USDA Food and Nutrition Service
U.S. DEPARTMENT OF AGRICULTURE

Summer Food Service Program
Summer 2026 Child Nutrition Programs 12(l) Waiver Checklist

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 (NSLA), 42 U.S.C. 1760(l), provides USDA authority to waive requirements for State agencies or eligible service providers under certain circumstances.

This optional form is designed to streamline the process for State agencies requesting a waiver of statutory or regulatory requirements for the Summer Food Service Program (SFSP) and National School Lunch Program Seamless Summer Option (SSO) for 2026 summer operations (May 1, 2026 – September 30, 2026). The form does not allow States to modify their request to waive additional regulations for those waiver types or to submit other types of waivers.

SFSP and SSO operators may not use this form to submit waivers for their own operation. Operators that wish to apply for a waiver separately from a statewide waiver must contact the State agency and provide them with the necessary information to complete the waiver request on their behalf, including the required elements in SP 15-2018, CACFP 12-2018, SFSP 05-2018, *Child Nutrition Program Waiver Request Guidance and Protocol* - Revised, May 24, 2018.

As with any waiver request, State agencies using this form must provide notice and information to the public about their application for a waiver in accordance with the requirements at Section 12(l) of the NSLA.

1. State agency submitting waiver request and responsible State agency staff contact information:

State Agency: Missouri Department of Health and Senior Services

Date (click on box to select date): 3/16/26

Physical Address: 930 Wildwood Drive, Jefferson City, MO

Name of person completing this form: Tanya Harvey

Title of person completing this form: SFSP Manager

2. Region (click on box to select region): Moutain Plains

3. Affirmation that eligible service providers participating in the waiver(s) are in good standing:

Please check one: **Yes** ☒ **No** ☐

If No, please explain:

Waivers Related to Excessive Heat:

The waivers in this section allow State agencies to approve SFSP and SSO sponsors, in good standing, to operate **outdoor** meal sites without temperature-controlled alternative sites as non-congregate sites on days when the National Weather Service (NWS) has issued a Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch for the area where the site is located. These waivers are effective *May 1, 2026, through September 30, 2026*.*

☐ **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)], meals must be served in a congregate setting and must be consumed by participants on site.

☐ **Meal Service Times:** [7 CFR 225.16(c)(1), (2), and (3)], Meals must follow meal service time requirements.

☐ **Parent or Guardian Meal Pickup:** 42 U.S.C. 1761(f)(3), 7 CFR 225.2 (Meals), and 7 CFR 225.9(d)(7)], meals must be served to eligible children.

1. To use the meal service times waiver, sponsors may not change meal service times less than 24 hours in advance of the previously scheduled meal service time. In addition, sponsors must post a printed notice at the site informing participants of the change; notify the community through appropriate channels, such as a school or neighborhood listservs; and comply with any additional requirement(s) set by the state agency. Do you acknowledge the limitations of the meal service times waiver outlined in this section?

☐ Yes

☐ No

If No, please explain:

2. What challenges would Program sponsors face without these waivers? Choose all that apply.

- ☐ Increased Program costs
- ☐ Increased food waste
- ☐ Reduced participation
- ☐ Exposure of participating children to excessive heat
- ☐ Negative Impact on the ability to meet the needs of children and at-risk youth
- ☐ Other, describe:

3. How would these waivers benefit Program sponsors? Choose all that apply.

- ☐ Control costs
- ☐ Reduce food waste
- ☐ Maintain program participation
- ☐ Limit exposure of participating children to excessive heat
- ☐ Allow sponsors to schedule meal service times that accommodate the needs of the community
- ☐ Other, describe:

4. Describe the program procedures that will be in place under these waivers, if approved. Explain how these waivers will affect program operations (e.g., technology, automated systems, and monitoring) and how program integrity will be maintained.

This waiver will require state approval and documentation from the National Weather Service indicating that an Excessive Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch has been issued on the days and for the area in which an approved outdoor meal site is located. Sponsors that have outdoor sites without temperature controlled alternative sites must request this flexibility from the SA for their sites prior to implementation. Sponsors will be monitored every three years at a minimum. Sponsors found to have noncompliance issues as related to the waiver will work with the State Agency on an individualized corrective action plan and will

5. Are there any anticipated challenges that the State agency or eligible service providers may face with implementation of these waivers?

