



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 for Child Nutrition, Andrea Denning, *Director* on behalf of: Cleveland Metropolitan School District, School Nutrition, Chris Burkhardt, *Executive Director*

2. Region

Midwest Ohio Region

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

The eligible service provider participating in the waiver is the Cleveland Metropolitan School District. This district is confirmed to be in good standing by Ohio Department of Education, Office for Child Nutrition.

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 (I)(2)(A)(iii) and 12(I)(2)(A)(iv) of the NSLA]:

The challenge the Ohio Department of Education, Office for Child Nutrition is seeking to solve is to add William Rainey Harper to the Cleveland Metropolitan School District's Community Eligibility Provision program for the 2018 – 2019 school year beyond the June 30th deadline. William Rainey Harper is a new school within the Cleveland Metropolitan School District for the 2018-2019 school year, and there was no enrollment data available for this school prior to the June 30th deadline. Students were recruited to the school over the summer. A direct certification match was performed for the enrolled student data once available, and there is an ISP percentage of 44.9%. The expected outcome if the waiver is granted is to include William Rainey Harper in the Community Eligibility Provision with all 90 CMSD schools currently operating this program.

Additionally, CMSD has new buildings slated to open during the 2018 – 2019 school year for the following current schools: Whitney M. Young, Fullerton, H. Barbara Booker, Oliver H. Perry and Sunbeam. Because the buildings will be larger than their predecessor, open enrollment is not anticipated but may be possible to fill building to capacity in the middle of the school year.

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

The specific program requirement to be waived is 7 CFR 245.9 (f)(4)(i), which indicates when a local educational agency intends to elect the Community Eligibility Provision for the following year for one or more schools, documentation must be submitted to the State agency demonstrating the LEA meets the identified student percentage no later than June 30th. This documentation was submitted for 90 out of the 91 schools operating in the 2018-2019 school year within the Cleveland Metropolitan School District, as William Rainey Harper had no enrollment data at the time.

For the five schools that are slated to move into new buildings (Whitney M. Young, Fullerton, H. Barbara Booker, Oliver H. Perry and Sunbeam), while enrollment changes aren't anticipated, it may be possible to fill building capacity.

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

No alternative procedures or anticipated impact on Program operations.

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]:

No additional steps taken.

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

No anticipated challenges as the Community Eligibility Provision at William Rainey Harper will be run according to all Federal and State regulations.

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)(A)(iii) of the NSLA]:

Students enrolled at William Rainey Harper are students of the Cleveland Metropolitan School District, therefore this would not affect the budget.

10. Anticipated waiver implementation date and time period:

Anticipated waiver implementation date: August 31st, 2018

Anticipated waiver time period: 2018 – 2019 school year

11. Proposed monitoring and review process:

The Community Eligibility Provision at William Rainey Harper will be monitored and reviewed according to all Federal and State regulations.

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

The Community Eligibility Provision at William Rainey Harper will be reported according to all Federal and state regulations.

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]:

<http://www.clevelandmetroschools.org/cms/lib05/OH01915844/Centricity/domain/91//2018/WaiverWilliamRaineyHarper.pdf>

14. Signature and title of requesting official:



Title: Executive Director, Cleveland Metropolitan School District

Requesting official's email address for transmission of response:

Christopher.Burkhardt@clevelandmetroschools.org

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: