



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 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](mailto:kala.shipley@iowa.gov), 515-681-2307

Cheryl Tolley, Administrative Consultant, [cheryl.tolley@iowa.gov](mailto:cheryl.tolley@iowa.gov), 515-681-2304

**2. Region:** Midwest

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

The Iowa Department of Education is requesting this waiver as the USDA Child Nutrition Program State agency and on behalf of home sponsor organizations participating in the Child and Adult Care Food Program (CACFP) that agree to take on home providers located in counties impacted by home sponsors ending their agreements.

**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 State agency has experienced two CACFP home sponsors ending their sponsor agreement within the last two months. The first home sponsor ended their agreement on September 30, 2025. The second home sponsor will end their agreement on November 30, 2025. An existing home sponsor (new home sponsor) agreed to take on two counties affecting nine providers when the first home sponsor ended their agreement. The new home sponsor filed an expansion application to bring on the two counties which are located in northern Iowa. This same home sponsor agreed to take on an additional three counties with 19 providers as a result of the second home sponsor closure. The counties are located in southern Iowa. The home sponsor filed a second expansion application to cover those expenses. The total cost of both expansion grant requests is approximately \$8,500.00.

The State agency is requesting a waiver to allow the new home sponsor, who is in good standing with both a center and home-based agreement, the opportunity to have the two expansion applications approved for payment without the requirement that 12-months elapse between expansion applications. This is due to the two home sponsors ending their agreement with the State agency within two months. This waiver request would be available to only the new home sponsor that previously submitted an expansion application due to home sponsors ending their agreements. This waiver request would impact only the two expansion applications filed by the new home sponsor that affects five counties and 28 home providers. Home sponsors are facing staffing shortages and increased operating costs. Taking on additional providers may increase sponsor reimbursement. It will also help to ensure that home providers will continue on the CACFP with little disruption.

The goal of requesting this waiver is to reduce the expenses including staff time spent, travel expenses and copying costs to meet with potential home providers during a quick turn-around period before their current home sponsor ends their CACFP home sponsor agreement. It will allow the sponsor to use expansion grant funds to cover these onboarding costs and provide a seamless transition for providers and participants impacted by this change.

The expected outcome of this waiver is assisting with the costs that the new home sponsor is incurring to provide continuation of the CACFP program in five counties as a result of two home sponsors ending their agreements. All counties being acquired are considered rural based on the USDA Rural Designation map. This waiver will allow continuance of services in these rural counties for 28 providers and approximately 337 participants, with an average of 138,027 meals and snacks claimed in federal fiscal year 2025. Without these funds, the new home sponsor will be forced to use funds in an already tight budget for onboarding.

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

The Department is requesting a waiver to the following regulation and requirements to limit the award of expansion payments in under 12 months.

7 CFR 226.12(b)(1): Administrative Payments to Day Care Homes. The State agency may approve expansion payments for any eligible sponsoring organization more than once, provided that: the request must be for expansion into an area(s) other than that specified in their initial or prior request; and 12 months has elapsed since the sponsoring organization has satisfied all obligations under its initial or prior expansion agreement.

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

There will be no impact on program operations for the State agency or home sponsor. The waiver will allow the new home sponsor to cover costs of taking additional counties due to the home sponsors ending its agreements.

**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 currently no state level regulatory barriers related to this specific issue.

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

There are no anticipated challenges with waiver implementation. Rather, it is anticipated that this waiver will allow the home sponsor to carry out their expansion application requirements to onboard providers. This will allow the home sponsor to continue to serve the home providers in additional counties.

**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. The funds used to pay for the expansion application are allowable CACFP costs incurred to onboard the providers so there is a continuation of the CACFP program.

**10. Anticipated waiver implementation date and time period:**

This waiver will be implemented upon approval from USDA and will be effective through January 31, 2026.

**11. Proposed monitoring and review procedures:**

The State agency will continue to carry out the routine approval process for expansion applications and verify the costs incurred by the home sponsor. Only those costs that are allowable will be reimbursed.

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

The Department will report to FNS all requested data for the waiver in the timelines required by USDA.

**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]:**

Public notice posted at: <https://educate.iowa.gov/pk-12/operation-support/nutrition-programs/child-adult-care-food-program>

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

*Kala Shipley*

Title: Kala Shipley, Bureau Chief

Requesting official's email address for transmission of response: [kala.shipley@iowa.gov](mailto:kala.shipley@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:**