

How to Submit a Meal Pattern Waiver

STEP-BY-STEP INSTRUCTION QUICK GUIDE

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What is a Quick Guide?

This resource was developed by the Arizona Department of Education (ADE) Health and Nutrition Services Division (HNS). Quick Guides are an abbreviated resource to compliment ADE's Step-by-Step Instruction: How-to Guides. Quick Guides do not count towards Professional Standards training hours. For training and further details on **submitting a meal pattern waiver**, please review:

- [Step-by-Step Instruction: How to Submit a Meal Pattern Waiver](#).

Intended Audience

This resource is intended for **School Food Authorities (SFAs)** and **Summer Food Service Program Sponsors** operating the **National School Lunch Program (NSLP)** or the **Summer Food Service Program (SFSP)**.

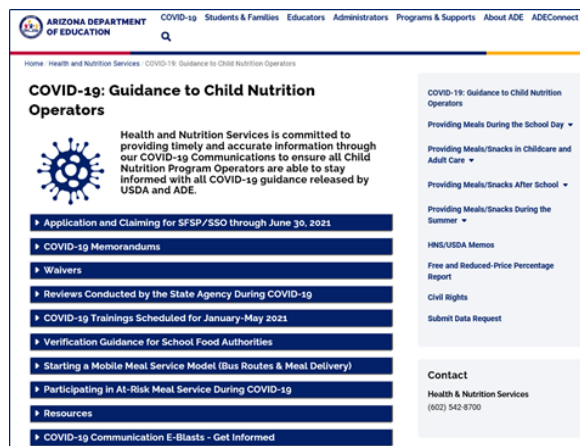
Introduction: How to Submit a Meal Pattern Waiver

USDA has released multiple waivers to support Program operators during the COVID-19 public health emergency. The meal pattern waiver provides flexibilities to meal pattern requirements under allowable circumstances. Through this resource, attendees will know where to access ADE's meal pattern waiver and other COVID-19 resources, will be walked through each question of the waiver, and will understand the waiver approval/rejection process.

How to Submit a Meal Pattern Waiver

Accessing the Waiver

Due to the COVID-19 public health emergency, the United States Department of Agriculture (USDA) has released a waiver to allow flexibilities in the meal pattern. To participate in this waiver, Program operators must submit a Meal Pattern Waiver to ADE for **each instance** the meal pattern cannot be met. ADE's Meal Pattern Waiver is located on the [COVID-19: Guidance to Child Nutrition Operators](#) webpage under the "Waivers" accordion.



Allowable Reasons to Request a Waiver

The following three reasons listed below are the only reasons for which Program operators can apply for a meal pattern waiver:

- 1) Product availability/supply chain disruptions
- 2) Inability to meet the meal pattern due to challenges faced with the court ruling
- 3) Access to safe and nutritious food impacted by SFA's learning plan/food service model

Submission Approvals/Rejections

Your assigned Program specialist will either approve or reject your submission. You will only be notified if your submission has been rejected. It is not required to wait for approval to exercise the meal pattern flexibility within your meal service.

Program Operator Information and Timeframe

Waiver Steps

*1. For which Child Nutrition Program is the waiver submitted?
[Dropdown menu]

*2. For what TIMEFRAME are you submitting this waiver?
If submitting a waiver for a single instance of not meeting a daily meal pattern requirement, the start date and end date selected will both be the same date.

Start Date (MM/DD/YYYY)
Date: [MM/DD/YYYY] [Time]

End Date (MM/DD/YYYY)
Date: [MM/DD/YYYY] [Time]

*3. SFA/Sponsor Name: (Example: Tempe Unified School District or St. Mary's Food Bank Alliance)
[Text field]

*4. Operator First and Last Name:
[Text field]

*5. Operator Title:
[Text field]

Description

In **Question 1**, select the Program you are submitting the meal pattern waiver for. It is important to pick the correct Program you are operating and **not** the meal pattern you are following. For example, if you are an SFA operating the Seamless Summer Option (SSO) but following the NSLP meal pattern, you must indicate that you are submitting a meal pattern waiver for SSO not NSLP. In **Question 2**, indicate the time frame for **only** the dates that the meal pattern was unable to be met. Please note that a meal pattern waiver is not able to be submitted unless the meal pattern violation has occurred or will occur. You **cannot** submit a waiver for hypothetical situations or in cases the SFA is assuming the meal pattern will not be met. Should the meal pattern not be met for a set duration of days, only one waiver should be submitted with the dates listed. This is not open ended, but must be specific to product availability. An example would be a vendor not delivering milk on a weekly delivery so the meal pattern wouldn't make the milk requirement for that week. **Questions 3 - 5**, provide the SFA/Sponsor name, Program operator name, and job title.

Meal Pattern Requirement Not Met

Waiver Steps

7. Meal pattern waiver requested for Lunch/Supper (At-Risk). (Select all that apply)

☐ Milk not present

☐ Milk variety or fat content not met

☐ Fruit not present or insufficient quantity

☐ More than half of the weekly fruit requirement served was 100% juice

☐ Vegetable not present or insufficient quantity

☐ Vegetable subgroup weekly requirement not met

☐ Meat/Meat Alternate not present or insufficient quantity

☐ Grain not present or insufficient quantity

☐ Whole grain-rich weekly requirement not met

☐ Age/Grade Group requirement not met

☐ Target 2 Weekly Sodium requirement not met

8. Meal pattern waiver requested for snack.

☐ Component not present or insufficient quantity

Please specify missing/insufficient component below:
[Text field]

Description

In **Question's 7-9**, you will identify the meal pattern requirement(s) that were unable to be met for each program a meal pattern waiver needs to be requested for. To submit a meal pattern waiver for **Breakfast** (SBP/SSO/SFSP/At-Risk), complete **Question 7**. To submit a meal pattern waiver for **Lunch/Supper** (NSLP/SSO/SFSP/At-Risk), complete **Question 8**. To submit a meal pattern waiver for **Snack** (SFSP/ASCSP/At-Risk), complete **Question 9**. Since SBP, NSLP, SSO, SFSP, ASCSP, and At-Risk have different meal pattern requirements, select only waivers appropriate for the meal pattern being followed. For example, when operating the SFSP meal pattern, there is not a requirement for weekly vegetable subgroups; therefore, applying for a weekly vegetable subgroup waiver would not be an allowable meal pattern waiver request. NSLP and SSO meal pattern operators are the only two meal patterns that could apply for a weekly vegetable subgroup waiver. Please note, there are many other meal pattern waiver selections that do not apply for all meal patterns.

Allowable Reasons and Justifications

Waiver Steps

* 9. Please indicate the reason(s) for submitting the waiver. (Check all that apply)

☐ Item(s) not available for purchase (must describe efforts taken to serve alternative food items below)

☐ Purchased item(s) cannot be delivered (must describe efforts taken to serve alternative food items below)

☐ Purchased item(s) cannot be delivered timely (must describe efforts taken to serve alternative food items below)

☐ Inability to meet the National School Lunch Program meal pattern due to court ruling (must provide justification below)

☐ Access to safe and nutritious food impacted by a learning plan/food service model (must describe learning plan/food service model below)

* 10. Please provide justification below to support the reason(s) for the waiver.

Description

In **Question 10**, you will select the reason(s) for opting into the meal pattern waiver. It is important to check the box for the true reason(s) for opting into the waiver. For example, if you are submitting the meal pattern waiver for a **missing component** because your order of prebagged, single serving carrots was not delivered on time for Monday's multiple day meal distribution, you would check the boxes for "Purchased item(s) cannot be delivered timely" and "Access to safe and nutritious food Impacted by learning plan/food service model". In **Question 11**, provide the justification to support the reason(s) for the waiver that were indicated in Question 10. In our example above, it would be required to justify two reasons for opting into the waiver and explain all efforts that were taken to meet the meal pattern.

3) Product Availability or Purchased Items Cannot Be Delivered

This was the initial reason for the release of the meal pattern waiver due to shortages in product availability. Program operators are expected to do their best to meet the meal pattern at all cost and exhaust all options in finding the products needed for meals or meal service.

1) Not Meeting the Meal Pattern Because of the Court Ruling

If your entity is not meeting the meal pattern due to the court ruling, you will simply need to provide the justification as to why. This reason could include justifications such as items not being available for purchase or that the menu planner made the decision to not change the menu for the remainder of the school year to give time to adjust to the court ruling. Please note this reason is **only** applicable for SFAs operating the NSLP meal pattern.

2) Learning Plan/Food Service Model

Due to multiple different types of food service models and school learning plans, there could be a various number of justifications for this reasoning. The key is to provide a detailed description of the challenges that have been faced due to the effects of COVID-19 and the solutions the school food service department has created to best meet the meal pattern.

Common Meal Pattern Waiver Errors

Since the Meal Pattern Waiver has been released, there have been many common errors that ADE has seen in submissions from Program operators. These errors are usually caused due to submissions for meal pattern requirements that are not applicable for the program being operated, inappropriate timeframes, and invalid reasons/justifications. To help those who will be submitting future waivers, some common errors that have occurred in previous submissions are further explained below.

Examples of Common Meal Pattern Waiver Errors

Submitting waivers for meal pattern requirements that don't apply to the program that is being operated

- Example: A waiver was submitted for not meeting the whole grain-rich requirement while operating SFSP (Simplified)

Submitting waivers for inappropriate timeframes or "just in case" situations

- Example: The distributor has been low on broccoli for the past month and the Program operator submits a waiver for vegetable subgroups for the rest of the year

The justification is not valid or complete

- Example: The Program operator provided a justification that was not applicable to the reason the waiver was submitted

Examples of Allowable Waiver Submissions

WAIVER TYPE	REASON	JUSTIFICATION
AGE/GRADE GROUP	Learning plan/food service model	Offering meals curbside during distance learning to support access to safe and nutritious meals.
VEGETABLE SUBROUP	Food availability	We didn't receive the broccoli we ordered and the closest grocery store is 50 miles away.
	Learning plan/food service model	We are doing curbside pickup and serving all prepackaged items. We cannot procure individually wrapped items that meet all the subgroups.
MILK VARIETY	Purchased items cannot be delivered	We didn't receive chocolate milk for today.
	Learning plan/food service model	Offering meals curbside during distance learning and packaging the milk with the meal will minimize touch points when serving meals to keep students and staff safe.
	Learning plan/food service model	Delivering meals on a bus route, and there is not enough room for an additional cooler to keep two types of milk at a safe temperature.
WHOLE GRAIN-RICH	Purchased items cannot be delivered	We didn't receive the whole grain pizza crust we ordered.
	Not meeting the meal pattern because of the court ruling	Menu has already been planned for the SY and we have made the decision to utilize the MP waiver to provide our menu planner time to adjust to the court ruling.
	Food availability	My vendor tells me I won't receive whole grain pizza crust until October 15th.
MILK TYPE	Food availability	We didn't receive the fat-free chocolate milk we ordered.
	Not meeting the meal pattern because of the court ruling	Unable to procure fat-free flavored milk for SY 20-21.
	Food availability	My vendor says I won't receive fat-free chocolate milk until October 15th.
WEEKLY SODIUM TARGET	Purchased items cannot be delivered	Unable to procure items with specifications that meet Target 2 in SY 20-21.
	Learning plan/food service model	Unable to meet sodium Target 2 due to serving more processed grab and go items through curbside service.
COMPONENT /QUANTITY	Food availability	We didn't receive our Monday milk order.