



MEMO

TO Sponsors of the Child Nutrition Program

FROM Vonda Ramp, M.S., R.D.
State Director, Child Nutrition Programs

DATE September 25, 2023

RE USDA Waiver Requests for 2023-24 School Year: Community Eligibility Provision Mid-Year Election

MESSAGE:

The Pennsylvania Department of Education (PDE), Division of Food and Nutrition (DFN), has requested a waiver from the following regulations for the 2023-24 school year to allow for mid-year election of Community Eligibility Provision (CEP) upon the release of the CEP Final Rule, lowering the Identified Student Percentage (ISP) threshold.

- The requirement that LEAs that intend to elect CEP in the following school year must notify the State agency and submit ISP documentation not later than June 30 of the current school year under Section 11(a)(1)(F)(x)(I) of the NSLA, 42 U.S.C. 1759a, and FNS regulations at 7 CFR 245.9(f)(4)(i); and
- The requirement that LEAs must calculate the CEP ISP using data as of April 1 of the prior school year under Sections 11(a)(1)(F)(iii)(I)(bb) and (a)(1)(F)(iv)(I)(bb) of the Richard B. Russell National School Lunch Act (NSLA), 42 U.S.C. 1759a, and FNS regulations at 7 CFR 245.9(f)(3)(i), (f)(4)(i), (f)(4)(v)(A), and (f)(4)(viii).

This is a required public notice that PDE, DFN submitted a request to USDA for waivers from the aforementioned regulations and does not imply the waivers have been approved at this time.

Questions may be directed to Vonda Ramp at vramp@pa.gov.