



**CHILD NUTRITION PROGRAMS
INDIANA WAIVER REQUEST**

A request for an emergency waiver for Richmond Community Schools is being submitted by the Indiana Department of Education School and Community Office due to an unanticipated weather related event that caused significant damage to the High School and will delay students being able to return to the building for several weeks.

1. State agency submitting waiver request and responsible State agency staff contact information:

**Marcia Yurczyk, IDOE School and Community Nutrition Assistant Director
100 N Senate Avenue, 9th Floor Indiana Government North Building
Indianapolis, IN 46204
myurczyk@doe.in.gov 317-232-0852**

2. Region: MWRO

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

**Richmond Community Schools, Richmond, Indiana – High School.
Richmond Community Schools is a school nutrition program sponsor in good standing in their operation of USDA School Nutrition Programs.**

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]:

Due to unseasonably cold weather, several pipes froze and burst throughout the high school over the winter break. The break released a significant amount of water throughout the building, making most of the space unusable. Because the school is equipped to conduct remote learning, there will be no school closure; classes will be conducted as normal but in an e-Learning environment. All schools in Richmond Community Schools are approved for Community Eligibility Provision (CEP) claiming. To be able to continue to provide nutritious meals to high school students, the school corporation is seeking a waiver of serving meals in a congregate setting.

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

The Richmond Community Schools is specifically waiving for the High School during the requested waiver period the following regulatory requirements at 42 U.S.C 1753(b)(1)(A) and 42 U.S.C. 1773 (b)(1)(A) to serve meals in a non-congregate setting therefore releasing the requirement for students from having to consume the meals on site, waiving 7 CFR 210.10(a), 7 CFR 220.2 (breakfast), 7 CFR 220.8(a) in order for parents/guardian to pick up meals, waiving 7 CFR 210.10(L) and 220.8(L) for mealtime flexibility, and 7 CFR 210.10 (e) to waive the OVS requirements for grades 9-12.

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

The Richmond Community Schools is prepared to use their current point of sale system to record the meals by student at the time they are distributed. Therefore, there should be no additional impact on the local or state program operations or technology. The school food service will continue to monitor program operations and the state agency field staff assigned to Richmond Schools will be available through phone, email, and on occasion physically on site to monitor compliance with the approved waivers.

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 no regulatory barriers at the state level that would affect the approval of this waiver.

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

There are no anticipated challenges by the State or service provider with the approval and implementation of this waiver.

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 be no additional increase in the overall cost of the program for the implementation of this waiver. It is anticipated that participation will be lower than normal due to meals needing to be picked up.

10. Anticipated waiver implementation date and time period:

The Richmond Community Schools is requesting approval of this waiver to begin services to High School students on January 16, 2023 through February 3, 2023. Should the clean up take less time than anticipated, the waiver time could be shortened as meal service could resume as normal.

11. Proposed monitoring and review procedures:

- The State Agency will expect Richmond Community Schools food service to monitor the meal distribution regularly.**
- State Agency staff will conduct an unannounced site visit to ensure compliance.**
- State Agency staff will communicate regularly with Richmond Community Schools food service and administrative staff to provide technical assistance as needed.**

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

The State Agency will require the Richmond Community Schools to record the number of days the waiver was used, the number of breakfasts and lunches served because of the waiver, and any additional feedback associated with the implementation of this waiver by February 15, 2023. The State Agency will then provide this information to USDA FNS by March 1, 2023.



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

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.in.gov/doe/nutrition/> Under Federal Waivers Dropdown

14. Signature and title of requesting official:

Julie Sutton

Title: Julie Sutton, Director, IDOE School & Community Nutrition

Requesting official's email address for transmission of response: jsutton@doe.in.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 Recommendation**