Montana School Nutrition Programs

2022 Notice of Proposed School Nutrition Program Regulation Waiver Request

The Office of Public Instruction School Nutrition Programs submitted a waiver request to the U.S. Department of Agriculture for the program requirements listed below. For more information, please contact Christine Emerson at cemerson@mt.gov.

**Extension of Community Eligibility Provision Deadlines**

The Montana Office of Public Instruction is requesting an extension of the annual CEP deadlines for school districts in good standing to continue to recover from the COVID-19 pandemic.

**Specific Program requirements to be waived [Section 12(I)(2)(A)(i) of the NSLA]:**

- LEA Notification Requirements under Section 11(a)(1)(F)(x)(IV) of the NSLA, 42 U.S.C. 1759a and 7 CFR 245.9(f)(5)
- State Agency Notification Requirements under Section 11(a)(1)(F)(x)(II) of the NSLA, 42 U.S.C. 1759a and 7 CFR 245.9(f)(6)
- State Agency Publication Requirements under Section 11(a)(1)(F)(x)(III) of the NSLA, 42 U.S.C. 1759a and 7 CFR 245.9(f)(7)
- June 30 election date 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)(a)

Approved waivers will allow the State to make the following adjustments to annual CEP deadlines for SY 2022-2023:

<table>
<thead>
<tr>
<th>CEP Requirement</th>
<th>Annual Deadline</th>
<th>Waiver Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data Used to Calculate ISP</td>
<td>April 1</td>
<td>Anytime between July 1, 2021 &amp; June 30, 2022</td>
</tr>
<tr>
<td>LEA Notification</td>
<td>April 15</td>
<td>June 30, 2022</td>
</tr>
<tr>
<td>State Agency Notification</td>
<td>April 15</td>
<td>June 30, 2022</td>
</tr>
<tr>
<td>State Agency Publication</td>
<td>May 1</td>
<td>June 30, 2022</td>
</tr>
<tr>
<td>Elect CEP for SY 2022-23</td>
<td>June 30</td>
<td>September 30, 2022</td>
</tr>
</tbody>
</table>
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1. mail: U.S. Department of Agriculture
   Office of the Assistant Secretary for Civil Rights
   1400 Independence Avenue, SW
   Washington, D.C. 20250-9410;

2. fax: (202) 690-7442; or

3. email: program.intake@usda.gov.