



CHILD NUTRITION PROGRAM STATE WAIVER REQUEST

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

Indiana Department of Education
Office of School and Community Nutrition (SCN)
100 N. Senate Ave, Ste 900
Indianapolis, IN 46204
Julie Sutton, Director
jsutton@doe.in.gov
317-232-0845

2. Region:
Midwest

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

The Indiana Department of Education – Office of School and Community Nutrition is requesting the waiver on behalf of all National School Lunch Program (NSLP) School Food Authorities and Child and Adult Care Food Program (CACFP) Sponsors determined to be in good standing in the State of Indiana operating in School Year 2023-2024.

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 National School Lunch Act and NSLP regulations require schools to operate a congregate lunch service between the hours of 10:00 am and 2:00 pm, and breakfast to be served at the beginning of the school day. CACFP regulations require that meals are consumed on the premises of the facility.

In the state of Indiana, there is a population of children that observe Ramadan. During the month of Ramadan, the Muslim community fasts from sunrise to sunset from March 10 through April 9, 2024. Accordingly, children participating in the fast will not have the ability to consume their breakfast and lunch during traditional meal times during this fasting period. The waiver will allow sponsors choosing to participate in the waiver to send meals home with children who are fasting for consuming breakfast before sunrise and eating their lunch meal after sunset.

Sponsors that serve meals to children that observe Ramadan experience a drop in meal service participation and would benefit from having alternative meal service options. This waiver would allow sponsors to offer meal service options where meals can be taken

offsite and consumed after the typical daylight hours. This waiver would provide children that observe Ramadan access to healthy and wholesome meals throughout the month of observation.

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 (NSLP and SBP)
Under the NSLA, 42 U.S.C. 1753(b)(1)(A), and the Child Nutrition Act, 42 U.S.C. 1773(b)(1)(A), NSLP and SBP meals must be served in a congregate setting and must be consumed by participants on site.
- Meal Service Times (CACFP, NSLP, and SBP)
Under program regulations at 7 CFR 226.20(k), 7 CFR 226.17a(m), 7 CFR 210.10(l) and 7 CFR 220.8(l), meals and snacks served in the CACFP, NSLP, and SBP must follow time period requirements for snacks and meals.
- Offer Versus Serve (NSLP)
Under the NSLA, 42 U.S.C. 1758(a)(3), and program regulations at 7 CFR 210.10(e), Program operators of senior high schools (as defined by the State education agency) must participate in offer versus serve at lunch.
- Parent and Guardian Meal Pick Up (NSLP and SBP)
Under program regulations at 7 CFR 210.10(a), 7 CFR 220.2 (Breakfast), and 7 CFR 220.8(a), meals must be served to eligible children.
- Child Care Center Provisions (CACFP)
All child care centers are required to provide meals and snacks pursuant to 7 CFR 226.19(b)(6)(iii) (meals are to be consumed on the premises of the centers. This includes at-risk centers identified under 7 CFR 226.17a.

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

There are no expected impacts on technology, State systems, or monitoring.

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 to provide the requested waiver.

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

A potential challenge for calendar year 2024 is the quick turnaround for implementation at the local level.

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 waiver will not increase the overall cost of the Program to the Federal Government.

10. Anticipated waiver implementation date and time period:

Waiver implementation would start immediately and expire April 10, 2024.

11. Proposed monitoring and review procedures:

Current NSLP, SBP, and CACFP monitoring of sponsors would continue during the administrative review and technical assistance calls. This practice will continue as it is consistent with 7 CFR 210.18 and 7 CFR 226.6(m) requirements.

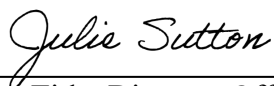
12. Proposed reporting requirements (include type of data and due date(s) to FNS):

No later than December 31, 2024, SCN will report to USDA the number of sponsors that used this waiver.

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/doi/nutrition/#Federal_Waivers

14. Signature and title of requesting official:



Title: Director, Office for Food and Nutrition Programs

Requesting official's email address for transmission of response:

jsutton@doe.in.gov, 317-232-0845

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: