

**Waiver Request - 225.16 Meal service requirements, (F)(4)  
Office of Superintendent of Public Instruction – Washington State**

**State agency staff contact information:**

Office of Superintendent of Public Instruction (OSPI)

Leanne Eko, Chief Nutrition Officer, Child Nutrition Services  
PO Box 47200, Olympia, WA 98504  
360-725-0410  
[Leanne.Eko@k12.wa.us](mailto:Leanne.Eko@k12.wa.us)

Petra Colindres, Director SFSP and Farm to CNS  
PO Box 47200, Olympia, WA 98504  
360-819-6020  
[petra.colindres@k12.wa.us](mailto:petra.colindres@k12.wa.us)

**Region:** Western Region

**Eligible service providers participating in waiver and affirmation that they are in good standing:** Summer 2025 SFSP sponsors . Only sponsors in good standing are approved via our application process for program participation.

**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]:**

Registered Dietitians were recently added to the list of accepted medical authorities that can sign required special dietary needs documentation in child nutrition programs with SFSP being excluded (SP 07-2025, CACFP 07-2025). We are concerned that excluding SFSP participants from being able to provide special dietary needs forms signed by registered dietitians could cause additional barriers to participation and documentation compliance for local program operators. The majority of our sponsorship is school districts and many of them carryover the special dietary needs documentation they receive during the school year to their summer feeding programs. We believe by allowing SFSP sponsors to accept special dietary needs documentation signed by registered dietitians that we will maintain/increase programmatic compliance and be better able to support our participants that have dietary disabilities.

**Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** 225.16 Meal service requirements, (F)(4)

**Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Allowing local program operators to accept special dietary needs documentation signed by registered dietitians will

increase program and civil rights compliance by local program operators resulting in less administrative review findings of non-compliance for dietary disability documentation and will decrease administrative burden for both the state agency and local program operators.

**Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(I)(2)(A)(ii) of the NSLA]:** We provide sponsors thorough training on civil rights compliance including documentation requirements for special dietary needs. We have communicated the new policy of RD exclusion for SFSP and are applying for this state waiver to avoid regulatory barriers to compliance and implementation.

**Anticipated challenges State or eligible service providers may face with the waiver implementation:** Sponsors will not experience any barriers with the addition of registered dietitians as recognized medical authority signatories for special dietary needs documentation. Providing this waiver allowance will actually remove anticipated challenges for sponsors.

**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(I)(1)(A)(iii) of the NSLA]:** We will be able to maintain our current processes across child nutrition programs on a state level without having to put additional labor and staff time into making modifications to our training, documentation, and review process for local program operators.

**Anticipated waiver implementation date and time period:** 12 months after received approval, approx. summer 2025- summer 2026

**Proposed monitoring and review procedures:** We will maintain current program monitoring and review procedures. If the waiver is granted, we will update our special dietary needs templates to include registered dietitians and train both sponsors and staff on this addition.

**Proposed reporting requirements (include type of data and due date(s) to FNS):** If approved, we can provide the number of sponsors that utilized special dietary needs documentation signed by RDs by December 2025.

**Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(I)(1)(A)(ii) of the NSLA]:** <https://ospi.k12.wa.us/policy-funding/child-nutrition>

**Signature and title of requesting official:**

*Leanne Eko*

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**Leanne Eko, RD, SNS**

Chief Nutrition Officer, Child Nutrition Services  
Office of Superintendent of Public Instruction  
360-725-0410

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**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:**

- Date Received: \_\_\_\_\_

- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA

- **Regional Office Analysis and Recommendations:**

- Recommend Approval

- Recommend Denial