☐ No anticipated challenges

☐ Other, describe:

6. What steps will the State agency take to successfully implement these waivers?

☐ Training

☐ Monitoring

☐ Other, describe:

7. Proposed monitoring and review procedures:

Sponsors are trained regarding the use of the waiver during the annual training and are sent specific information regarding the use of the waiver if they request to use the waiver on their application. Sponsors are also required to train their staff on the use

8. Provide a link to the public notice about the requested Excessive Heat Waiver. If no link is available, please email a copy of the notice to your Regional Office.

https://health.mo.gov/living/wellness/nutrition/foodprograms/sfsp/index.php

Waivers Related to Air Quality Advisories:

The waivers in this section allow State agencies to approve SFSP and SSO sponsors, in good standing, to operate **outdoor** meal sites without alternative indoor sites as non-congregate sites on days when the area is experiencing an Air Quality Index (AQI) that reaches a "purple" flag level or higher, as indicated at https://www.airnow.gov/. These waivers are effective *May 1, 2026, through September 30, 2026.**

☐ **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)], meals must be served in a congregate setting and must be consumed by participants on site.

☐ **Meal Service Times:** [7 CFR 225.16(c)(1), (2), and (3)], meals must follow meal service time requirements.

☐ **Parent or Guardian Meal Pickup:** [42 U.S.C. 1761(f)(3), 7 CFR 225.2 (Meals), and 7 CFR 225.9(d)(7)], meals must be served to eligible children.

1. To use the meal service times waiver, sponsors may not change meal service times less than 24 hours in advance of the previously scheduled meal service time. In addition, sponsors must post a printed notice at the site informing participants of the change; notify the community through appropriate channels, such as a school or neighborhood listservs; and comply with any additional requirement(s) set by the state agency. Do you acknowledge the limitations of the meal service times waiver outlined in this section?

- [ ] Yes
- [ ] No

If No, please explain

2. What challenges would Program sponsors face without these waivers? Choose all that apply.

- [ ] Increased costs
- [ ] Increased food waste
- [ ] Reduced participation
- [ ] Exposure of participating children to hazardous air quality
- [ ] Negative Impact on the ability to meet the needs of children and at-risk youth
- [ ] Other, describe:

3. How would these waivers benefit Program sponsors? Choose all that apply.

- [ ] Control costs
- [ ] Reduce food waste
- [ ] Maintain program participation
- [ ] Limit exposure of participating children to hazardous air quality
- [ ] Allow sponsors to schedule meal service times that accommodate the needs of the community
- [ ] Other, describe:

4. Describe the program procedures that will be in place under these waivers, if approved. Explain how these waivers will affect program operations (e.g., technology, automated systems, and monitoring) and how program integrity will be maintained.

5. Are there any anticipated challenges that State or eligible service providers may face with implementation of these waivers?

☐ No anticipated challenges

☐ Other, describe:

6. What steps will the State agency take to successfully implement these waivers?

☐ Training

☐ Monitoring

☐ Other, describe:

7. Proposed monitoring and review procedures:

8. Provide a link to the public notice about the requested Air Quality Waiver. If no link is available, please email a copy of the notice to your Regional Office.

Offer Versus Serve:
The waiver in this section allows State agencies to approve non-school food authority (SFA) SFSP sponsors, in good standing, to use SFSP offer versus serve meal service parameters on a case-by-case basis. This waiver is effective *May 1, 2026, through September 30, 2026.**

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

1. This waiver is only allowed at sites operating congregate meal service. Do you acknowledge that this waiver is only for sites operating congregate meal service?

- [ ] Yes
- [ ] No

2. What challenges would Program sponsors face without these waivers? Choose all that apply.

- [ ] Increased Program costs
- [ ] Increased food waste
- [ ] Decreased participant meal satisfaction
- [ ] Other, describe:

3. How would these waivers benefit Program sponsors? Choose all that apply.

- [ ] Control costs
- [ ] Reduce food waste
- [ ] Improve meal satisfaction which increases Program participation
- [ ] Other, describe:

4. Describe the program procedures that will be in place under this waiver, if approved. Explain how this waiver will affect program operations (e.g., technology, automated systems, and monitoring) and how program integrity will be maintained.

5. Are there any anticipated challenges that State or eligible service providers may face with implementation of this waiver?

- [ ] No anticipated challenges
- [ ] Other, describe:

6. What steps will the State agency take to successfully implement these waivers?

☐ Training

☐ Monitoring

☐ Other, describe:

7. Proposed monitoring and review procedures:

8. Provide a link to the public notice about the requested Offer Versus Serve Waiver. If no link is available, please email a copy of the notice to your Regional Office.

***The dates listed in italics align with the summer operational period; however, the actual duration of these flexibilities may vary based on the waiver approval date.**

By providing a signature, I certify that the following is true and accurate:

- 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.
- My State agency will comply with FNS waiver data reporting requirements, and any additional requirements that will be contained in my waiver approval letter.

Signature: Tanya Harvey

Digitally signed by Tanya Harvey
Date: 2026.03.24 13:18:31 -05'00'

Title: SFSP Manager

Requesting official's email address for transmission of response:

Tanya.Harvey@health.mo.gov

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 (click on box to select date):

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

Regional Office analysis and recommendations:

Signature of FNS Regional Office Reviewer: