



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:

Iowa Department of Education (Department), Bureau of Nutrition & Health Services

Kala Shipley, Bureau Chief, kala.shipley@iowa.gov, 515-681-2307

Stephanie Dross, Education Program Consultant, stephanie.dross@iowa.gov, 515-281-4760

2. Region: Midwest Regional Office

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

Per Section 12(l)(2)(A) of the National School Lunch Act, the Iowa Department of Education is submitting this waiver at the request of the Davenport Community School District (CSD). Davenport CSD is deemed by the Iowa State agency (SA) to be in good standing.

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]:

The challenge faced by the Davenport Community School District is to provide summer

meal services to a population of at-risk homeless children, as determined through McKinney Vento, who will be unserved by a congregate meal service operation due to safety concerns at the motels they reside in and a lack of transportation for families to alternate open sites in the community. Students have no access to transport to approved locations that are considered safe by the local police department and head of the school district's security. This challenge includes the safety of students who reside at these locations to eat meals on-site in a congregate manner as well as the school nutrition staff to deliver and serve congregate meals to children at these motels.

The goal of the waiver is to ensure food security with the most vulnerable population of children who are currently unserved by summer meals.

The expected outcome is that a weekly non-congregate meal distribution model would be utilized to provide meals to homeless program participants that will reduce safety concerns for both children and staff and increase access to health program meals.

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

Non-Congregate Meal Service:

7 CFR 225.6(i)(15) For approved congregate meal service, maintain children on-site while meals are consumed.

7 CFR 225.6(h) When approving the application of a site that will provide a non-congregate meal service, the State agency must ensure that the proposed site:

(ii) Is rural, as defined in § 225.2.

Parent and Guardian Meal Pick-Up

7 CFR 225.2 Meals means food which is served to children at a food service site and which meets the nutritional requirements set out in this part.

7 CFR 225.9(d)(7) Payments to a sponsor must equal the amount derived by multiplying the number of eligible meals, by type, actually served under the sponsor's program to eligible children by the current applicable reimbursement rate for each meal type. Sponsors must be eligible to receive additional reimbursement for each meal served to participating children at rural or self-preparation sites.

Meal Service Times

7 CFR 225.16 (c)(1), (2) and (3)

(1) Meal service times must be:

(i) Established by sponsors for each site;

(ii) Included in the sponsor's application; and

(iii) Approved by the State agency. Approval of meal service times must be in accordance with the State agency or sponsor's capacity to monitor the full meal service during a review.

(2) Except for non-congregate meal service, breakfast meals must be served at or close to the beginning of a child's day. Three component meals served after a lunch or supper meal service are not eligible for reimbursement as a breakfast.

(3) At all sites except residential camps and non-congregate meal service, meal services must start at least one hour after the end of the previous meal or snack.

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

The Davenport Community School District is proposing to provide a weekly non-congregate meal pack of breakfast and lunch at three hotels in Davenport where a significant number of homeless students reside. The child or parent/guardian of the child would be allowed to pick up the weekly meal pack to take back to their motel room to consume. The school district's homeless liaison has confirmed that students will have access to refrigeration to store food properly and a microwave to reheat food properly at the 3 proposed motel sites.

With the ability to provide non-congregate meals, district security will be able to assist the meal delivery one day per week as opposed to two meals daily. This will ensure the safety of staff and students.

The district's homeless liaison would provide names of eligible homeless students to receive meals at the 3 hotels and assist in the delivery which would provide the homeless liaison with a well check for the students.

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]:

No barriers have been identified as related to this waiver request.

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

The SA does not anticipate any challenges at the State or SFA level given recent experience with this type of meal service during the public health emergency. Implementation of this waiver will decrease the challenges faced by the sponsoring organization and families. Children will have an increased option to receive nutritious meals while minimizing the safety risks presented at the site location.

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]:

The requested waiver does not impact the overall cost of the Program to the state or federal government. There are no additional department costs for State agency oversight with implementation of this waiver.

10. Anticipated waiver implementation date and time period:

This waiver will be implemented for the 2025 summer season, specifically June 9 to August 19, 2025, when the district plans to operate their summer meal programs

11. Proposed monitoring and review procedures:

The SA will work directly with the school district to ensure they have integrity strategies in place for counting and claiming meals, monitoring participating households and preventing duplication of meals served.

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

The SA will report to FNS the number of days the waiver was used, the number and type of non-congregate meals served and other reporting requirements, as requested.

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://educate.iowa.gov/pk-12/operation-support/nutrition-programs/summer>

14. Signature and title of requesting official :


Kala Shipley, Bureau Chief

Requesting official's email address for transmission of response:

kala.shipley@iowa.gov
stephanie.dross@iowa.gov

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: