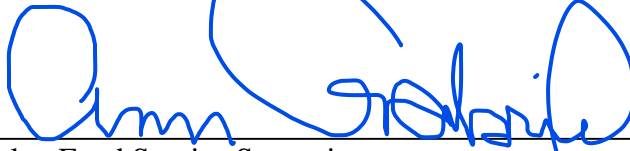
**10. Anticipated waiver implementation date and time period:** 2022-2023  
**East Cleveland Schools IRN #043901**  
**1843Stanwood Rd**  
**East Cleveland, Ohio 44112**

**11. Proposed monitoring and review procedures: I will monitor all correspondence with the Ohio Department of Education via email CRRS**

**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]:**  
<https://www.east-cleveland.k12.oh.us/site/default.aspx?DomainID=85>

**14. Signature and title of requesting official:**



\_\_\_\_\_  
Title: Food Service Supervisor

agabriel@eastclevelandschools.org

\_\_\_\_\_  
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:**