Polystyrene Use Financial Hardship Application   
Instructions for School Districts

# Background Information

The Polystyrene Use Financial Hardship Application was created to allow school districts to continue using polystyrene foam food and beverage service products as per [Oregon Revised Statute 336.445](https://www.oregonlegislature.gov/bills_laws/ors/ors336.html) and Oregon Administrative Rules [581-051-0350 through 581-051-0365](https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=2587). This statute and its rules are effective as of July 1, 2021. The financial hardship application is an online form created in the Smartsheet platform.

* The application can be accessed at this link: <https://app.smartsheet.com/b/form/74a683a61b364495a3407a092eb844c3>

In rule 581-051-0350, a "Financial hardship" is defined as a situation unique to the school district that would cause significant economic hardship to that district. To qualify for approval, the district must meet both of conditions below and they are required to have supporting documentation.

1. The district’s account for food and beverage service either has a negative balance or has total expenses that exceed total revenues, as of the current or previous school year, and
2. Obtaining non-polystyrene products or replacement options will cause or has caused an increase in the total expenses of the district's food and beverage service equal to or greater than 10%.

In regards to the application, the sponsor identification number only applies to Child Nutrition Programs sponsors and can be found in CNPweb. The application is designed with logic so that it will only allow questions to be answered if they are needed. The application requires the applicant to submit documents as requested if the logic within the application directs the district to do so. Documents can include total revenues and expenditures; a fund balance; estimates of product pricing or actual costs incurred.

The first question is one of the hardship criteria questions. If the first question is answered yes, the form will open the second hardship criteria question. If the first or second question is answered no, then the field with the denial message as seen below and a check box to attest to understanding this statement will open next. This message notifies the applicant of the impending denial for their application. Districts can still choose to submit the application anyway if they check the box that they understand, fill out the contact information, and submit the application.

* Denial Message: This application for a financial hardship will be denied. You may reapply if your district's financial situation changes and compliance with the rule becomes a financial hardship. Check this box if you understand this statement, and would like to continue to submit this application. If you have any questions, please contact the School Nutrition Programs mailbox at [ode.schoolnutrition@ode.state.or.us](mailto:ode.schoolnutrition@ode.state.or.us) with the subject line "Polystyrene Financial Hardship Application".

# Determinations by Assigned Staff

When a district submits an application, a staff person at ODE will be assigned to review the application and make a final determination. The application requires a submission of documents to be completed for approval. There may be improper or insufficient documentation to make a determination. If improper or insufficient documents have been submitted, the staff assigned will request clarification or additional documents from the contact person listed. The staff assigned will then make a determination on an application as follows:

* When an application is submitted and the two hardship criteria questions are answered anything other than yes and yes, the application for hardship will be denied.
* If the documents provided are sufficient to prove that the applicant district has met both conditions of a hardship, then the application will be approved.

# Closing the Process

The assigned staff will email the contact listed in the application a final determination communication email. If approved, the date of application is the effective date of the hardship waiver. These communications should be kept with your records. If an applicant is denied, the district can reapply if their financial situation changes and they would qualify based on the two criteria listed.

# Comments and Questions

Any comments or questions about these laws or the hardship application can be sent to [ODE.schoolnutrition@ode.state.or.us](mailto:ODE.schoolnutrition@ode.state.or.us) with the subject line “Polystyrene”.