

Washington State Waiver Request

Summer 2024

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 USDA authority to waive requirements for State agencies or eligible service providers under certain circumstances.

Washington seeks the following waivers:

Waivers related to excessive heat:

The waivers in this section apply to SFSP and SSO sponsors, in good standing, to operate approved outdoor meal sites without temperature-controlled alternative sites as non-congregate sites on days when the area is experiencing excessive heat. These waivers are effective *May 1, 2024, through September 30, 2024*.

- Non-Congregate Meal Service [42U.S.C. 1753(b)(1)(A),42U.S.C.1761(a)(1)(D),and7 CFR225.6(i)(15)]
- Parent/Guardian Meal Pickup [42 U.S.C.1761(f)(3),7 CFR225.2 (Meals),and 7 CFR225.9(d)(7)]
- Meal Service Times [7 CFR225.16(c)(1),(2),and(3)]

Waivers related to air quality advisories:

The waivers in this section apply to SFSP and SSO sponsors, in good standing, to operate approved outdoor meal sites without alternative indoor sites as non-congregate sites on days when the area is experiencing certain air quality advisories. These waivers are effective *May 1, 2024, through September 30, 2024*.

- Non-Congregate Meal Service [42U.S.C. 1753(b)(1)(A),42U.S.C.1761(a)(1)(D),and7 CFR225.6(i)(15)]
- Parent/Guardian Meal Pickup [42 U.S.C.1761(f)(3),7 CFR225.2 (Meals),and 7 CFR225.9(d)(7)]
- Meal Service Times [7 CFR225.16(c)(1),(2),and(3)]

Waiver related to Offer versus Serve:

This waiver applies to SFSP sponsors, in good standing, to use SFSP offer versus serve meal served parameters by non-school food authority (SFA) sponsors on a case-by-case basis. These waivers are effective *May 1, 2024, through September 30, 2024*.

- Offer Versus Serve [42 U.S.C. 1761(f)(7) and 7 CFR 225.16(f)(1)(ii)]

Waivers related to school closures:

The waivers in this section apply to SFSP and SSO when schools are closed and congregate meal service operations are limited due to natural disasters, unscheduled major building repairs, court orders relating to school safety or other issues, labor-management disputes, or, when approved by the State agency, for a similar unanticipated cause. Upon approval the waivers in this section will also replace any previously approved SFSP/SSO waivers allowing non-congregate meal service operations for school year 2023-24 (with no virtual learning), granted to State agencies through April 30, 2024. This applies when school buildings are closed during the instructional year and virtual classes are not offered. These waivers are effective through *June 30, 2024*.

- Non-Congregate Meal Service [42 U.S.C. 1753(b)(1)(A), 42 U.S.C. 1761(a)(1)(D), and 7 CFR 225.6(i)(15)]
- Parent/Guardian Meal Pickup [42 U.S.C. 1761(f)(3), 7 CFR 225.2 (Meals), and 7 CFR 225.9(d)(7)]
- Meal Service Times [7 CFR 225.16(c)(1), (2), and (3)]
- Service of Meals at School Sites [42 U.S.C. 1761(c)(1) and 7 CFR 225.6(h)(1)(iv)]

These waivers will not increase the overall costs of the program to the Federal Government, or if there are anticipated increases, the costs will be paid from non-Federal funds.