**2022 – 2023 Oregon Waivers**

**Frequently Asked Question & Answers**

The Oregon Department of Education Child Nutrition Programs (ODE CNP) has received a number of questions in regards to the ODE CNP June 16, 2022 memo titled [2022 – 2023 Oregon Waivers](https://content.govdelivery.com/accounts/ORED/bulletins/31c842f). This document is to clarify the 2022-23 Oregon Waivers.

**Q1. Congress passed the Keep Kids Fed Act on June 24, 2022. Does that impact the 2022-23 Oregon Waivers?**

A1.No. As with all legislation regarding Child Nutrition Programs, USDA FNS must issue written guidance for State Agencies to follow. At this time, ODE CNP asks that sponsors continue to use the 2022-23 Oregon Waivers form to request waivers currently available in Oregon.

**Q2. The 2022-23 Oregon Waivers form divides the waivers into two main sections – waivers related to COVID data and waivers not related to COVID data – please explain.**

1. Waivers related to COVID data – Sponsor must attest that sites are in a county that is designated High (Orange) risk based on the CDC COVID-19 Community Levels website and/or that staffing levels are currently so low due to COVID related illness/quarantine that congregate service is not possible.
2. Waivers not related to COVID data – Sponsors do not need to attest the sites being in a High (Orange) risk county nor to low staffing levels.

**Q3 Which waivers fall into the “Related to COVID data” category and which are part of the “Note related to COVID data” category?**

A3. Waivers related to COVID data are Waivers 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22.

Waivers not related to COVID data are: 7, 8, 9, 24, 25, 26.

For further information about each waiver, see the attached Child Nutrition Program Operations Waiver Summary

**Q & A for Waivers related to COVID data**

**(Numbers 1,2,3,4,5,6,12,13,14,15,16,17,18,19,20,21,22)**

**Q4. My county is currently not in the High (Orange) level on the CDC COVID Community Levels map right now and my current staff are not experiencing COVID illness and/or quarantine, however, I want to be prepared for when we do get to that level. May I apply for these waivers now?**

A4. No. Sponsors may not request the waivers in advance. Requests for waivers related to COVID data may not be submitted prior to:

1. The Sponsor’s sites listed in the High (Orange) level on the [CDC COVID Community Levels map](https://covid.cdc.gov/covid-data-tracker/#county-view?list_select_state=Oregon&data-type=CommunityLevels&list_select_county=41047) or
2. The Sponsor’s current, *existing* staff are experiencing COVID illness or quarantine

**Q5. Currently, we are struggling to hire staff, can we request waivers based on “Current staff not available due to COVID illness and/or quarantine”?**

A5. No. The staff shortage applies to current, existing staff, who are unavailable to work due to COVID illness, or being quarantined.

**Q6. Last week, we were not in the High (Orange) level on the CDC COVID Community map and I applied and was denied, however, this week we are in the High level, can I reapply?**

A6. Yes. For each instance a Sponsor moves into the High (Orange) level or has current existing staff experiencing COVID illness or quarantine, a sponsor that is not already currently approved for the waivers, may submit a request to use the waivers. As conditions fluctuate, Sponsors must be prepared to return to congregate meal service when the county in which the sponsor participates moves out of the High (Orange) level, or staff return from COVID illness or quarantine.

**Q & A for Waivers not related to COVID Data**

**(Numbers 7, 8, 9, 24, 25, 26)**

**Q7. For waivers that are not related to COVID data, may we pre-emptively request approval?**

A7. Yes. There are six waivers that are not related to COVID data. These include waivers, 7, 8, 9, 24, 25 and 26. You can submit requests for these waivers in advance of need.