The Summer Food Service Program

Food That's In When School is Out!

2012 Administrative Guidance for Sponsors

United States Department of Agriculture
Food and Nutrition Service

For your reading ease, new information is highlighted. In addition, throughout the text, references have been made to numbered and unnumbered memoranda issued by the Food and Nutrition Service national office. The numbering system may differ from your State agency or Regional Office.

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Revised January 2012

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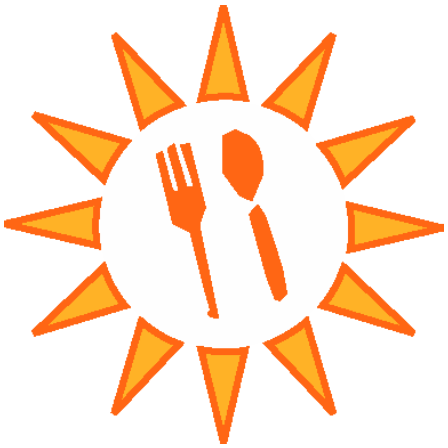
INTRODUCTION

The Summer Food Service Program (SFSP) was established to ensure that low-income children continue to receive nutritious meals when school is not in session. Free meals, that meet Federal nutrition guidelines, are provided to all children at approved SFSP sites in areas with significant concentrations of low-income children.

The SFSP operates during school vacations, primarily in the summer months – from May through September. It also may provide meals during vacation breaks where schools are operated on a year-round basis or a continuous school calendar, or during emergency school closures from October through April.

Who Administers The Program?
The U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) administers the SFSP at the national level. Within each State, the Program is administered by the State department of education, an alternate State-designated agency, or the appropriate FNS Regional Office.

Locally, public or private non-profit organizations that want to "sponsor" the Program apply and are approved by the State agency to operate the Program. These sponsoring organizations sign Program agreements with their State agency and are responsible for overseeing Program operations. Sponsors receive Federal reimbursement from the State agency to cover the administrative and operating costs of preparing and serving meals to eligible children at one or more feeding sites.



ABOUT THIS GUIDANCE

This publication provides information for staff of all local organizations that participate or plan to participate as SFSP sponsors. It consists of the following parts:

PAGES 11 – 57 **PLANNING THE PROGRAM** provides information to help guide potential sponsors through the early stages of program planning. This part includes information on eligibility requirements for sponsors, sites, and participants; evaluating and selecting feeding sites; determining the type of meal service to offer; staffing needs; and applying to operate the SFSP.

PAGES 58 - 91 **ADMINISTERING THE PROGRAM** outlines the administrative responsibilities of a sponsor in the areas of training, monitoring, civil rights, program payments, recordkeeping, reviews, and evaluations.

PAGES 92 - 110 **FOOD SERVICE MANAGEMENT COMPANIES** discusses how a sponsor can contract with a food service management company, a commercial for-profit company, a school or a private non-profit organization to obtain meals. This part includes information on the responsibilities of the sponsor and food service management companies in relation to the food service operations at feeding sites.

PAGES 111 - 156 **REFERENCE SECTION** provides sample copies of forms, worksheets, Federal guidance (SFSP regulation definitions and listings of USDA regulations, Office of Management and Budget (OMB) Circulars, FNS Instructions, and numbered and unnumbered policies), and other reference materials that may be helpful to sponsors in administering the program.

SUMMER 2012

FNS and State agencies are engaged in a continued effort to increase participation in the SFSP. Did you know that the SFSP is one of the most needed but underutilized Federal nutrition assistance programs? Although 20.6 million eligible children received free or reduced-price school meals during fiscal year 2010, only 2.3 million participated in the SFSP, and an additional 1 million participated in the National School Lunch Program (NSLP) during the summer months. That's only 3.3 million eligible children receiving meals during the summer months. There are many hungry children that we need to reach with this program!

To aid in this effort, the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, made some modifications to the SFSP requirements that have been incorporated into this guidance. These changes will simplify Program administration and better ensure that families of eligible children are made aware of the availability of SFSP meals.

As an organization interested in administering the SFSP, you are the link that translates this Federal benefit into meals for children. If you are new to the program, please consider participating as a site or a sponsor in this important mission. If you are a returning sponsor, please consider adding sites and activities that will help draw children to your existing program. FNS has created an SFSP Outreach Toolkit that can help you prepare to operate a summer program. The toolkit is available at: http://www.fns.usda.gov/cnd/summer/library/toolkit.pdf.

PART I – PLANNING THE PROGRAM
Chapter 1 – Eligibility

In this chapter, you will find information on:

- how to determine the eligibility of a child
- how to determine the eligibility of a sponsor
- the different kinds of Summer Food Service Program (SFSP) sites

Participant Eligibility
(7 CFR 225.2 Definitions, Attachment 1)

Children age 18 and under may receive meals through SFSP. A person 19 years of age and over who has a mental or physical disability (as determined by a State or local educational agency) and who participates during the school year in a public or private non-profit school program (established for the mentally or physically disabled) is also eligible to receive meals.

In certain circumstances, pregnant women who receive Early Head Start services are also eligible to receive meals through SFSP. To establish eligibility, prospective mothers must be enrolled in Early Head Start and be eligible to receive school meals through the NSLP or another child nutrition program.

Sponsor Eligibility
(7 CFR 225.14(b), (c), and (d))

Every potential or currently participating sponsor must meet certain requirements. These requirements are discussed below:

Types of Organizations
Only certain types of organizations can sponsor the Program. Sponsors must be:

- a public or private non-profit school food authority;
- a public or private non-profit residential camp;
- a public or private non-profit college or university participating in the National Youth Sports Program;
- a unit of local, county, municipal, State or Federal government; or
- any other type of private non-profit organization

Note: Special rules apply to private non-profit organizations. Private non-profit sponsors must be tax exempt under section 501(c) of the Internal Revenue Code of 1986. Although churches must be tax-exempt, there is no Federal requirement that they provide documentation of their tax-exempt status. Therefore, churches are the only private nonprofit

organizations that may be exempted from obtaining documentation of Federal tax exempt status; all other private non-profit organizations must provide documentation from the IRS of their tax-exempt status. For purposes of program participation, a *church* could be its integrated auxiliaries, or a convention or association of churches, synagogue, religious order, or religious organization that is an integral part of a church, and that it is engaged in carrying out the functions of a church (IRS Publication 557, Tax-Exempt Status for Your Organization). Your State agency can provide more specific details about the participation of all private non-profit organizations.

Please note that prior to October 1, 2010, private non-profit organizations were subject to additional limits on site locations, the total number of sites they were permitted to operate, and the maximum number of participants they were permitted to serve. The Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, removed these limits. These sponsors are now subject only to the limits applied to all sponsors (see Chapter 2, Operating Limitations) (SFSP Memorandum 02-2011, Child Nutrition Reauthorization 2010: Eligibility Requirements and Site Limits for Private Nonprofit Organizations, January 14, 2011).

Sponsor Responsibilities
(7 CFR 225.14)

Sponsors must:

Demonstrate Financial and Administrative Capability: Potential and returning sponsors are required to demonstrate that they have the necessary financial and administrative capability to comply with Program requirements. They must accept final financial and administrative responsibility for all of their sites.

Not Be Seriously Deficient: To be approved, applicants must not have been declared seriously deficient or terminated from the SFSP or any other Federal Child Nutrition Program in previous years. However, such an applicant may be approved if the State agency determines that it has taken appropriate corrective actions to prevent recurrence of the deficiencies and has repaid any outstanding debts.

Serve Low-Income Children: Sponsors must agree to provide regularly scheduled meal service for children in designated low-income areas (called "areas in which poor economic conditions exist") or they must agree to serve low-income children. Camps do not need to meet this criterion.

Conduct a Nonprofit Food Service: Sponsors must conduct food services through SFSP that are not for profit. A sponsor is operating a nonprofit

food service if the food service operations conducted by the institution are principally for the benefit of participating children and all of the program reimbursement funds are used solely for the operation or improvement of such food service. This does not mean the program must break even or operate at a loss, but that all income must be used for the sole purpose of operating a nonprofit food service.

Provide Year-Round Service: Sponsors must provide a year-round public service to the area in which they intend to provide the SFSP. State agencies may grant exceptions to this year-round service requirement for sponsors of residential camps, migrant sites and in certain other limited circumstances.

Exercise Management Control Over Sites: New applicants and returning sponsors (not exempted by the State agency) must demonstrate in their application that they will exercise management control over the meal service at all of their sites. Management control of the meal service means that the sponsor is responsible for maintaining contact with meal service staff, ensuring that there is adequately trained meal service staff on site, and monitoring site operations throughout the period of program participation. At their discretion, State agencies also may require experienced sponsors to demonstrate in their application that they will exercise management control over the meal service at all of their sites.

Management responsibilities cannot be delegated below the sponsor level. The quality of the meal service, the conduct of site personnel, and the adequacy of recordkeeping reflect directly upon the sponsor's performance. This performance is subject to audit by the State agency, by the USDA Office of the Inspector General, and by the Government Accountability Office.

Conduct Pre-Operational Visits: Sponsors must certify that all sites have been visited and are capable of providing meal service for the number of children as planned.

Sign Written Agreements: Approved sponsors must sign a written permanent agreement with the State agency. See *State-Sponsor Agreement* under Part I, Chapter 5.

Note: Certain sponsor types will have to provide more specific information to be approved (7 CFR 225.14(d)). Interested organizations should consult the State agency for more detailed information. Attachment 8 contains a chart that compares the Federal application requirements for new (first-time) sponsors and continuing sponsors. For more information, see *Site Eligibility* under Part I, Charter 1, below.

Site Eligibility
(7 CFR 225.6(c)(2) and (3), FNS Instruction 776-6, Rev.1)

Sponsors may operate the SFSP at one or more sites, which are the actual locations where meals are served and children eat in a supervised setting. Eligible sites are those that serve children in low-income areas or those that serve specific groups of low-income children. Sponsors must provide documentation that proposed sites meet the income eligibility criteria required by law. There are three common types of sites: open sites, camps (residential and nonresidential), and closed enrolled sites.

There are also sites that serve special populations of children or have unique characteristics. These include, but may not be limited to: restricted open sites, migrant sites, and National Youth Sports Program (NYSP) sites. In the following section, we describe these types of sites and discuss how sponsors can document their eligibility. See Attachment 6 for a summary of site descriptions and ways to document site eligibility.

Open Sites (7 CFR 225.2 definitions, Attachment 1)
Most sponsors establish site eligibility on "need and openness." If a site is located in a needy area (where 50 percent or more of the children residing in the area are eligible for free or reduced-price school meals (see Documenting Site Eligibility) and meals are made available to all children in the area on a first-come, first-serve basis, these sites are considered open. Sponsors of open sites must take the necessary steps to allow meal service access to all children requesting a meal at the site. Information regarding the meal service at open sites must be publicized in the community served. See below for information on how to document that a site is eligible to be open.

Restricted Open Sites (7 CFR 225.2 definitions, Attachment 1)
On occasion, a sponsor that would normally operate an open site – meaning initially open to broad community participation – must restrict or limit the feeding site's attendance for reasons of space, security, safety, or control. In recognition of these circumstances, these types of sites operate as restricted open sites. The sponsors must make known publicly that the site is open on a first-come, first-serve basis to all children of the community at large, but that the meal service will be limited as stated above.

Both open and restricted open sites must be located in a geographical area where 50 percent or more of the children residing in the area are eligible for free or reduced-price school meals. This percentage must be documented by data provided by public and non-profit private school officials, census data, welfare or education agencies, zoning commissions, or other appropriate sources.

NOTE: To qualify as a ***restricted open site***, the site initially must be open to broad community participation from the eligible area in which it is located. The only limits that may be imposed on participation are daily limits for reasons of security, safety, or control.

Camps (7 CFR 225.2 definitions, Attachment 1)
Camps can be residential or nonresidential day camps which offer regularly scheduled food service as part of an organized program for enrolled children. In residential camps, participants spend the duration of the organized program in a 24-hour supervised care setting and receive a regularly scheduled food service as part of the program. Sponsors of nonresidential camp sites must offer a continuous schedule of organized cultural or recreational programs for enrolled children between meal services. Unlike open, restricted open and closed enrolled sites, sponsors of both residential and nonresidential camps do not have to establish area eligibility. However, they must collect and maintain individual income eligibility forms. Camps are reimbursed only for those enrolled children who meet the free and/or reduced price eligibility standards.

Closed Enrolled Site (7 CFR 225.2 definitions, Attachment 1)
Closed enrolled sites are usually established where:

- an identified group of needy children live in a "pocket of poverty;"
- identified low-income children are transported to a congregate meal site located in an area with less than 50 percent eligible children; or
- a program provides recreational, cultural, religious, or other types of organized activities for a specific group of children.

These types of sites are open only to enrolled children or to an identified group of children, as opposed to the community at large. Closed enrolled sites must also establish the eligibility either through the individual income eligibility of the children attending the site or through area eligibility. To establish eligibility through based on the income of the individual children, sites must collect income eligibility forms. At least 50 percent of the enrolled children at the site must be eligible for free or reduced-price school meals.

Instead of determining the individual income eligibility of each enrolled child, a site may document its status as a closed enrolled site by using area eligibility information, as described in the next section. This may only be used if the site is serving children that live in the area in which the site is located (SFSP Memorandum: Waiver for Closed Enrolled Sites, November 17, 2002).

The site information sheet that sponsors submit to the State with an application to participate in the SFSP must include the projected number of children eligible for free or reduced-price school meals and the projected

total enrollment for each site. If site eligibility is based on individual eligibility forms, the State agency must carefully monitor actual participation during the early program visits to ensure that the 50 percent level is actually reached. (Refer to the Income Eligibility Guidelines, Attachment 3).

Accredited summer schools do not qualify as closed enrolled sites and should obtain reimbursement for meals under the NSLP. In addition, residential and non-residential camps may not use area eligibility to establish site eligibility.

For-Profit Sites

State agencies may approve meal service sites which are not identified as non-profit locations if the sites:

- Are operated under the sponsorship of an eligible public or private nonprofit service institution;
- Operate as open sites or restricted open sites;
- Are located in an area in which at least 50 percent of the children are from households that are eligible for free or reduced priced school meals;
- Make meals available to all children in the area and serve meals to children on a first come, first served basis; and
- Serve all meals at no charge.

Enrolled for-profit sites and for-profit camps are not eligible to participate.

If approved to operate the meal service at a for-profit site, a sponsor must maintain operational control over the meal service at the site and must ensure that no SFSP funds are provided to the site. The site operators may not prepare the meals, and funds may not be provided, given or otherwise paid to the site to employ site staff. Only the sponsor's trained staff and volunteers and sponsor-trained site staff serving as volunteers are permitted to distribute the meals (SFSP Memorandum 03-2011: For Profit Locations as Meal Sites, April 8, 2011).

Experienced Sponsors

Sponsors and sites that have successfully participated in SFSP in the previous year (meaning those that have not been found to be seriously deficient in Program operation) may submit condensed information for succeeding years. Experienced sponsors and sites in good standing only need to submit information that is likely to change from year to year and are not required to submit the same detail of organizational and operational information required of new sponsors. The condensed information required

of experienced sponsors and sites is described in 7 CFR §225.6(c)(3) (SFSP Memo 5-2012; Simplifying Application Procedures in SFSP, October 31, 2011).

Documenting Site Eligibility

Documenting Area Eligibility for Open or Restricted Open Site

The two primary sources of data that may be used to determine whether the area that will be served is eligible are school data or census data.

A. School Data: Generally, sponsors will find it most helpful to directly contact their local school district in order to obtain the current year's free and reduced-price data to document the need of the area they wish to serve. This data should be based on the percentage of children in the school attendance area within which the site is located that are certified *eligible* for free or reduced-price school meals, not the actual school meal participation rates. In most cases, current-year school data provide the most accurate representation of an area's current economic circumstances.

The local public school district and non-profit private schools serving the area in which a sponsor intends to offer the SFSP may provide sponsors with the number of children who are eligible for free or reduced-price school meals and the total enrollment(s) of the school(s). To qualify sites, sponsors may use data from elementary, middle, or high schools as long as the site is located in the attendance area of the school (42 U.S.C. §1761(a)(1)(A).

As part of the application process, the sponsor must submit the following information to the State agency to substantiate eligibility for each site they intend to serve:

- the names of the public and non-profit private schools used to establish eligibility;
- the number (but not names) of all children eligible for free or reduced-price meals who are enrolled in those schools; and
- the total number of children enrolled in those schools.

Some States will determine the eligibility of the site by checking the site address against its own eligibility maps. Other States may require the sponsor to submit data that documents the site's eligibility. Because the local school or district offices must certify that school income data is accurate, sponsors should ask local schools or districts to provide the necessary figures on school or district stationery, with the signature of an authorized school official.

Bussing based on school attendance: In certain situations, children in public school systems are routinely "bussed" from their neighborhood

school to schools outside the attendance area of their neighborhood school. Therefore, busing may cause a site located in an area in which poor economic conditions exist to be designated as ineligible based on enrollment data that has been adjusted to reflect student reassignment. This situation may occur in any program in which site eligibility is based on the percentage of children eligible for free or reduced-price meals in the NSLP.

In this scenario, program sponsors may determine site eligibility based on the eligibility data of either:

- the school the children attend and are being bused to, or
- the school the children would have attended were it not for the school's busing policy--the neighborhood school where the children live.

Program sponsors may determine a site to be area eligible in situations as described above only if the school food authority is able to document the percentage of children eligible for free and reduced-price meals at each school before and after students are reassigned. The same method of determining site eligibility must be used for all sites participating under that program sponsor to avoid duplicate counting (SFSP Memorandum 01-2011: Effects of Busing on Area Eligibility, December 6, 2010).

B. <u>Census Data</u>: Sponsors also may document the area eligibility of their proposed open or restricted open sites on the basis of census data. Upon conclusion of the data collection efforts for the first 5-year estimates for the American Community Survey (ACS), the Census Bureau was asked to provide FNS with a special tabulation of population data using specific SFSP criteria. The criteria included the total number of children 18 years or younger within a CBG, and, of those children, the total number at or below 185 percent of poverty. The ACS is part of the decennial census but makes updated information available annually.

However, sponsors are encouraged to use school data rather than census data because it is usually more comprehensive than the census survey data, and more accurately represents current neighborhood economic conditions.

There may be certain circumstances that warrant the use of census data to establish area eligibility even when current-year local school data is available. Some of these circumstances include:

- The potential site is located in a rural area, where geographically large elementary school attendance areas obscure localized "pockets of poverty," which can be identified through the use of Census Block Group (CBG) data.

- Available current-year school data shows an area to be close to, but under, the 50 percent threshold, and the CBG data may reveal specific portions of the school's attendance area that are SFSP eligible.
- Mandatory busing has affected the percentage of children in the neighborhood schools who are eligible for free and reduced-price meals, and the school is unable to "factor out" the pupils bused in from other areas and provide the sponsor with data on the percentage of free and reduced-price eligible children living in the school's immediate neighborhood.

In any of these circumstances, use of the local CBG data contained in the computerized special tabulation may help the State agency assist sponsors to more precisely document the area eligibility of their proposed sites.

The increased level of detail available using CBG data can help to more clearly identify the "pockets of poverty" as the National School Lunch Act intended. Sponsors wishing to use census data to determine site eligibility should request assistance and specific step-by-step guidance from their State agency.

Documenting Camp Site Eligibility

Sponsors that operate residential summer camps and nonresidential day camps offering both organized programming and a regularly scheduled food service may participate in the SFSP. Nonresidential day camps may participate only as sites under eligible sponsoring organizations. Enrolled for-profit sites or for-profit camps are not eligible for participation in SFSP (SFSP Memorandum 03-2011: For Profit Locations as Meal Sites, April 8, 2011).

Unlike other types of sites, camps do not have to establish income eligibility at the 50 percent level. Instead, camps are reimbursed only for meals served to children who meet the income eligibility criteria. In order to determine eligibility for children, camp sponsors may used the Income Eligibility Form (Attachment 10) or rely on list(s) of income eligible children provided by the school system. However, State agencies may require camp sponsors to use the Income Eligibility Form (Attachment 10) or a State agency equivalent form. Please see the discussion about income eligibility forms at the end of this chapter.

Sponsors of camps are not required to submit the approved individual eligibility forms or school lists of eligible children to the State agency. However, they must maintain the lists or original approved forms for all eligible children in separate files for each camp session, and the documents must be available for review by the State agency.

Documenting Closed Enrolled Site Eligibility
To qualify as a closed enrolled site, at least 50 percent of the enrolled children must be from households that meet the income eligibility guidelines. Sponsors can document an enrolled site's eligibility by:

- Obtaining lists by name and eligibility status of enrolled children for free and reduced-price meals from schools where the children receive school lunch or breakfast. Parental consent forms are not required in order for the local school food authority (SFA) to provide this information to SFSP sponsors;
- Asking the parent or guardian of each enrolled child to complete an income eligibility form. (See Attachment 10);
- Using "area" eligibility data for the location of the site, rather than using the income eligibility form to document that at least half of the enrolled children at each site are eligible for free or reduced-price meals. (This option is not available for camps.); (SFSP Memorandum: Waiver Closed Enrolled Sites, November 17, 2002); or
- Using census data when the site is located outside of an eligible area.

As part of the application process, sponsors of closed enrolled sites must provide the State agency with:

- a statement of how they intend to document SFSP eligibility, using one of the methods listed above;
- an estimate of the total number of children enrolled at the site; and
- an estimate of the number of children enrolled at the site that are documented as eligible for free or reduced price school meals, unless using area eligible data.

Sponsors of closed enrolled sites that are not "area eligible" must have the following information on file for each site:

- records of the total number of children enrolled at the site; and
- list(s) of income eligible children provided by the school system; or
- the actual eligibility forms for income eligible children.

Sponsors of closed enrolled sites that are "area eligible" should follow the guidance for documenting area eligibility for open or restricted open sites.

Other Data
If sponsors are unable to document the need of their area or site(s) by using sources such as current-year school data, recent census tract or block group data, enrollment data, or migrant children status, they should consult with their State agency about the possibility of using other types of data (e.g., local zoning data, housing authority information, economic surveys, etc.) to document site eligibility.

Also, sponsors offering the program at sites located on Indian reservations may obtain and submit statistics on the population from one of the 12 Bureau of Indian Affairs area offices.

Income Eligibility Forms (IEF)

Using the Income Eligibility Form

The SFSP Income Eligibility Form (IEF) prototype was designed by USDA/FNS to determine the income eligibility of enrolled children for all camps (residential and non-residential) and closed enrolled sites. The information collected on the IEF includes household size and income or the case number for benefits received under the Supplemental Nutrition Assistance) Program (SNAP, formerly the Food Stamp Program, Temporary Assistance to Needy Families (TANF), or the Food Distribution Program on Indian Reservations (FDPIR). Sponsors also may use alternate forms developed either by themselves or the State agency, as long as the forms request the same information as is found on the IEF in Attachment 10. Forms developed by sponsors must be approved by the State agency before use.

If a sponsor requires a form in a foreign language, the translated CACFP Meal Benefit Income Eligibility Forms may be used to determine individual income eligibility in the SFSP (SFSP Memo 18-2011: Translations for the Free and Reduced Price School Meals Application and CACFP Meal Benefit Income Eligibility Form, August 3, 2011).

Translated forms for CACFP are available online at http://www.fns.usda.gov/cnd/Care/Benefit_Forms/Translations.htm. The English version of the SFSP Meal Benefit Income Eligibility Form can be found at: http://www.fns.usda.gov/cnd/summer/library/Meal_Benefit_Form/Meal_Benefit_Forms.html.

Note: If one child in a household is receiving SNAP, FDPIR, or TANF benefits, all other children in the household are categorically eligible to participate in SFSP (SFSP Memorandum 10-2010: Questions and Answers on Extending Categorical Eligibility to Additional Children in a Household, May 3, 2010).

Using Head Start and Early Head Start Eligibility Forms

In some cases, sponsors can use documentation of enrolled Head Start or Early Head Start participants provided and certified by a Head Start or Early Head Start grantee to document the eligibility of the SFSP closed enrolled sites. Sponsors should contact their State agency if they have questions on the use of Head Start and Early Head Start eligibility forms for this purpose.

Workforce Investment Act Participation
Applicants that participate in the Workforce Investment Act (WIA) program are considered categorically income-eligible for the SFSP (SFSP Memorandum: Categorical Eligibility of Job Training Partnership Act/Workforce Investment Act Participants, May 23, 2000).

The WIA, which replaced the Job Training Partnership Act (JTPA) program in July 2000, is designed to link local labor market needs and community youth programs and service. For purposes of establishing SFSP eligibility, sponsors must obtain either:

- a signed free and reduced-price SFSP meal application with a notation that the applicant is a WIA participant; or
- a list containing the names and ages of individual WIA participants enrolled at that site and signed by a WIA official.

Military Privatized Housing
The housing allowance for military personnel living in privatized housing has been permanently excluded from consideration as income when determining household eligibility for free or reduced-price meals.

"Privatized housing" refers to the *Military Housing Privatization Initiative*, a program operating at a number of military installations. It is important to note that this income exclusion is only for service members living in housing covered under the Initiative. It is not an allowable exclusion for households living off-base in the general commercial/private real estate market (SFSP Memorandum: Reauthorization 2004: Implementation CN 1, July 1, 2004).

Military Combat Pay
Military combat pay has been excluded from consideration as income when determining household eligibility for free or reduced-price meals. Combat pay is defined as an additional payment made under Chapter 5 of Title 37 of the United States Code, or as otherwise designated by the Secretary to be excluded, that is received by the household member who is deployed to a designated combat zone. Combat pay is excluded if it is:

- Received in addition to the service member's basic pay;
- Received as a result of the service member's deployment to or service in an area that has been designated as a combat zone; **and**
- Not received by the service member prior to his/her deployment to or service in the designated combat zone. A combat zone is any area that the President of the United States designates by Executive Order as an area in which the U.S. Armed Forces are engaging or have engaged in combat.

The exclusion of combat pay, as described above, is extended to Deployment Extension Incentive Pay (DEIP). DEIP is given to active-duty service members who agree to extend their military service by completing deployment with their units without re-enlisting. This exemption applies only until the service members return to their home station. Any additional DEIP payments provided to service members serving at their home station is considered income as they are no longer considered deployed (SFSP Memorandum 4-2010-Revised: Exclusion of Military Combat Pay, September 15, 2010).

Armed Forces FSSA

The Department of Defense provides certain members of the Armed Forces and their families a Family Subsistence Supplemental Allowance (FSSA) designed to bring a household's income up to the Federal poverty line and decrease the reliance on SNAP for affected members and their families. The amount of the FSSA, based on household size and income may not exceed $500 per month. Previously, the Child Nutrition Programs' eligibility determinations counted the FSSA payment as earned income for households. In 2004, Congress established that any FSSA that a household receives must not be treated as income in determining eligibility for free and reduced-price meals under any of the Child Nutrition Programs (U.S. Armed Forces Family Supplemental Subsistence Allowance – Excluded from Income Consideration; August 30, 2005; U.S. Armed Forces Family Supplemental Subsistence Allowance – Permanently Excluded from Income Consideration for the Child Nutrition Programs; August 25, 2006).

Automatic Eligibility

Certain categories of children are automatically eligible for free meals and no income information is required. This is referred to as categorical eligibility.

The Healthy, Hunger-Free Kids Act of 2010 expanded categorical eligibility for all child nutrition programs to foster children under the responsibility of the State or placed by a court. Therefore, these children are automatically eligible for free meals (SFSP Memorandum 05-2011: Child Nutrition Reauthorization 2010: Categorical Eligibility of Foster Children, January 31, 2011).

Children experiencing homelessness are also automatically eligible for free meals. A child or family may temporarily reside with another household and still be considered homeless. The SFSP institution can determine eligibility for homeless children through documentation provided by the homeless liaison or another source.

Additionally, Haitian refugees and evacuees of Japan and Bahrain living in the United States with host families are considered homeless and are eligible for free meals. The household size and income of the host family

should not be taken into consideration when determining the free meal eligibility for the child(ren). Instead, the children should be designated as homeless by the SFSP institution's liaison (SFSP Memorandum 04-2010: Eligibility of Haitian Refugees for the Child Nutrition Programs, January 29, 2010 and SFSP Memorandum 10-2010: Eligibility of Children Evacuated from Japan and Bahrain, April 1, 2011).

Disclosure Requirements for Eligibility Information

There are restrictions on the disclosure and use of information obtained from an Income Eligibility Form, as well as criminal penalties for improper release of information. FNS recommends that SFSP sponsors cite the regulation (7 CFR 225.15(f)-(l)) when responding to requests for release of information. Part 7 of the Eligibility Manual for School Meals, October 2011 edition, provides specific guidance on applying the statutory and regulatory requirements. The manual may be found at: http://www.fns.usda.gov/cnd/Guidance/EliMan.pdf. A convenient source of information is the manual's "Disclosure Chart" which briefly outlines various types of requestors and any restrictions on receipt of information.

If a request for information is not authorized under the statute or when authorized release is limited to name and eligibility status, the release can always be made with informed consent by the parent or guardian (SFSP Memorandum 15-2010: Disclosure Requirements for the Child Nutrition Programs, August 23, 2010).

Frequency of Site Eligibility Determinations (7 CFR 225.6(c)(3)(i)(B))

In an effort to provide consistent administration across Program lines to State agencies and SFSP sponsoring organizations, sponsors of sites determined to be area eligible based upon school data are only required to submit documentation every five years (SFSP Memorandum 05-2007: Area Eligibility Duration in the Summer Food Service Program, April 20, 2007).

Because new five-year estimates will be available each year under the Census Bureau American Community Survey, the duration of determination for site eligibility based on new census data is now five years. Therefore, those sites relying on census data to establish area eligibility now must re-assess that data every five years. Previously, new documentation for sites relying on census data was required to be submitted when new census data became available (SFSP Memorandum 02-2012; Eligibility Based on Census Data, October 31, 2011).

Sponsors using other data sources, including income eligibility forms, must document site eligibility annually.

Special Types of Sites
(7 CFR 225.2 definitions, 225.6(c) (2) (i) (J), and 225.6(c)(3)(i)(D))

Migrant Sites (7 CFR 225.6(c) ((2) (i) (K))
To confirm migrant status, sponsors must submit information obtained from a migrant organization that certifies that the site serves a majority of children of migrant workers. If the site also serves non-migrant children, the sponsor must certify that the site predominantly serves migrant children. This status information must be updated annually. Contact your State agency to be put in contact with you local migrant center (SFSP Memorandum 04-2007; Migrant Site Eligibility Determinations, February 23, 2007).

Migrant site eligibility is based upon a determination that the site predominantly serves children of migrant workers. The sites operate like area-eligible open, or restricted open sites and are reimbursed for meals served to all attending children. The determination of site eligibility based upon migrant status must be updated annually.

Continuous School Calendar / Year-Round Sites (7 CFR 225.2 Definitions)
A "continuous school calendar" is defined in the SFSP regulations as a situation in which all or part of the student body of a school is (a) on a vacation for periods of 15 continuous school days or more during October through April and (b) in attendance at regularly scheduled classes during most of May through September.

Some school districts use a calendar that provides less than 15 days for off-track periods. In these situations, State agencies may waive the 15-continuous-school-day requirement provided that the school system is operating regular class sessions (i.e., not summer school or remedial classes for a portion of the student body) on a year-round basis.

When schools operate on a year-round or continuous school calendar, the SFSP may offer meals throughout the year to preschool children and off-track students (i.e., year-round students on vacation at times other than the summer). These sites may be open or closed enrolled sites, located in the school or at other locations.

If operated as an open site at a location other than the school, the meal service must be open to the entire community and must be eligible based on school or census data. While the meal service is intended to serve off-track students, it is possible that an on-track student may show up at the site. In these situations, sponsors are not expected to identify or exclude on-track students. Sponsors should plan for or prepare for additional meals and consider adding more site staff to supervise the meal service.

If the site is operating as closed enrolled, meals may be served only to enrolled preschool children and off-track students (at least 50 percent of enrolled participants must be eligible for free or reduced price school meals).

If a year-round site is located in the school, sponsors must be careful not to "double claim" meals or claim SFSP rates for meals served to on-track students participating in the NSLP. Schools that operate both year-round SFSP and school lunch or school breakfast should establish different meal services for the year-round and on-track populations, keep separate meal counts, and develop cost allocation plans for proper proration of overhead and administrative costs between the programs.

NYSP Sites (7 CFR 225.2 definitions and 225.6(c) (2) (i) (I))
A National Youth Sports Program (NYSP) site may qualify for the program by:

- determining that 50 percent of the children enrolled reside in geographical areas where poor economic conditions exist;
- determining that 50 percent of the children enrolled meet the income eligibility guidelines for free or reduced-price school meals; or
- certifying in writing that it meets the income eligibility guidelines of the Department of Health and Human Services (DHHS), which is the primary grantor for NYSP (SFSP Memorandum 13-1999; Certifying Eligibility of National Youth Sports Program (NYSP) Sites to Participate in the SFSP, December 4, 1998).

The DHHS income eligibility standards for participation in NYSP are stricter than those used to determine eligibility for free or reduced-price meals. To qualify for participation in NYSP under DHHS rules, at least 90 percent of the enrolled children must be at or below the Federal income poverty guidelines. Thus, if a site meets this standard and qualifies for DHHS funding, then it will qualify for participation in the SFSP as well. In addition to written certification that the site meets DHHS income eligibility guidelines, sponsors must review NYSP records to verify that the information is correct.

Other Income Eligible Programs
Sponsors may utilize income eligibility forms from other programs that base their eligibility on the same criteria as the SFSP, but should contact the State agency to verify that the same thresholds and definitions are used for both programs.

For example, sponsors can use documentation of income-eligible Upward Bound participants, provided and certified by an Upward Bound grantee, to document the eligibility of closed enrolled sites, or residential or non-residential camps. Upward Bound income applications may be used in lieu of

the SFSP application to determine income eligibility for all SFSP participants since both programs have an income eligibility threshold of 185 percent of the national poverty guidelines (SFSP Memorandum: Eligibility of Upward Bound Sites; May 26, 2004).

Sponsor Participation in Other Child Nutrition Programs

The Special Milk Program (SMP)

Sponsors may elect to operate the SFSP at some of their sites while operating the Special Milk Program (SMP) at other sites. However, a single site cannot simultaneously participate in the SFSP and the SMP for the same meals.

Sponsors electing to administer the SMP must enter into a separate agreement with the State agency to operate the SMP at those sites or at those times when it is not participating in the SFSP. The State agency can provide information on operating the SMP.

Child and Adult Care Food Program (CACFP)

CACFP institutions that have sufficient changes in activities or enrollment, or develop a separate food service program for children who are not enrolled in the CACFP, and meet SFSP eligibility criteria, may be approved to participate in the SFSP. Institutions that are approved for both the CACFP and the SFSP must ensure that the same children are not served meals in both programs. Separate records must be kept for each program. Institutions may not switch back and forth between participation in CACFP and participation in SFSP to serve the same children.

Institutions may not establish separate entities using separate tax identification numbers to serve the same children under different child nutrition programs in order to avoid the program restrictions or to earn higher reimbursement. However, if there is a legitimate need for a separate organization and it meets the requirements in the preceding paragraph, then it may be approved to participate in SFSP if it meets SFSP eligibility criteria.

In an effort to improve participation in SFSP by eligible institutions, some application requirements for CACFP institutions in good standing that wish to apply to participate in SFSP for the first time have been waived. Good standing means those that have not been found to be seriously deficient in Program operation. CACFP institutions that want to operate the SFSP at the same sites where they provide meal service through the CACFP may follow the application requirements for experienced SFSP sponsors and sites instead of the application requirements for new sponsors and sites.

This provision will be most applicable to at-risk afterschool care programs. Because most at-risk afterschool programs may not receive reimbursement

during the summer months, we encourage these programs to convert to the SFSP for the summer. In that case, they can serve the same children that they serve during the school year.

In other cases, however, if CACFP institutions wish to participate in the SFSP, they must serve children that would otherwise not be served under the CACFP. Institutions may not switch programs simply to receive a higher reimbursement in the summer months (SFSP Memo, 05-2012, Simplifying Application Procedures in the SFSP, October 31, 2011).

For more information about child nutrition programs, visit the FNS Web site at: www.fns.usda.gov/cnd.

SFSP and Summer School

If a sponsor intends to operate the program at a site where an accredited summer school program is in session, the sponsor must ensure that the food service is open to all children residing in the area served by the site. If a summer school site is not open to the children of the community and provides meals only to enrolled summer school students, the site is not eligible to participate in the SFSP. In this situation, the meals may be reimbursed through the NSLP and SBP (7 CFR §225.14 (d)(2); SFSP Memo, 16-2011, Restricted Open Sites and Summer Schools, May 18, 2011).

If a school is only offering enrichment courses that are not considered part of the academic curriculum and do not require mandatory attendance, the school may be eligible to participate in the SFSP as an open or enrolled site.

Chapter 2 – Evaluating and Selecting Sponsors and Sites

In this chapter, you will find specifics on:

- what to look for when selecting program sites;
- operating limitations;
- the sponsor/site agreement; and
- requirements to meet before opening sites.

Priorities for Selection of Sponsors (7 CFR 225.6(b)(5))

Confusion and waste result when two or more sponsors compete for the same sites or target children in the same geographical area. Since such an overlap in service conflicts with program objectives, the State agency usually approves only one sponsor to serve an area. When determining which of the competing sponsors will serve an area, the National School Lunch Act requires the State agency to give priority to:

1. local school food authority sponsors;
2. government and private non-profit organization sponsors that have successfully operated the SFSP in a prior year;
3. new government sponsoring organizations; and then
4. new private non-profit organization sponsors.

To support the greatest summer meal participation and access it may be appropriate for States to allow sites in relatively close physical proximity to operate in the community, each serving its own participants. Sponsors should be able to explain why differences in the population of children they intend to serve require multiple sites in close proximity to each other. Sites may also be close in proximity but separated by a physical barrier that limits access, such as a busy highway.

Note: If you feel you have a unique situation, contact the State agency for additional assistance when competition poses a significant problem in your area.

Evaluating an Area

It is important that a sponsor adequately evaluate the needs and resources of the area(s) it hopes to serve before making final plans for site operations. In particular, a sponsor should try to determine the type and size of the program that would best meet the needs of the community. As part of the inquiry into the community's needs, a sponsor may contact:

- parks and recreation centers about their summer recreation programs;
- youth organizations, including YMCAs, YWCAs, Boys and Girls Clubs, and scout troops about their summer plans;
- the local food bank or pantry to ask about opportunities to partner in the community;
- minority referral sources and relevant minority organizations in the prospective site area;
- other groups and organizations in the area that may be planning to participate in the SFSP;
- local parent groups to determine the level of parental support; and
- local church or faith-based organizations about their summer programs.

After sponsors have made these initial contacts in any area(s) they hope to serve, they will have an easier time evaluating different potential sites and deciding on the size of their operations. Sponsors will have to make three especially important decisions. They must:

- decide how many sites they will sponsor during the summer;
- determine how many children they will serve at each site they sponsor; and
- select the particular sites where they will serve meals to children, closely examining the circumstances if they plan to have several sites in the same neighborhood.

Taking particular care in making these decisions before programs start may prevent problems that could arise later. Consult with the State agency if you have further questions.

Sponsors Operating in Multiple States

State agencies may approve only sites that are located within their State. Sponsors must enter into an agreement with the SFSP State agency for each State where its sites are located, regardless of where the sponsor itself is actually based (FNS Instruction 794-5, Agreements with Entities Which Operate Interstate Schools and Facilities).

Therefore, when a sponsor is located in one State and operates SFSP sites in other States, an agreement must be entered into with the administering agencies in all States where the sponsor has a site (SFSP Memo 4-2012, Sponsors Operating in Multiple States in SFSP, October 31, 2011).

Selecting Sites

Because sponsors must assume administrative and financial responsibility for total SFSP operations at all sites under their supervision, they must be certain

that a site can offer a quality meal service before they decide to sponsor that site. Sponsors should not select sites where site supervisors have had a poor performance record in past summers or where supervisors were unable to institute timely corrective action. In addition, depending on the nature of these problems, the State agency may choose not to approve such sites for the Program.

The following paragraphs outline several major issues that should be considered when the sponsor evaluates sites. A Site Selection Worksheet is included in the Reference Section as Attachment 13 and may be useful to sponsors in determining a site's suitability.

Meal Service Facilities
Sponsors are responsible for choosing the most appropriate facilities available for food service. If sponsors prefer onsite meal preparation, they should visit all sites to:

- ensure that sites are properly equipped with the appropriate facilities and equipment for meal preparation and service for the anticipated number of children; and
- check that sites can meet State and local public health standards and have or can obtain any required health department certification. The sanitation or health inspector from the local health department can assist in complying with State and local rules and regulations.

Because of the many variables at different sites, the kinds of equipment that will be needed will vary based on the number of children being served and the type of menu being prepared. Attachment 9 provides a chart to assist in determining whether the equipment available is adequate. During the visit, determine the condition of the equipment and, if appropriate, delegate responsibility for maintenance and repairs.

If a sponsor plans to have the meals prepared or delivered by a food service management company, school food service, or a central kitchen, the food preparation, holding and delivery capabilities should be checked.

Mobile Feeding Sites in Rural Areas
Traditionally, urban SFSP sites are located in schools, playgrounds, parks, faith-based organizations, community buildings, or similar places. However, it can be difficult for SFSP sponsors to locate their sites in such places in rural areas. Rural populations may be very dispersed, rural schools are less likely to be open during the summer months, and organizations often cannot utilize traditional spaces used in urban settings.

Even though the regulations permit the use of operating funds to transport children in rural areas to rural sites, it is not always cost-effective to transport children from outlying areas to a site located in a rural town. In these cases it may be more cost effective to transport the meals to the children.

Therefore, FNS has permitted and even encouraged the use of non-traditional means of feeding children in rural areas. If you plan to operate the SFSP in a rural area, please check with your State agency for innovative and effective practices of providing "mobile" meal sites or other practical techniques (SFSP Memorandum # 17-1999: Mobile Feeding Sites in Rural Areas, February 12, 1999).

Extreme Weather Conditions

Concerns of physical safety, lack of comfortable feeding areas, and consideration of extreme weather conditions must be addressed by the State agency when a site is being approved. State agencies must ensure that sponsors have made appropriate arrangements for food service during periods of inclement weather, including excessive heat conditions (7 CFR §225.6(c)(2)(D)).

Although all SFSP sites are not required to have an alternative temperature controlled site, sponsors should have a contingency plan for dealing with extreme weather conditions, such as thunderstorms and excessive heat. For outdoor sites, this plan could include discontinuing meal service when weather conditions make being outside unsafe for children. Alternatively, sponsors can identify a shady spot or erect a tent for extremely hot days or make arrangements with a housing community to use an air conditioned lobby or community room on hot days.

Site Supervision

According to program meal service requirements, sponsors should assess how much supervision will be necessary to ensure proper program operations. These supervisory needs will differ from site to site. For mobile feeding sites, extra precautions should be established to ensure the safety of the food being provided to children. Proper holding temperatures must be maintained along the entire meal delivery route, and State and local health and safety standards must be met.

Serving Capacity

Sponsors need to determine the maximum number of children who can be served at any of their sites. When estimating the number of children to be served at each site, consider:

- the site's administrative capabilities;
- the physical capacity at each site for serving children; and
- the number of children living in the area of each site who are likely to participate.

The importance of estimating as accurately as possible the number of children each site will serve cannot be overemphasized. Adequate program planning requires an accurate estimate of the number of children that will be served so that the total potential reimbursement can be calculated. For new sites, an excellent way to estimate the potential number of participating children is to contact schools and other children's organizations in the areas of the sites to determine the number of needy children within a short walking distance of the site. To reduce waste, meal orders should be adjusted after the program starts if fewer children than anticipated participate. For returning sites, participation from the previous summer normally provides an accurate estimate of participation for the current summer.

Site Activities

Children are drawn to locations that offer educational, enrichment and recreational activities, as well as sites that provide meals. Therefore, we strongly encourage sponsors to select sites or plan programs in order to offer such organized activities. The following are examples:

- local libraries,
- swimming pools,
- faith-based organizations or churches that offer religious study day camp sessions,
- schools that offer various activities,
- Boys and Girls Clubs,
- programs at colleges and universities,
- 4-H Clubs,
- YMCA's,
- National Youth Sports Programs, and
- year-round public service programs offered in the community.

In addition, you should determine whether there are any year-round public service programs in the community that might serve as sites. These sites usually have facilities that can be used for the meal service and have a permanent staff.

Although it is not encouraged, SFSP sites may charge a fee to participate in the activity portion of their programs. However, the fees must be reasonable and not restrict access for low-income children. Also, access to the meal service at open sites must always be free.

Outreach

Once sites are identified, it is important that area families are made aware of the site location and the availability of meals. FNS has created an SFSP Outreach Toolkit that can help ensure that area children are aware of your site. The toolkit is available at: http://www.fns.usda.gov/cnd/summer/library/toolkit.pdf.

The SFSP State agency must ensure that SFAs cooperate with sponsors to inform eligible families of the availability and location of free meals for students when the regular school year ends. The SFSP State agency will facilitate a working relationship between SFAs and sponsor to ensure that schools help promote the availability of meals for children during the summer months (SFSP Memorandum 04-2011, Child Nutrition Reauthorization 2010: Outreach to Households on the Availability of SFSP, January 25, 2011).

Number of Sites

In addition to selecting the sites at which meals will be served, you have to decide how many sites you will administer. This decision will depend greatly on the need for a site in the area, your administrative capabilities as a sponsor, and the size of the programs at the sites. You must be sure to plan to operate programs that are consistent with the size of your administrative staff and the extent of your expertise. A small sponsor with limited administrative experience should carefully place limits on the number of sites where it will offer meals.

Operating Limitations (7 CFR 225.6(b)(6))

All sponsors may be approved for a maximum of 200 sites and a maximum total average daily attendance at all sites of 50,000 children. The State agency may approve exceptions if the sponsor can demonstrate that it has the capabilities of managing a program larger than these limits.

Beginning in fiscal year 2011, the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, eliminated additional restrictions on private non-profit organizations. Previously, private non-profit organizations could only be approved to operate up to 25 sites and serve up to 300 children at any one site (SFSP Memorandum 02 -2011, Child Nutrition Reauthorization 2010: Eligibility Requirements and Site Limits for Private Nonprofit Organizations, January 14, 2011).

Sponsor/Site Agreement

If a sponsor plans to administer a meal program at multiple unaffiliated sites (for example, at recreation programs or vacation Bible schools), the sponsor should enter into an agreement with the site supervisor or responsible site official. The agreement should list, in specific terms, the responsibilities of

the site supervisor for the food service program, which will make it easier for the site supervisor to understand his/her duties.

However, the agreement does not relieve the sponsor of final administrative and financial responsibility for operating the SFSP at the site, including its responsibility to maintain contact with meal service staff, ensure that there is adequately trained meal service staff on site, and monitor site operations. A sample Sponsor/Site Agreement form is included in the Reference Section as Attachment 14.

Pre-operational Requirements

Health and Sanitation

When sponsors have chosen their prospective sites, they must notify the health department in writing of all prospective site locations and arrange for prompt and regular trash removal.

Before program operations begin, sponsors must submit to the State agency a copy of the letter notifying the local health department of their intention to provide a food service at specific times at planned sites.

Pre-Operational Site Visits

Prior to approval, sponsors must visit all new sites and any sites that had operational problems in the previous year. These visits are to determine that the sites have the facilities to provide meal service for the anticipated number of children in attendance and the capability to conduct the proposed meal service. Sponsors should note the date of the pre-operational visit to each site and the name of the person who visited each site. Attachment 13 provides a sample form that can be used to record pre-operational visit information. When a sponsor applies for the SFSP, it will have to certify that all required site visits have been conducted. These pre-operational visits must not be confused with required site visits during the first week of program operations (**see Part II, Chapter 2 – Monitoring for a further discussion of these site visits**).

Chapter 3 – Meal Service

In this chapter, you will find information on:

- different methods to provide meals;
- meal pattern requirements for the meals you serve;
- what to do with leftovers;
- meal service requirements; and
- food safety rules.

Before the State agency approves the program application, a sponsor will have to indicate the method it will use to provide meals to children. Several factors such as the cost of food, the number of meals required, the type of meal service, the number and type of sites, community dietary preferences, and the facilities available at each site will influence the sponsor's choice.

Sponsors may choose from several methods of providing meals. They may:

- prepare and assemble their own meals,
- obtain meals from a school food authority, or
- obtain meals from a food service management company.

Sponsor Meal Preparation
(7 CFR 225.2 definitions)

Many sponsors choose to prepare their own meals, which provide them with maximum control over the quality of preparation. Depending on the facilities available at its sites, a sponsor may prepare meals at each site location or at a central kitchen. Preparing meals at the site requires that each site have adequate kitchen and storage facilities. Sponsors preparing meals at a central kitchen must decide how to distribute the meals from the central kitchen to the sites, and safely deliver and store them until meal service. Sponsors preparing or assembling meals either at each site or at a central kitchen receive higher administrative reimbursement rates.

Purchasing Meals From Schools
(7 CFR 225.15(b))

If sponsors choose not to prepare meals for sites, they may enter into a noncompetitive agreement to purchase meals from a school food service facility. Most schools have meal preparation and service facilities since they serve meals to children during the school year. Also, experienced school food service personnel are often available for summer jobs. Sponsors that wish to obtain SFSP meals from a school should contact the local superintendent of schools, or the principals of local non-profit private schools. (**See Part III – Food service management companies, for additional information on soliciting local schools**.)

If meals for the summer program will be prepared in schools that participate in NSLP or SBP, the State agency can permit the service of meals that meet the requirements of these programs rather than the SFSP meal patterns. If a sponsor wishes to exercise this option, a request for permission should be submitted to the State agency along with the application for program participation.

Such an arrangement will require either a written agreement or a contract between the sponsor and the school food authority. (Attachment 7 in the Reference Section includes a sample agreement between the school and sponsor to furnish prepared meals.)

Purchasing Meals From a Food Service Management Company
(7 CFR 225.15(m))

In the SFSP, the term "food service management company" is defined slightly differently than in the other Child Nutrition Programs. In SFSP, this means any commercial enterprise or nonprofit organization with which a sponsor may contract for preparing unitized meals, with or without milk, for use in the program, or for managing a sponsor's food service operations in accordance with the limitations set forth in the program regulations on *management responsibilities of sponsors*.

All SFSP sponsors may choose to contract with a food service management company or with a school to obtain their meals. Generally, sponsors may **not** contract with a school using a food service management company unless the school's Request for Proposal, Invitation for Bid, and/or the contract with the food service management company included the provision of SFSP meals. Please contact the State agency with questions.

Consult Part III – Food service management companies of this guide, for additional information. Part III explains the various requirements and procedures that such sponsors must follow when they are contracting with a food service management company.

Commodities
(7 CFR 225.9(b))

Sponsors eligible to receive USDA Foods (donated commodities) under the SFSP include:

- sponsors preparing meals onsite or at a central kitchen;
- sponsors purchasing meals from a school food authority that participates in the NSLP; and
- SFA sponsors that procure their SFSP meals from the same food service management company that competitively provided their most recent NSLP and/or SBP meals.

The State agency will provide information about currently available commodities to all eligible sponsors.

Unitized Meals
(7 CFR 225.6(h)(3))

Food service management companies and school food authorities contracting to prepare SFSP meals must provide unitized meals to the sponsors' site(s) unless the State agency has approved a waiver of the unitized meal requirement. The unitized meal requirement specifies that the meal components (except milk or juice) must be packaged, delivered, and served as a unit. Milk or juice, which may be packaged and provided separately, must be served with the meal and only such complete meals are reimbursable.

Number and Type of Meals
(7 CFR 225.16(b))

Regular Open, Restricted Open, and Enrolled Sites

Sponsors may serve lunch and either breakfast or a snack. With State agency approval, sponsors may serve up to two meals or one meal and one snack each day. Allowable meal combinations include:

- Breakfast only
- Lunch only
- Lunch and snack
- Breakfast and lunch
- Breakfast and supper
- Snack only
- Supper only
- Breakfast and snack
- Supper and snack
- Two snacks

Camps and Migrant Sites

With State agency approval, camp or migrant site sponsors may serve up to three meals each day or two meals and one snack. Allowable meal combinations include:

- Breakfast, Lunch, and Supper
- Breakfast, Lunch, and Snack
- Lunch, Supper, and Snack
- Any combination of meals or snacks that is less than the maximum number allowed.

Meal Pattern Requirements
(7 CFR 225.16(d)

It is important for the success of an SFSP program to serve nutritious meals that meet meal pattern requirements and that are appetizing to children. Careful menu planning is necessary to meet this goal. The meal pattern requirements

assure well-balanced meals that supply the kinds and amounts of foods that children require to help meet their nutrient and energy needs. The meal patterns establish the minimum portions of the various meal components that must be served to each child in order for the participating sponsor to receive reimbursement for each meal**.**

For a breakfast to be a reimbursable meal, it must contain:

- one serving of milk
- one serving of a vegetable or fruit or full-strength juice; and
- one serving of grain or bread.

A meat or meat alternate is optional.

For a lunch or supper to be a reimbursable meal, it must contain:

- one serving of milk;
- two or more servings of vegetables and/or fruits;
- one serving of grain or bread; and
- one serving of meat or meat alternate.

For a snack to be a reimbursable meal, it must contain two food items. Each item must be from a different food component. However, juice cannot be served when milk is served as the only other component.

Please refer to the **SFSP Meal Pattern Chart**, Attachment 4 in the Reference Section of this guide, which shows the required food components for each meal type with the minimum required serving sizes.

Dietary Substitutions/Modifications

Sponsors are not required to accommodate dietary preferences, but are encouraged to do so within the existing meal patterns. However, sponsors are required to make substitutions or modifications to the meal patterns for participants with disabilities who are unable to consume the regular program meals when such substitutions are supported by a statement from a recognized medical authority that includes the required alternate foods [7 CFS 225.16(f)(4); FNS Instruction 783-2, Rev.1, 10-19-94].

Additionally substitutions may be made if individual children are unable, because of medical or other special dietary needs (not disabilities), to consume the foods required by the meal patterns. Such substitutions may only be made when supported by a statement from a recognized medical authority that includes recommended alternate foods [7 CFR 225.16(f)(4)].

Schools participating in SFSP or Seamless Summer have the option to offer a nondairy milk substitute to a student with a medical or special dietary need other than a disability. Schools choosing to offer this option must follow a

parent's request to have the milk substitute served to his or her child. Schools must receive a written request from a medical authority or parent/guardian that identifies the student's medical or dietary reason for needing a milk substitute in order to serve the child that substitute. Any reasonable reason for requesting that a milk substitute be served will be acceptable. Only milk substitutes that meet USDA's nutrient requirements may be served in order to receive reimbursements for these meals. Schools that decide not to offer milk substitutions for children with medical or special dietary needs must communicate this decision to all households.

Meal Pattern Exceptions

SFSP sponsors may be approved, in certain cases, to serve meals that meet the meal pattern requirements of other Child Nutrition Programs.

Infant Meals (7 CFR 225.16(f)(2))
Because an infant's first year dietary needs are based on individual development and may be more complicated than those for toddlers and older children, sponsors must receive prior approval from the State agency to serve meals to infants 1 year of age and younger. All meals served to infants must comply with infant meal pattern requirements in Section 226.20(b) of the CACFP regulations. Your State agency can assist you in making sure that your meals comply with these requirements if you serve infants.

Meals for Children Aged 1 to 6 (7 CFR 225.16(f)(2))
SFSP regulations allow for the adjusting of meal portion sizes for younger children. The sponsor must demonstrate to the State agency that it can control portion sizes and follow the age-appropriate meal pattern requirements for children in Section 226.20(c) of CACFP regulations.

Meals for Children Aged 12 to 18 (7 CFR 225.16(d))
The meal patterns specify the minimum portion of each food component for each meal or snack. Because teenagers have greater food needs, sponsors may serve adult-size portions to older children. Adult-size portions may be found in Section 226.20(c) of CACFP regulations. Also, as a reminder, extra food may always be served to improve the nutrition of participating children (that is, in addition to the food necessary to meet the meal pattern requirements) (SFSP Memorandum 3-1999: Issues Related to Meal Service at Sites, December 4, 1998).

Meals Prepared in Schools (7 CFR 225.16(f)(1)(i))
Schools participating in NSLP or SBP are accustomed to preparing meals that meet Federal nutritional requirements. Sponsors serving meals that are prepared in schools may, with prior State agency approval, use the meal requirements of those programs instead of the SFSP meal patterns. Sections 210.10 and 210.10(a) of NSLP regulations and Sections 220.8 and 220.8(a) of SBP regulations describe requirements for school meals.

Offer Versus Serve (7 CFR 225.16(f)(1)(ii))
Using offer versus serve (OVS) meal service in SFSP can simplify Program administration while maintaining the nutritional integrity of the SFSP meal that is served. Previously, only school sites were permitted to use OVS. Now, all sites, regardless of the location or type of sponsor, may use OVS in SFSP.

Please note that OVS is not required, but is at the option of the sponsor. When utilizing the OVS provision in the SFSP, the following rules apply:

- Schools electing to use OVS must use the options relevant to their menu planning approach. Other SFSP sponsors wishing to use OVS must follow the OVS requirements for the food-based menu planning approach.
- When relying on the SFSP food-based menu planning approach, a child may decline only one food item offered at breakfast and up to two of the food items offered at lunch or supper.
- Sponsors must offer a complete meal to SFSP participants (i.e., all required food items/components must be offered and children must not be urged to decline components).
- OVS may be implemented for breakfast, lunches, or suppers only. OVS is not available for snacks, as snacks only contain two components (SFSP Memorandum #11-2011: Waiver of Meal Time Restrictions and Unitized Meal Requirements in the Summer Food Service Program REVISION, October 31, 2011).

Sites using unitized meals may use OVS, however, as noted above, children still may only refuse one item at breakfast and up to two of the food items offered at lunch or supper.

Leftover Meals or Components
(7 CFR 225.15(b))

All sponsors must plan, prepare, or order meals with the objective of providing one meal per child at each meal service, and must ensure that entire meals and food components are not often left over and unusable. Sponsors should minimize the amount of waste and unusable leftovers. Some suggestions for avoiding loss or at least reducing the amount of loss are discussed below:

- Sponsors should be monitoring site reports on the number of attending children and the number of delivered meals to reduce waste and cost.
- A limited number of second meals **served as a unit** can be claimed for reimbursement, as long as the total number of second meals does not exceed 2 percent of first meals served by the sponsor, for all sites, during the claiming period.
- Extra meals can be transferred, if allowed by the local health code, from a site with too many meals to a site with a shortage, keeping in mind that meals in excess of the receiving site's approved meal level are not reimbursable.
- Sponsors may designate a "sharing table" or stations where children may return whole items that they choose not to eat, provided that this is in compliance with local and State health and safety codes. These items are then available to other children who may want additional helpings. This practice may be facilitated by serving meal components so that they can be easily "recycled." For example, if sandwich halves are wrapped separately, a child can return an uneaten half to the sharing table. Please check with your local health department or food service codes regarding "sharing tables."
- Where equipment is available, complete meals and nonperishable components that remain on a sharing table can be stored under refrigeration for subsequent service. Please note that all recycled food items must be stored in accordance with local health codes, and must be documented.
- The form of the food should be suitable to the age of the children so that it can be easily consumed within the meal service period. For example, if fruit is cut into smaller pieces, it is easier for young children to eat.

Keep in mind that the safety of the leftover meals must be maintained. Meals or components that are transported or "shared" must be kept in compliance with all local health and safety standards.

Despite diligent efforts to prepare or order the appropriate number of meals, adjust portion sizes, encourage consumption of all meal components, and refrigerate leftovers for later service, sites still may have leftover meals or food items. In these cases, other options for avoiding waste and disposing of leftovers should be explored. If health and food service codes permit, such

options could include donations to homeless shelters, food pantries, or other types of facilities that serve meals or distribute food to needy persons. Donated meals cannot be claimed for reimbursement.

Additional Foods

If a site chooses to purchase additional food with SFSP funds, the food must be a creditable food under the meal pattern requirements. Expenditures for foods that may not be served as part of the reimbursable meal based on the SFSP meal patterns are not allowable costs. Condiments served with a creditable food are exempt from this restriction. Sites wishing to serve additional foods that do not meet SFSP meal pattern standards must use non-Program funds.

Sites with additional funds available are encouraged to use the funds to improve the reimbursable meals served by using fresher, healthier, more nutritious products, such as fresh fruits and vegetables, lean meats, and unprocessed cheeses. Foods such as turkey wraps, fresh watermelon, grapes, and carrots with hummus are nutritious options that children enjoy (SFSP Memo 6-2012, Serving Additional Foods in SFSP, November 23, 2011).

Requirements for Meal Service
(7 CFR 225.6(e), 225.15(b), and 225.16)

In addition to serving meals that meet meal pattern requirements, sponsors must comply with the following rules when serving meals at each of their sites:

- Serve the same meal to all children. This means all children receive a meal meeting the meal pattern requirements, not that all meals must be identical in every component (Children with disabilities must be accommodated and therefore may not receive the same meal. See Dietary Substitutions/Modifications section on page 35 for additional information).
- Except where permitted by the State agency, ensure that children eat all meals **onsite**. Your State agency may allow items from the fruit/vegetable component of the meal pattern to be taken off-site. Sponsors should check with State agency staff before allowing any fruits or vegetables to be taken off-site. If the State agency permits this practice, sponsors may allow this option for sites. However, sponsors should allow this only at sites where there is enough staff to monitor this practice. Site personnel must supervise all children on the site while they are eating meals (SFSP #3-99; Issues Related to Meal Service at Sites, December 4, 1995).
- Ensure that all children in attendance at the site receive one meal before any child is served a complete second meal, or any adult meals are served.
- Adhere to local health and sanitation regulations.
- Make adequate arrangements for food service during inclement weather if meals are usually served at an outdoor site. This could include an alternate indoor site, a shady spot for hot days, or discontinuation of meal service.

- Serve meals during the times of meal service submitted on the Site Information Sheet and approved by the State agency. The State agency must approve any changes in meal service times.

Supper Meal Service Exceptions

State agencies have been permitted to approve SFSP sponsors to serve suppers in place of lunches in certain circumstances, including where:

- an area is eligible for the program but sites, meal preparation facilities, or staff are not available for a lunch meal service; or
- an organization has developed late-afternoon or evening programs for children in low-income areas to keep them occupied in the summer months, but do not have sufficient resources to provide children with meals.

Therefore, State agencies may approve a sponsor to serve a supper in place of a lunch when it is feasible and appropriate. Except for camps and migrant sites, sponsors are not allowed to serve a supper and a lunch at the same site (SFSP Memorandum # 15-99; Supper Meal Service; February 2, 1999).

Serving Meals Family Style

Serving family style meals can help children develop good eating habits through the personal example provided by supervising adults. A family style meal service can work well at camp sites if adults are available to assist children during the meal and if staff and children are together for an extended period of time to provide a relaxed, stable environment conducive for teaching good eating habits. Family style service should not be used at other types of sites.

If a family style service is allowed by State agencies at camp sites, sponsors should ensure that:

- enough food is placed on each table to provide minimum portions of all required meal components;
- some amount of each required component is placed on each child's plate and the minimum amount required by the meal pattern is offered; and
- staff actively encourage children to accept the full portion during the meal.

For more information on family style service, consult FNS Instruction 783-3, Rev. 1, Family Style Meal Service in the Summer Food Service Program.

Field Trips in the SFSP

Sponsors are required to notify the State agency of all field trips that affect the time or location of meal service. Although formal approval of the alternative meal service is not a Federal requirement, whenever sponsors plan field trips that may affect the time or location of meal services the State should be informed. Sponsors also are advised to notify the food service vendor in advance of any trips, if applicable. It may be helpful for sponsors to provide a calendar of

scheduled trips with the Program application if trips are scheduled in advance (SFSP Memorandum, Field Trips in SFSP, February 3, 2003).

Further, sponsors should notify the State agency of any changes (additions and/or cancellations) to scheduled field trips. If the State agency is not notified prior to the field trip, meals served may be considered "consumed off-site" and may not be reimbursed. Sponsors serving meals offsite also must carefully ensure the safety and quality of the meals by using adequate storage equipment to transport them.

Time Restrictions (7 CFR 225.16(c))

Sponsors must establish meal times for each site and provide this information to the State agency. Therefore, when applying to participate in the Program or providing annual updates to Program information, sponsors must provide the State agency with information regarding the times of the meal service at each site, but are not required to ensure that specific time periods elapse between the meal services.

Previously, Federal rules required that three hours elapse between the beginning of one meal or snack service and the beginning of the next, except that four hours were required between the beginning of lunch and the beginning of supper when no afternoon snack was served. Additionally, the duration of meal service was limited to two hours for lunch and supper and one hour for breakfast and snacks. In an effort to simplify Program management, FNS waived these restrictions.

Although States may establish meal time restrictions, any State restrictions will be considered additional State requirements and subject to Regional Office notice and approval (SFSP 11-2011, Waiver of Meal Time Restrictions and Unitized Meal Requirements in the Summer Food Service Program, October 31, 2011).

There are no regulations restricting meal service on weekends. Therefore, sponsors are allowed to serve meals through SFSP on the weekends with State approval.

In addition, all sites participating in the program must arrange for delivery if the meals are not prepared at the site and arrange for storing the meals according to standards prescribed by local health authorities until mealtime. If the meals are not prepared onsite, the State agency will not approve meal service at that site unless either:

- meals can be delivered no more than 1 hour before the beginning of the meal service; or
- proper facilities exist onsite for storing the food.

Keep These Food Safety Rules in Mind

- Bacteria can grow rapidly between 40°F and 140°F, which includes room temperature. This is known as the *danger zone*.
- Avoid holding foods in this temperature *danger zone*. Do not hold a food in the temperature *danger zone* for longer than two **hours.** After two hours discard the food.
- Keep meals and milk not being served at the time in the refrigerator or cooler at a temperature of 40°F or below. Hot meals should be in a warming unit or insulated box at a holding temperature of 140°F or more.
- Remember that you cannot determine food safety by sight, taste, odor, or smell. If there is *any* doubt, throw the food away.
- Train food service employees on safe food handling, on the safe use of all types of equipment, and on personal hygiene.
- Keep a fire extinguisher and first-aid kit handy and instruct all personnel in their use.

The four core messages of Clean, Separate, Cook and Chill will help you keep your food safe to eat.

CLEAN

- Wash hands frequently and properly, for at least 20 seconds with soap and *hot* water. Use a *separate* hand wash sink, not sinks used for food preparation or dishwashing. Always wash hands after touching hair or face.
- Use disposable towels when drying hands. Discard disposable towels after each use.
- Cough or sneeze into disposable tissues ONLY, and wash hands afterwards. If you sneeze on food or food production areas, discard the food and clean and sanitize the food production area.
- Persons with colds, or other communicable diseases should **not** be permitted to work in food preparation areas.
- All superficial cuts should be covered with a bandage and a disposable glove.
- Any person with an infected cut or skin infection should **not** be permitted to work with food.
- Use disposable gloves properly. Wash hands before putting on gloves, avoid touching skin, carts, refrigerator, freezer, oven doors, money, or any unclean surfaces. Throw the gloves away after using or touching anything other than food.
- Follow instructions exactly on how to use and clean kitchen equipment.
- Keep all equipment such as cutting boards, can openers, grinders, slicers, and work surfaces clean and sanitized. Sanitize equipment and work surfaces between use with raw and cooked foods. Check with local health department codes for a list of sanitizing agents.
- Use plastic cutting boards. Purchase adequate number of cutting boards to prevent cross contamination during food production.
- Empty garbage cans daily. They should be kept tightly covered and thoroughly cleaned. Use plastic or paper liners.

Keep These Food Safety Rules in Mind

SEPARATE

- Avoid cross-contamination.
- Use appropriate utensils to pick up and handle food.
- Never touch ready-to-eat foods with your bare hands.
- If using hands, wear disposable plastic gloves and do not touch anything unclean with the gloves. Throw the gloves away after using or touching anything other than food.
- Prepare sandwiches and salads with a minimum amount of handling.
- As a food safety precaution, you may want to use two sets of cutting boards: one for meats, and one for vegetables and fruits. Using different colors will help to keep them straight.
- Prevent juices from raw meat, poultry, or seafood from dripping on ready-to-eat foods, such as salad greens, either in the refrigerator or during preparation.
- Store ready-to-eat foods *above* raw uncooked foods.

COOK

- Be sure thermometers are available and use them properly. Calibrate thermometers on a regular basis.
- Use a meat thermometer to ensure that meat and poultry are cooked all the way through.
- Cook foods to minimum required internal temperatures for safety.

Minimum Internal Temperatures for Safety
(based on the *2005 FDA Food Code*)

165˚F for 15 seconds	Poultry, stuffing, stuffed fish, pork or beef; pasta stuffed wit□ eggs, pork, casseroles, reheating leftovers.
155˚F for 15 seconds	Ground meats, beef, lamb, veal, p□rk, pasteurized eggs held on steam table, □ubed or Salisbury steak□ fish□nuggets or sticks
145˚F for 15 seconds	Seafood, beef, pork, veal steak, & roasts (medium rare), eggs cooked to order and served immediately. (medium rare roasts should never be encouraged and this category at 145 degrees contradicts the category above at 155 degrees.)
140˚F for 15 seconds	Fresh, frozen, or canned fruits and vegetables that are going to be held on a steam table or in a hot box. (We're recommending that they heat fresh, frozen or canned fruits at 140 degrees for 15 seconds before holding in a hot box? I don't know what the FDA could be referring to here, but we should only instruct sites to keep those items at 40 degrees or less always, and never in a hot box.)

- DO NOT partially cook foods. Partial cooking may encourage bacteria to grow before cooking is completed.
- If the serving of a hot food must be delayed, keep it at a holding temperature of 140°F or above.

CHILL

- Keep cold foods COLD! (Refrigerate or chill food at 40 °F or below)
- Keep frozen food in a freezer at 0 °F or lower.
- Cool hot food from 140°F to 70°F within two hours. If during the cooling process food temperatures do not reach 70°F immediate action is required or food must be discarded. Cool foods from 70°F to 40°F or below within four hours. DO NOT ALLOW ANY FOODS TO COOL AT ROOM TEMPERATURE.
- Refrigerate or freeze properly cooled leftovers in covered, two-inch shallow containers.
- Divide large containers of soups, sauces, or vegetables so that the smaller portions will cool more quickly. Stirring throughout the chilling process will shorten the total cooling time. An ice paddle or ice bath will also help to rapidly cool foods.
- Leave airspace around containers or packages to allow circulation of cold air so that rapid cooling is ensured.
- Once cooled, tightly cover and date leftovers.
- DO NOT THAW FOODS AT ROOM TEMPERATURE. Thaw poultry and meat in a refrigerator and not on counters. Refreeze only if ice crystals are still present.

Chapter 4 – Staffing

In this chapter, you will find information on:

- determining the number of staff members needed to effectively run the program; and
- staff members' responsibilities.

The size and type of a sponsor's SFSP will dictate many of the sponsor's staffing needs. Depending on a sponsor's program, many positions will require only part-time employment, particularly in the planning and close-out phases. The need for recordkeeping personnel varies according to the size of the program. To meet program monitoring requirements, USDA recommends no less than one monitor for every 15 to 20 sites in urban areas. The number of monitors necessary for rural sites may increase depending upon the geographic area to be covered. Also, varied opening and closing dates of individual site operations affect staffing needs. In every case, however, the sponsor must provide adequate personnel for overall program management and monitoring.

Staff Duties

The following are examples of duties and responsibilities by position. Small programs may not need a different person for the staff positions described. Sponsors needing more specific staffing guidance should consult with the State agency.

Director's Responsibilities

- Annually attend State agency training
- Provide overall management and supervise the SFSP
- Select sites
- Submit applications/agreements to State agency
- Correspond with State agency
- Coordinate with other agencies and conduct outreach efforts
- Hire, train, and supervise staff
- Arrange for food preparation or delivery
- Ensure that all monitoring requirements are met
- Adjust meal orders
- Submit reimbursement vouchers
- Ensure civil rights compliance
- Handle all agreements and contracts, bidding, and negotiations with vendors for purchased meals

Assistant Director's Responsibilities

- Provide initial and ongoing training for sponsor and site personnel
- Design forms for recordkeeping purposes
- Maintain liaison with vendor to adjust meal delivery
- Check reimbursement vouchers
- Maintain time and attendance records of staff
- Maintain records on number of meals served

Area Supervisor's Responsibilities

- Schedule monitors' visits
- Check monitors' reports
- Prepare weekly summaries of monitoring efforts
- Provide ongoing training for monitors
- Visit sites with monitors
- Determine need for and following through on corrective action
- Review the meal counts submitted by sites for unusual meal count patterns, e.g., first meals always or usually equals meals delivered
- Oversee several monitors
- Report site problems to the Director or Assistant Director

Bookkeeper's Responsibilities

- Maintain records on the following:
    - Daily site reports, invoices, and bills
    - Food costs
    - Labor costs
    - Administrative costs
    - Other costs
    - Program income

- Prepare reimbursement vouchers
- Prepare payroll
- Purchase office supplies

Monitor's Responsibilities

- Check onsite operations to ensure that site personnel maintain records
- Ensure the program operates in accordance with the requirements
- Visit all sites within the first week of food service operations

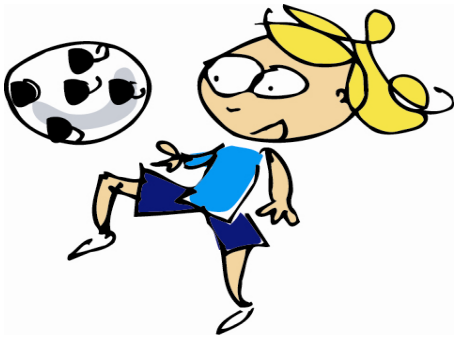
- Review food service operations of all sites within the first four weeks of operation
- Prepare reports of visits and reviews
- Report unresolved or critical issues to the director
- Revisit sites as necessary
- Suggest corrective actions for problems encountered
- Ensure that sites take corrective actions
- Conduct onsite training as necessary

The monitor visits sites on a regular basis and observes meal service operations. At a minimum, one monitor is needed for every 15 to 20 sites. **See Part II, Chapter 2 -- Monitoring of this guide, for more details**.

Monitors are critical to the successful operation of your SFSP sites. They are the "eyes and ears," providing valuable feedback about how the sites are operating by visiting sites on a regular basis and observing meal services.

Site Supervisor's Responsibilities

- Serve meals
- Clean up after meals
- Ensure safe and sanitary conditions at the site
- Ensure the safety of food, and comply with local health and safety standards
- Receive and account for delivered meals
- Ensure that children eat all meals onsite
- Plan and organize daily site activities
- Implement alternate food service arrangements during inclement weather
- Take accurate meal counts at point of service (unless an alternate system that provides an accurate count has been approved by the State agency)



Chapter 5 – Application

In this chapter, you will find specifics on:

- applying to become a SFSP sponsor;
- how applications are approved;
- what happens if an application is denied;
- what is included in the permanent sponsor agreement;
- what a sponsor may appeal; and
- a planning checklist.

New potential sponsors must submit an application to the State agency before the agency's deadline date. Applicants should be certain that they have filled out the application completely and that they have forwarded all of the necessary supporting documentation to the State agency. Incomplete applications will cause a delay in the approval of the sponsor.

After the initial application is approved by the State agency, the sponsor will be required to sign a permanent agreement with the State agency. Once this agreement is in place, only annual updates to the application, including a budget, are required.

Application Requirements (7 CFR 225.6(c))

All sponsors are required to submit an initial program application. A list of application requirements cannot be all-inclusive, since variations occur with each State agency and with the nature of different food services. However, the following list indicates the basic application requirements that sponsors must satisfy:

1. **Submit documentation of tax-exempt status** under the Federal Internal Revenue Code of 1986 if they are private non-profit entities. Note: SFSP regulations do not require church sponsors to obtain Federal tax-exempt documentation; however, please check with the State agency for documentation requirements.

2. **Demonstrate adequate administrative and financial responsibility to manage an effective food service.**

3. **Provide a site information sheet for each proposed site.** The site information sheet includes documentation that the site is capable of managing an effective meal service; meal service times; documentation of eligibility; and, if the sponsor qualifies as a camp, documentation of the number of children enrolled in the

program that are eligible for free or reduced-price school meals. Attachment 8 displays information that new vs. experienced sponsors are required to include on site information sheets. (See also Part I, Chapter 1 – Eligibility for documenting open, restricted open, and closed enrolled site eligibility.)

4. **For enrolled sites, provide a written policy statement on free meals.** This policy statement, which must be approved by the State agency, explains that the same meal is served to all enrolled children regardless of reimbursement status and without discrimination against any child because of race, color, national origin, sex, age or disability.

   Camps that charge separately for meals also must: explain that the camp uses USDA's eligibility standards for family size and income levels at the level of reduced-price school meals;
   - describe how the camp accepts income eligibility forms from campers and assures that children whose families receive SNAP, FDPIR, or TANF benefits are automatically eligible for free meals;
   - describe how the camp will collect payments from children who must pay the full price for their meals and how the camp ensures that children receiving free meals are not overtly identified;
   - assure that the camp has a hearing procedure for families who want to appeal a denial of eligibility for free meals; and
   - assure that if a family requests a hearing, the child will continue to receive free meals until a decision is made by the hearing official.

5. **Provide a copy of a proposed media release with the application**. The application may not be approved without it. Once the media release statement is approved by the State agency, it must be provided to media outlets (e.g., newspapers, television and radio stations, city government web sites) serving the area where the SFSP sites are located.

   The purpose of the media release is to announce the availability of free meals, the nondiscrimination policy, and complaint procedures if an individual wishes to file a complaint for violation of non-discrimination policy. Enrolled sites and camps must include the reduced-price income eligibility guidelines in the media release. The media release also must state that children who are part of households that receive SNAP benefits, FDPIR, or TANF benefits are automatically eligible for free meals.

   Attachment 12 provides sample news releases for open and closed enrolled sites. In addition to the information that is required to be

included in the media release, we encourage sponsors to include other relevant information, such as activities that will be provided for children at the SFSP sites.

6. **Submit a complete management plan that includes staffing needs and an administrative budget**. Sponsors will need to indicate the number of people who will be working in each position, the number of hours per day each will work, and the total estimate for employee salaries, including hourly wages and fringe benefits.

   State agencies may waive the budget requirement for public schools or private nonprofit schools that: participated in the SFSP during the preceding summer or during vacation breaks in the current year for schools operating on a year-round calendar; and had no operational problems during that time as reported by the State agency or FNS (SFSP Memorandum, January 2, 2008; Nationwide Expansion of Summer Food Service Program Simplified Cost Accounting Procedures).

7. **Apply for advance payments, if needed**. These are payments that may be received before the program begins to pay for administrative and operating costs that are incurred before the program starts. **(Advance payments are explained in detail in Part II, Chapter 4 -- Program Payments.)**

8. **Certify that a training program will be conducted for monitors and site personnel**. Include information explaining when the training will be held and the topics that will be discussed. (Part II, Chapter 1 -- Training contains an in-depth explanation of this training requirement.)

9. **For sponsors that plan to use a food service management company to provide meals, provide a copy of the invitation for bid; for sponsors that plan to use a school food authority to provide meals, provide the proposed agreement**. Sponsors should also submit plans for advertisement for bids if they intend to contract with a food service management company.

10. **Apply for start-up payments if available, and if the sponsor wants to receive them**. Start-up payments are described in Part II, Chapter 4 -- Program Payments.

11. **If the sponsor is a governmental entity or a private non-profit organization, certify that the sponsor will have direct operational control at each site**.

Annual Application Updates
(7 CFR 225.14(a))

Once an initial application has been approved by the State agency, more limited annual updates to the application will be required. Information required in the annual update to the application will vary from State to State. However, Federal law requires that sponsors submit an annual budget for approval by the State agency (SFSP Memorandum 03-2011, Child Nutrition Reauthorization 2010: Permanent Agreements, January 14, 2011). Attachment 8 displays information that new vs. experienced sponsors are required to provide.

State agencies may exempt standard application procedures for those sponsors that want to provide program benefits in times of emergencies (i.e., unanticipated school closures from October through April or at any time during the year for an area with a continuous school calendar). These sponsors may be exempted from filing an application if they have participated in the SFSP in the current year or in either of the two previous calendar years.

State agencies also may vary application requirements based on their assessment of sponsors' experience or expertise in operating the program. For sponsors that have had operational problems, a State agency will require more detailed information on the site information sheets. For other sponsors experienced in operating the program, less information may be required. Since this regulatory provision is optional, not all State agencies adopt this variation in application processing. (See Attachment 8, which shows how the regulatory requirements for site information sheets differ between new and experienced sponsors/sites.)

CACFP institutions in good standing that want to operate the SFSP at the same sites where they provide meal service through the CACFP may follow the application requirements for experienced SFSP sponsors and sites instead of the application requirements for new sponsors and sites (SFSP Memo 5-2012; Simplifying Application Procedures in SFSP, October 31, 2011).

Deadline for Submitting Applications
(7 CFR 225.6(b)(1))

The deadline for submitting a written application to operate the SFSP in the summer months is June 15. However, State agencies may establish earlier deadlines. Sponsors that apply to operate the program during emergencies are exempt from application deadlines.

Review of Applications
(7 CFR 225.6(b)(3) and 225.11(c))

Within 30 days of receiving a completed application, the State agency will notify the applicant of its approval or disapproval. If the application is incomplete, the State agency will notify the applicant within 15 days and provide technical assistance to help the applicant complete the application process.

Approval to participate must be denied to any applicant found to be seriously deficient in the operation of any Federal child nutrition program, including those disqualified from the Child and Adult Care Food Program (SFSP Memorandum, Nationwide Expansion of Summer Food Service Program Simplified Cost Accounting Procedures, January 2, 2008).

Sponsors will receive reimbursement **only** for meals that are served **after** they have been approved for program operations. Sponsors must be certain that they have been approved **before** they begin their meal service.

State-Sponsor Agreement
(7 CFR 225.6(e))

In order to participate in the SFSP, sponsors must enter into a permanent program agreement with the State agency. The agreement is a legally binding document that specifies the rights and responsibilities of both the sponsor and State agency, and should be read carefully before being signed. Under the agreement, the sponsor must agree to:

- operate a nonprofit food service during the agreed upon period (usually from May through September for children on school vacation);
- serve meals that meet the program requirements (see Chapter 3) at the approved sites during times designated as meal service periods by the sponsor and serve the same meal to all children;
- serve meals without cost to all children (except that camps may charge for meals served to children not served meals under the program);
- issue a free meal policy statement;
- train administrative and site personnel as required;
- claim reimbursement only for types of meals specified in the agreement and served without charge to eligible children at approved sites during the approved meal service period;
- submit claims for reimbursement as required by the State agency;

- maintain proper sanitation and health standards as required by State and local law;
- use in the Program food donated by USDA and accepted by the sponsor;
- have access to facilities necessary for storing, preparing, and serving food;
- maintain a financial management system as prescribed by the State agency;
- maintain on file documentation of required site visits and reviews and make all accounts and records relating to the program available to authorized officials on request; and
- retain financial and administrative responsibility for the program.

Permanent Agreements

The Healthy, Hunger-Free Kids Act of 2010 requires that the agreement between the State agency and SFSP sponsor be permanent. This means that once the State agency and SFSP sponsor enters into an agreement it does not need to be renewed. However, as noted above, SFSP sponsors now operating under a permanent agreement must submit an annual budget for administrative costs that must be approved by the State agency.

It is important to understand that describing the agreement as "permanent" is means only that the agreement has no predetermined expiration date. Under certain circumstances, these agreements may be amended or cancelled, and this feature of the agreement does not create contractual obligations beyond those described in the SFSP regulations. This requirement reduces paperwork for sponsors and State agencies and simplifies Program management (SFSP Memorandum 03-2011, Child Nutrition Reauthorization 2010: Permanent Agreements, January 14, 2011).

A State agency must enter into a single permanent agreement with a school food authority that operates more than one child nutrition program administered by the State agency. Additionally, an addendum to the existing permanent agreement may be made for institutions participating in CACFP and SFSP when the same State agency operates both programs (SFSP Memo 5-2012; Simplifying Application Procedures in SFSP, October 31, 2011).

Appeal Rights
(7 CFR 225.6(b)(3) and 225.13)

Any sponsor denied participation in the program or denied program payment may obtain a hearing by an official other than the one directly responsible for the original determination. At the

time of the denial, the State agency must tell the sponsor whom to contact for an appeal.

The following State agency actions may be appealed:

- denial of sponsor's request for an advance payment;
- denial of a sponsor's claim for reimbursement (except on decisions made by FNS with respect to late claims or upward adjustments);
- termination of a sponsor's (or a site's) participation in the program;
- denial of a sponsor's site application;
- if applicable, denial of a food service management company's application for registration or the revocation of a food service management company's registration;
- claim against a sponsor for remittance of a payment; and
- refusal by the State agency to forward to FNS an exception request by the sponsor for payment of a late claim or a request for an upward adjustment to a claim.

Planning Checklist

A checklist summarizing the planning activities described throughout Part I of this guide is included as Attachment 11.

Chapter 6 – Part 1 Questions and Answers

1. What requirements must I meet to become an SFSP sponsor?

The first requirement is that your sponsoring organization must be a public or private non-profit school food authority; a public or private non-profit college or university; a public or private non-profit residential summer camp; a unit of local, county, municipal, State, or Federal Government; or any other type of private non-profit organization. Also, all sponsors must be tax exempt and must demonstrate the administrative and financial ability to manage a food service effectively. In addition, most sponsors must provide a year-round public service to the area in which they intend to provide the SFSP.

2. If a summer food program is administered by a nonprofit institution, does it automatically meet the requirement to conduct a nonprofit food service under SFSP?

No. The institution's status as a public or private nonprofit cannot be used as evidence that the institution is operating a nonprofit food service. Nonprofit food service status is determined by the scope of the food service activities conducted by the institution and the use of the food service revenues. All income to the program must be retained and used for the sole purpose of operating a nonprofit food service. The institution is limited to allocating costs to the program for allowable expenses of serving meals to eligible participants.

3. At what types of sites can meals be served?

Meals can be served at open, restricted open, closed enrolled, migrant, or NYSP sites, or at residential or nonresidential camps.

4. Are there any pre-operational requirements I must fulfill once I have chosen my prospective sites?

Yes. Once prospective sites have been chosen, the health department must be notified in writing of all prospective site locations and arrangements for prompt and regular trash removal must be made. Additionally, all sites must be visited to determine that they have the facilities to provide meals for the anticipated number of children in attendance and the capability to serve SFSP meals.

5. **What are my choices of meal preparation methods to use when providing meals to children?**

   Sponsors may choose from several methods of meal preparation when providing meals. They may either prepare and assemble their own meals, or obtain meals from a school food authority, a food service management company, a commercial for-profit company or a private non-profit organization. Please check with your State agency for a list of establishments that you can contract with to prepare your meals.

6. **How many and what type of meals can I serve each day?**

   Open, restricted open, or closed enrolled sites may be approved to serve up to two meals each day. For example, a site might serve breakfast and lunch *or* lunch and a snack. Camps and sites serving primarily children of migrant families may serve up to three meals or two meals and one snack with State agency approval.

7. **What are the meal pattern requirements for the meals I serve to children?**

   It is important that SFSP sponsors serve nutritious meals that meet meal pattern requirements and that are appealing to children. The meal pattern establishes the minimum portions of each component that need to be served to each child for a reimbursable meal. Breakfast must contain one serving of milk, one serving of a vegetable or fruit or full-strength juice and one serving of grain or bread. A meat or meat alternate is optional. A lunch or a supper must contain one serving of milk, two or more servings of vegetables and/or fruits, one serving of grain or bread and one serving of meat or meat alternate. A snack must contain two food items from different food components. However, juice may not be served when milk is served as the other component. The meal pattern chart in this part lists the required food components for each meal type and the minimum required serving sizes. Sponsors also can consult the USDA's *Food Buying Guide* for assistance with determining portion sizes and what quantities to purchase. See Chapter 3 for more information.

8. **What are the other requirements for the meals I serve to children?**

   Besides serving meals that meet meal pattern requirements, sponsors must be certain that: all children eat all meals onsite (unless the State

agency allows the fruit/vegetable component to be taken off-site and the sponsor approves sites with adequate supervisory staff), and all children receive one meal before any child is served a complete second meal. Also, sponsors must adhere to local health and sanitation regulations, make adequate arrangement for food service during inclement weather, serve meals during the approved times of meal service and notify the State agency if the site is planning a field trip.

9. Are there time restrictions for any of the meals I serve?

No. Sponsors must continue to establish meal times for each site and provide this information to the State agency, but sponsors are not required to ensure that specific time periods elapse between meal services. However, State agencies may establish meal time restrictions. Such restrictions would be considered additional State requirements and subject to FNS Regional Office review and approval.

10. What should I consider when deciding my staffing needs?

It is very important for the sponsor to provide adequate personnel for overall program management and monitoring in order to fully comply with program requirements. Depending on a sponsor's program, many positions will require only part-time employment, particularly in the planning and closeout phases. The need for recordkeeping personnel varies according to the size of the program. To meet program monitoring requirements, USDA recommends one monitor for every 15 to 20 sites in urban areas. The number of monitors necessary for rural sites may increase depending upon the geographic area to be covered. Also, varied opening and closing dates of individual sites may affect staffing needs. In every case the sponsor must provide adequate personnel for overall program management and monitoring.

11. What do I need to do to apply to participate in the SFSP?

Contact your State agency and obtain a sponsor application. Make sure to submit the application to the State agency before the agency's deadline date. Applicants should be certain that they have filled out the application completely and that they have forwarded all the necessary supporting documentation. Incomplete applications will cause a delay in approval of the sponsor.

12. What happens when I'm approved to participate in the SFSP?

When a sponsor is approved to participate in the SFSP, the State agency will complete and sign a permanent program agreement with each sponsor. The agreement is a legal binding document that specifies the rights and responsibilities of both the sponsor and State agency and should be read carefully before being signed.

13. How often can I add sites?

Generally, sponsors may add sites to their program at any time during the approved operational period. However, the sponsor must provide the State agency with all the necessary information on each additional site and receive approval before serving and claiming meals at the new site(s). Please check with your State agency for more specific information.

14. SFSP can be operated during the school year when there are emergency school closures. How can a sponsor participate in this component of the Program?

The SFSP regulations allow expedited approval of feeding sites during an emergency. Organizations with current agreements to operate the SFSP may be approved to open emergency feeding sites during the school year if schools are closed (7 CFR §225.6(e)(1)(iii)).

Organizations also may plan ahead by including in their application plans for operating emergency sites during the school year. Sponsors are encouraged to consider this when applying to the program. This enables State agencies to pre-approve sponsors to operate emergency feeding sites during unanticipated school closures during their initial application process, ensuring a rapid response when an emergency situation arises.

States also may exempt sponsors proposing to operate a site during an unanticipated school closure during the regular school year from submitting a new application if they have participated in the Program during the current year or previous two calendar years (7 CFR §225.14(a); SFSP Memorandum 14-2011, Existing Flexibilities in the Summer Food Service Program, May 9, 2011).

15. May a private, nonprofit sponsor continue to participate in SFSP if its tax exempt status has been revoked by the IRS?

SFSP regulations at 7 CFR §225.2 and §225.14(a)(5) require private, nonprofit organizations to be tax-exempt in order to be eligible to sponsor the SFSP. As a result, SFSP sponsors that have had their tax-exempt status automatically revoked by the IRS are not eligible for participation in SFSP.

If an approved SFSP sponsor has had its tax-exempt status automatically revoked, the State agency will inform the sponsor that it is seriously deficient and its SFSP participation will be terminated in accordance with 7 CFR §225.11(c). However, as required by SFSP statutory and regulatory authorities, the State agency must provide the sponsor a reasonable opportunity to correct the serious deficiency. The only appropriate corrective action would be a sponsor's submission of documentation from the IRS indicating that:

a. the sponsor or the part of the organization under which the sponsor is operating continues to be tax-exempt under Section 501(a) of the Internal Revenue Code of 1986, or
b. the organization has submitted an application to the IRS for reinstatement of tax-exempt status (SFSP Memo 17-2011, Automatic Revocation of Tax Exempt Status, June 30, 2011).

PART II – ADMINISTERING THE PROGRAM

Once sponsors are approved, they must operate the Summer Food Service Program (SFSP) according to:

- Federal regulations;
- SFSP instructions, circulars and guidance materials; and
- applicable State and local laws.

See Attachment 5 for a list of current SFSP Federal Policies. Check with your State agency about any changes in SFSP policies.

Chapter 1 – Training

In this chapter, you will find information on specific training requirements for administrative staff, site staff, and monitors.

Training is one of the sponsor's major administrative responsibilities. A smoothly operated program will require that sponsors provide training throughout the duration of the program. A comprehensive training effort, including weekly or biweekly meetings on program requirements, will help ensure that monitoring, site, and administrative personnel are performing according to program regulations, that all meals will be eligible for reimbursement, and that accurate and adequate records are available to document the costs and meals claimed.

To enhance this training effort, good communications (both internal and external) should be established with the State agency, the school vendor or food service management company, the in-office staff members, the monitors, and the site staff. For example, meetings and telephone contacts with site and monitoring staff will provide opportunities to ask questions, discuss site operations, and provide specific training on any problem area. In addition, discussions of job descriptions and explanations about the organizational structure enable staff members to understand their own responsibilities as well as those of their coworkers.

Sponsor Requirements
(7 CFR 225.7(a) and 225.15(d)(1))

Sponsors are required to annually attend State agency training and must train all administrative staff and site staff before they undertake their responsibilities. Because these staffing groups have different program responsibilities, most sponsors will want to offer two different training sessions to focus on each group's specific functions. All staff should receive a letter or flyer announcing the date, time, location, and importance of attending the training session that has been planned for their particular function. You also should remind staff shortly before the date of the session. The date, names of attendees, and documentation of the topics covered must be recorded for each training session offered. (See Attachment 15 for training checklists for administrative, monitor, and site staff training sessions.) Sponsors that provide SFSP meals during emergency school closure situations (from October through April or anytime of the year in an area with a continuous school calendar) may be exempted from attending the State agency annual training prior to beginning operations.

Administrative Staff
(7 CFR 225.15(d)(1))

The training session offered for administrative staff will explain the responsibilities and duties of all sponsor personnel helping to administer the SFSP at the sponsor level. These personnel include the office staff (assistants, clerks, bookkeepers, and secretaries), area supervisors, and most importantly, monitors.

The specific training needs of sponsor administrative staff will vary. Specific areas of the training may require greater depth with different employees. However, all training for administrative staff should cover the following topics and use the training materials listed in the sample outline. This outline also is provided in the Reference Section as Attachment 15.

1. Begin with a general explanation of the program, emphasizing the following topics:
   - purpose of the program,
   - site eligibility,
   - recordkeeping requirements,
   - organized site activity,
   - meal requirements, and
   - nondiscrimination compliance.

2. Describe how the program will operate within the framework outlined in this guide (use the menu schedule, sample delivery receipts, and sample daily reporting forms for sites), including:
   - how meals will be provided,
   - the delivery schedule (if applicable), and
   - what records are kept and what forms are used.

3. Outline the specific duties of monitors (use monitor review form and visit report and the mileage log), including:
   - conducting site visits/reviews,
   - sites for which they are responsible,
   - monitoring schedule,
   - reporting procedure,
   - follow-up procedure, and
   - office procedures.

Monitor Personnel

Monitors should be present at both the site and administrative training to ensure a comprehensive understanding of program operations at both levels. The sponsor must provide monitors with thorough training because only those monitors knowledgeable in program requirements and duties will be able to provide meaningful feedback to the sponsor. Since the monitoring function is so important to proper program operations and full reimbursement, sponsors should conduct separate training sessions for monitors that highlight their specific functions. This training should outline the specific duties of monitors including:

- sites for which they will be responsible,
- conducting site visits/reviews,
- monitoring schedules,
- reporting/recordkeeping procedures,
- follow-up procedures,
- office procedures,
- local sanitation and health laws,
- civil rights,
- reporting of racial/ethnic data, and
- considerations for personal safety, if necessary.

This training outline may be found in Attachment 15. Materials to use include the site visit and review forms, monitor mileage log, Monitor's Guide, and ethnic/racial data form.

Site Staff
(7 CFR 225.15(d)(1))

SFSP regulations require that no food service site may operate until personnel at the site have attended at least one of the sponsor's training sessions. This is an annual requirement. (Note: State agencies may waive this requirement for sponsors that provide program benefits during emergency situations from October through April or at anytime in an area with a continuous school calendar.)

Sponsors must document the attendance at site training sessions and schedule additional sessions for those staff who are absent. Regulations also require that at least one person who has been trained by the sponsor be present at each of the sponsor's sites during the time of the meal service. This means that if a site supervisor who has attended the sponsor's training session resigns during the summer, the sponsor is responsible for ensuring that the new site supervisor receives all necessary training before taking charge of the site.

At a minimum, sponsors should be certain that they cover the following topics in the training session for site personnel. (See Attachment 15 for this training outline.)

1. Begin with a general explanation of the program:
   - purpose of the program,
   - site eligibility,
   - necessity for accurate records, and
   - importance of organized activities at sites

2. Describe how the site will operate:
   - For sites obtaining meals from food service management companies/commercial meal vendor/commercial meal vendor, school food authorities or sponsor's central kitchen:
     - meal pattern requirements and types of meal service offered (use planned menus),
     - delivery schedules (exact times),
     - adjustments in the delivery amount,
     - facilities available for storing meals,
     - who to contact about problems (provide sponsor's name and telephone number), and
     - approved level of meal service.

- For sites where meals are prepared onsite:
    - meal pattern requirements,
    - inventory (use inventory forms),
    - meal adjustments (use production records), and
    - meal preparation adjustments.

3. Explain recordkeeping requirements:
    - daily recordkeeping requirements,
    - delivery receipts (sample forms),
    - seconds, leftovers, and spoiled meals,
    - daily labor -- actual time spent on food service and time and attendance records,
    - collection of daily record forms, and
    - maintain copies of meal service forms.

4. Outline the Monitor's responsibilities (use monitoring forms):
    - duties and authority, and
    - areas of assignment and introduction to site supervisors.

5. Explain Civil Rights requirements (use Site Supervisor's Guide).

6. Explain other miscellaneous policy (use sponsor's policy), such as:
    - problems of inclement weather and alternate service areas,
    - problems with unauthorized adults eating program meals,
    - problems with discipline,
    - review of equipment, facilities, and materials available for organized recreational activities,
    - review of trash removal system,
    - corrective action, and
    - nutrition education.

Accurate Point-of-Service Counts are Critical!

It is critical that site personnel and monitors understand the importance of accurate point-of service meal counts. Only complete meals served to eligible children can be claimed for reimbursement. Therefore, meals must be counted at the actual point of service, i.e., meals are counted as they are served, to ensure that an accurate count of meals served is obtained and reported. Counting meals at the point of service also allows site personnel to ensure that only complete meals are served.

Meal Count Forms

Attachments 18, 19, and 20 are sample meal count forms. Attachment 18 is a daily meal count form. Attachment 19 is a weekly, consolidated meal count form.

Attachment 20 is a consolidated form for 20 days that also provides guidance on calculating reimbursable second meals.

A training session attendance sign-in sheet for site personnel can be used by sponsors to assemble a list of the signatures of the site supervisors and assistants who are responsible for signing daily records. Sponsors can use these lists when reviewing the records returned by the sites to ensure that the proper person is signing the daily records.

A notice of the site training session should be sent to local health inspectors so that they have the opportunity to attend the training and become more familiar with the food service operations. If any site receives meals through a food service management company or school food authority the company or school representatives should be invited to attend the training and participate in the discussion of menus and delivery schedules.

Chapter 2 – Monitoring

In this chapter, you will find information on:

- monitoring requirements;
- sample monitoring reports; and
- what to look for when reviewing reports.

An efficient and capable monitoring staff is essential for any program to be successful. A monitor serves as a direct link between the sponsor's headquarters and the actual food service sites. Establishing a workable monitoring system will help prevent problems from occurring and will make it easier to correct any problems that arise during the summer. The size of the monitoring staff will, of course, depend on the size of the sponsor's program. (This is discussed in Part I, Chapter 4 -- Staffing.)

The sponsor must ensure that the authority and responsibilities of its monitors are clear to the monitoring staff, site supervisors, and office personnel. Monitors must ensure that the site operates the program according to program guidelines. Monitors must understand program requirements, including civil rights requirements, train site personnel when necessary, and spend enough time at each site to ensure proper program operations. The monitor also should have a supply of all necessary forms.

Visits and Reviews

When monitors observe program operations at sites, they usually make either a "visit" or a "review." A site "visit" requires a monitor to ensure that the food service is operating smoothly and that any apparent problems are immediately resolved. These site visits must not be confused with the pre-operational visits. A site "review" requires the monitor to determine if the site is meeting all the various program requirements. To accomplish this, a monitor will have to observe a complete meal service from beginning to end. This includes delivery or preparation of meals, the meal service, and clean up after meals. A sample First Week Visit Form is included as Attachment 29 in the Reference Section. A sample Site Review Form is included in the Reference Section as Attachment 30.

Requirements
(7 CFR 225.14(c)(6) and 225.15(d)(2) and (3))

Sponsors must ensure that the following minimum monitoring requirements are met:

- **Pre-operational Visits** – Sponsors should visit all new and problem sites before they begin operations. These visits are required to make sure that the sites have facilities to provide meal services for the number of children expected to attend.

