

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:

Idaho State Department of Education, Child Nutrition Programs Contact:
Cassandra Thompson, NSLP Coordinator

2. Region:

Western Region

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

Eligible Service Provider: Canyon-Owyhee School Service Agency (COSSA), which is in good standing with the Child Nutrition Department in the State of Idaho.

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]:

COSSA was unable to obtain data from April 1 to set its ISP for school year 2025-26. The data that is available is from June 30, 2025. COSSA had recent staffing changes for both the superintendent and Food Service Director roles, which likely contributed to COSSA missing the April 1 requirement. The superintendent is now directly involved in the CEP process and will provide oversight of the Food Service Director, as well as the Child Nutrition team to ensure deadlines are met moving forward. The team is developing strategies such as report tracking and notifications, as well as ongoing professional development to implement and ensure deadlines are not missed in the future. See attached letter from Superintendent Williams. If the waiver is granted, the expectation is to meet the April 1 deadline each year COSSA wants to participate in CEP.

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

April 1 data deadline under Sections 11 (a)(1)(F)(iii)(bb) and (a)(1)(F)(iv)(bb) of the Richard B. Russell National School Lunch Act (NSLA), 42 U.S.C. 1759a; and Food and Nutrition Service regulations at Title 7, Code of Federal Regulations, Section 245.9(f)(3)(i), (f)(4)(i), (f)(4)(v)(A), and (f)(4)(viii).

**6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring: Attachment A SP 15-2018, CACFP 12-2018, SFSP 05-2018
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June 30 Election Deadline Interested and eligible LEAs must notify their State agency of their intent to elect CEP and submit ISP data representative of April 1 no later than June 30, unless an extension is granted [7 CFR 245.9(f)(4)(i)].

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 regulatory barriers at the state level.

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

The current CEP cycle just ended. If the waiver is not approved, COSSA will either consider a grace year with an ISP that was determined with the 62 students (per the attached) or possibly return to regular counting and claiming. If the waiver is granted, COSSA would start a new CEP cycle with the higher ISP from the data pulled on June 30. The waiver will impact the 87 students that attend COSSA based on the DC upload provided on June 30.

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]:

This waiver would not increase the overall cost of the Program to the Federal Government as reimbursements are based on the schools ISP times a multiplier of 1.6. This creates a 'set amount' to be reimbursed for each free and paid meals submitted in their monthly claim.

10. Anticipated waiver implementation date and time-period:

The waiver implementation date would be effective on August 11, 2025, which is the first day meals are served for SY25-26 and would end no later than June 30, 2029, unless a new base year is required by this waiver from USDA.

11. Proposed monitoring and review procedures:

The new superintendent (Kelsey Williams) has stated in a formal letter (see attached) that COSSA is committed to regaining full compliance through improved systems and consistent leadership.

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

If COSSA is in compliance with 7 CFR 245.9(f)(3)(i), they will provide the necessary April 1st data required every year while on CEP. Note: The base year determines the percentage of free and paid meals reimbursed each month a claim is submitted while on CEP.

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]:

This waiver is only for one school (COSSA) who does not have their April 1 data that is a requirement of 7 CFR 245.9(f)(3)(i).

14. Signature and title of requesting official

Cassandra Thompson

Title: NSLP Coordinator

Requesting official's email address for transmission of response

cthompson@sde.idaho.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:**