- **Site Visits** – Generally, sponsors are required to visit all sites at least once during the first week of operation. However, the first week site visit requirement is waived for returning sites that operated successfully during the previous summer (or other most recent period of operation) and had no serious deficiency findings. Sponsors of these sites are still required to review the site within the first four weeks of operation (SFSP Memorandum 12-2011, Waiver of Site Monitoring Requirements in the Summer Food Service Program, April 5, 2011).

- **Site Reviews** – Sponsors must review all sites at least once during the first four weeks of program operations. After this initial period, sponsors must conduct a "reasonable" level of monitoring. If a site operates less than four weeks, the sponsor must still conduct a review.

For a "visit," a monitor need not be present during the entire meal service, as opposed to a "review," which would require a monitor to be present before, during and after the meal service to observe all aspects of the site's operations. If any problems are found at the sites, prompt action must be taken to correct the problems. Monitors should follow-up on problems found in previous reviews and inspections by the health department and document that corrections were made. Also, monitoring must continue throughout the duration of the program at a level sufficient to ensure that sites comply with program regulations.

Reports

All visits and reviews must be documented. Records of visits and reviews will help sponsors assess the operation of sites. Records are only useful, however, when they are carefully reviewed by sponsor personnel and when follow-up monitoring is scheduled to ensure that any corrective actions have been taken to improve site operations.

Each sponsor must, therefore, design a system for handling monitor reports. Sponsors should have a system that will ensure that monitors return reports frequently – if possible every day. The reports should be immediately reviewed

by a specific member of the sponsor's staff who is responsible for following up on any problems. The staff member should:

- review any problems found by the monitor;
- call the site supervisor, if necessary;
- document corrective action taken at the site;
- schedule a follow-up review, if necessary; and
- sign and date the report.

The sponsor review official should base the timing of a follow-up review on the severity of the problem.

Reviewing Reports

When sponsors or their staff review monitor reports, they also should pay attention to the quality of the reports. There are several indicators that may be apparent in the monitors' reports that may suggest the monitor's lack of program knowledge or the monitor's misunderstanding of his or her responsibilities. Additional training would be appropriate if the monitor:

- did not answer all questions on the report;
- rarely notes problems and does not include comments in the remarks section of the report;
- observes that the number of meals delivered or served and the number of children who are in attendance are always the same and yet does not follow-up on this suspicious pattern to see if meal counts are being taken appropriately;
- recommends a corrective action and fails to note the action taken or fails to initiate correction of the problem(s);
- fails to recommend adjustments in meal orders when the number of meals exceeds attendance; or
- arrives at sites late and/or does not stay for the entire meal service.

Sponsors must be sure that monitors schedule visits and reviews so that they can meet the program requirements. A good monitoring schedule and an efficient system for the review and follow-up on the monitor's reports are necessary for effective program operations.

Chapter 3 – Civil Rights

In this chapter, you will find information on:

- civil rights requirements; and
- racial/ethnic data you must collect at your sites.

Requirements
(7 CFR 225.7(g) and FNS Instruction 113-1 (issued 11/08/05**)**

All participating sponsors must inform potential participants of the availability of the SFSP. In addition, all sponsors and their sites are required to:

- display in a prominent place at the site and in the sponsor's office, the nondiscrimination poster developed by USDA or approved by FNS;
- make reasonable efforts to provide information in the appropriate translation concerning the availability and nutritional benefits of the program;
- make program information available to the public upon request;
- include the nondiscrimination statement, and instructions for filing a complaint, in their public release and in any program information directed to parents of participants and potential participants;
- ensure that meals are served to all attending children, regardless of their race, color, national origin, sex, age, or disability; and
- ensure that all children have equal access to services and facilities at the site regardless of race, color, national origin, sex, age or disability.

Ethnic/Racial Data

Each year, every sponsor must determine the number of potentially eligible participants by ethnic/racial category for the area served. This information may be obtained from census data or public school enrollment data.

The sponsor also must collect ethnic/racial category data each year by ethnic/racial category for each site under the sponsor's jurisdiction. Sponsors of residential camps must collect and maintain this information separately for each session of the camp. For all other sites, the sponsor must count the participating children at least once during the site's operation. The sponsor may use visual identification to determine a participant's ethnic/racial category. For collection purposes, a participant may be included in the group to which he or she appears to belong, identifies with, or is regarded as a member of by the community.

To provide flexibility and ensure data quality, separate categories must be used when collecting and reporting race and ethnicity. Ethnicity must be collected

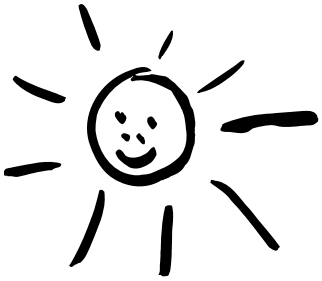
first. Respondents must be offered the option of selecting one or more racial designations. The minimum designations for collection are:

1. Ethnicity:
    a. *Hispanic or Latino.* A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic or Latino."
    b. *Not Hispanic or Latino.*

2. Race:
    a. *American Indian or Alaskan Native*. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
    b. *Asian*. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
    c. *Black or African American.* A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to 'Black or African American.'
    d. *Native Hawaiian or Other Pacific Islander.* A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
    e. W*hite*. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

The sponsor must retain data, as well as documentation for the data, for the required three years. The sponsor must use safeguards to prevent the data from being used for discriminatory purposes. Such safeguards include allowing access to program records containing this data only to authorized personnel. A sample Ethnic/Racial Category Data Form is shown as Attachment 21 in the Reference Section.

Chapter 4 – Program Payments



In this chapter, you will find information on:

- advance payments;
- startup payments;
- reimbursement claims;
- unallowable program costs; and
- non-reimbursable meals.

This chapter discusses the methods and procedures for program payments. These payments are the reimbursement that sponsors receive based on the number of meals they serve that meet SFSP requirements for reimbursement.

Advance Payments
(7 CFR 225.9(c))

When sponsors apply for the program, they may request advance payments for their total program costs, for their operating costs, or for their administrative costs. Although sponsors are no longer required to categorize costs as operational or administrative when submitting claims for reimbursement, advance payments are still categorized as such. Therefore, sponsors may not request an advance for operating and administrative costs combined, but must make these requests separately.

When determining the amount of the advance payment, the State agency will make the best possible estimate based on the sponsor's request and any other available data. These payments are advances on the reimbursement that sponsors will receive for a month of operations and will be deducted from future reimbursement payments. The advances should help sponsors maintain a positive cash flow because they will have funds available to meet program costs as they arise throughout the month.

Advances for Operating Costs
(7 CFR 225.9(c)(1))

Sponsors must request each advance payment for operating costs from the State agency at least 30 days before the payment dates of June 1, July 15, and August 15. If sponsors participated in the previous year's program, the advance payments for operating costs usually will be based on the reimbursement they earned during the same month of the previous year. The State agency also may estimate advance payments as a percentage of anticipated costs. The State agency must receive certification that a sponsor (except for school sponsors) has held training sessions on program

requirements for site and sponsor personnel before it will release the second month's operating advance to the sponsor. A sponsor may not receive an advance for operating costs in any month when it will not be operating for at least 10 days.

Advances for Administrative Costs
(7 CFR 225.9(c)(2))

Sponsors must request each advance payment for administrative costs from the State agency at least 30 days before the payment dates of June 1 and July 15. If sponsors operate the program less than 10 days in June but at least 10 days in August, they will be issued the second month's payment for advance administrative costs on August 15. Sponsors planning to operate the program for less than 10 days cannot receive advance payments for administrative costs. State agencies may adjust the amount of advances based on monitoring or audits.

Startup Payments
(7 CFR 225.2 definitions and 225.9(a))

The State agency may, at its option, provide the sponsor with a limited amount of startup payments (up to a maximum of 20 percent of the sponsor's approved administrative budget). These startup payments, which are deducted from later administrative reimbursements, are for administrative costs incurred in planning a food service and in establishing effective management procedures for that service. Sponsors may request the startup payments if they are available, when they apply for the program. If approved, the startup payments may not be provided any earlier than two months before food operations begin.

Program Reimbursement
(7 CFR 225.9(d))

Reimbursements are based on the number of reimbursable meals served multiplied by the sum of administrative and operational rates. Sponsors must maintain complete records to document all costs and meals they claim for reimbursement. Sponsors are not eligible for reimbursement unless they have signed an agreement with the State agency. (The necessary records are discussed in Part II, Chapter 5 of this guide.)

Allowable Operating Costs
(7 CFR 225.2 definitions and FNS Instruction 796-4, Rev. 4)

Reimbursements may be used to cover allowable operating costs that include, but are not limited to, the cost of food used, nonfood supplies, and space for the food service.

Allowable Administrative Costs
(7 CFR 225.2 definitions and FNS Instruction 796-4, Rev. 4)

Reimbursements may be used to cover allowable administrative costs incurred by your organization for activities related to planning, organizing, and administering the program.

The SFSP has two different levels of administrative reimbursement rates. The higher reimbursement rates are for sponsors of sites that prepare or assemble their own meals and for sponsors of sites located in rural areas. The lower rate is for all other sponsors.

A rural area is any area that is not part of a Metropolitan Statistical Area as defined by the Office of Management and Budget (OMB). With the approval of the State agency, an area may be defined as rural if it is a part of a Metropolitan Statistical Area (MSA), but is isolated from the urban center. The State agency will be able to provide information on whether sites are considered rural for program purposes.

The current administrative reimbursement rates are available from the State agency.

Determining Whether Sites are Rural or Urban

Counties are defined as urban or rural based on OMB definitions. A Metropolitan Statistical Area is a locale where there is at least one urbanized area of 50,000 or more in population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.

A Micropolitan Statistical Areas is an area where there is at least one urban cluster with a population of at least 10,000 but less than 50,000, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.

Sponsors should consider only those locales not designated as Metropolitan or Micropolitan to be rural (SFSP: Using Metropolitan Statistical Area Data for Determining Rural Administrative Reimbursements, March 26, 2004). Please consult your State agency for further clarification on these concepts or reference OMB Bulletin No. 10-02.

Camp Reimbursement
(7 CFR 225.9(d)(10) and 225.16(b)(1))

By law, camp sponsors can only be reimbursed for meals served to children who are eligible for free or reduced price-meals according to the income guidelines for the NSLP and SBP. With State agency approval, camps may claim reimbursement for serving up to three meals or two

meals and one snack to eligible children each day. Therefore, a camp may not claim reimbursement for snacks on days that it claims reimbursement for breakfast, lunch, and supper. Alternately, a camp may not claim reimbursement for a third meal on days that it claims a snack for reimbursement.

Camp reimbursements are based on the number of children served who are eligible for free or reduced-priced meals. Sponsors of camps must maintain the documentation that demonstrates the free or reduced price eligibility of the children they claim reimbursement for and must make it available for review by the State agency. Camps may also charge non-eligible children a separate fee for meals.

Program Income

Funds accruing to the program must be documented, but will not be deducted from a sponsor's reimbursement. Sources of funds that are considered program income include:

- cash donations specifically identified for use in the program; and
- any Federal, State or local funds specifically provided to the program.

Any reimbursements or funds that exceed a sponsor's expenditures must be used in a way that benefits SFSP services to children. Sponsors with funds remaining at the end of the Program year should use them as start-up funds or for improving SFSP services in the following year. Sponsors may not transfer excess funds to nonprogram operations or to increase salary or fringe benefit costs when the sole purpose of the increase is to reduce the food service program balance. If the sponsor will not be participating in SFSP the next year, funds may be used towards the sponsor's provision of other child nutrition programs. If the sponsor does not provide any other programs, the State will collect the excess funds.

Unallowable Costs
(FNS Instruction 796-4, Rev. 4)

Unallowable costs are costs for which program funds may not be used. They include, but are not limited to:

- Costs for excess meals ordered or prepared but not served to eligible children, i.e., meals in excess of legitimate program adult meals and reimbursable meals, unless specifically approved by the State agency;

- Meals served in violation of program requirements; e.g. additional foods served that are not compliant with the meal patterns, meals or components consumed off-site, second meals served in excess of the 2 percent tolerance;
- Rental costs for periods beyond the close-out date for program operation;
- Any other costs incurred that program officials determine to be in violation of applicable laws or regulations;
- The cost to purchase food (including coffee, etc.) for use outside of the SFSP;
- The cost of meals served to administrative adult personnel, or any other adults that are not in the operation of the food service;
- Cost of spoiled or damaged meals;
- For vended sponsors, the cost of meals delivered by a food service management company to a non-approved site, or for meals not delivered within the agreed upon delivery time, meals served in excess of the approved cap, spoiled or unwholesome meals, or meals that do not meet meal requirements or quality standards;
- Bad debts, which are any losses arising from non-collectible accounts and other claims and related costs;
- Repayment of over-claims and other Federal debts;
- Contributions and donations including contingency reserves, USDA-donated commodities and other donated food, labor, and supplies;
- Fines or penalties resulting from violations of, or failure to comply with Federal, State, or local laws and regulations;
- Entertainment and fundraising costs,
- Interest on loans, bond discounts, costs of financing and refinancing operations, and legal and professional fees paid in connection therewith;
- Costs resulting from an under-recovery of costs under other grant agreements; and
- Direct capital expenditures or option to purchase rental costs for: acquisition of land or any interest in land; acquisition or construction of buildings or facilities, or the alteration of existing buildings or facilities; non-expendable equipment of any kind;

repairs that materially increase the value or useful life of buildings, facilities, or non-expendable equipment; and other capital assets, including vehicles.

Claim for Reimbursement

Sponsors receive their program payments based on the number of meals served multiplied by the appropriate combined administrative and operating rates for reimbursement. Sponsors assume complete responsibility for all of the information they submit on their claims. Claims for reimbursement must reflect only meals that meet SFSP requirements and are actually served to eligible children during the claiming period (SFSP Memorandum, January 2, 2008; Nationwide Expansion of Summer Food Service Program Simplified Cost Accounting Procedures). Based on records that are regularly submitted by the sites, sponsors must report the number and type of first and second meals served to all children; sponsors of camps need to report the meals served to eligible children only. The total number of second meals claimed cannot exceed two percent of the number of first meals, for each type of meal served during the claiming period. State agencies can provide further guidance on serving second meals and on those situations where second meals will not be reimbursed. A sample Consolidation Form for 1st and 2nd Meals is included as Attachment 20.

Sponsors must maintain records of all operating and administrative costs, as well as any program income received. These records must be available for review by the State agency.

After the reimbursement claim form is completed, a sponsor must sign the form and send it to the State agency as soon as possible within the month following the month covered by the claim. Claims will not be paid if they are submitted more than 60 days after the last day of the month covered by the claim unless an exception is granted by FNS. The State agency may impose a shorter deadline for submission of the claim within the 60-day requirement. Revised claims that reflect a change in reimbursement amount must be submitted within 90 days.

State agencies may establish additional program requirements; however, they must be consistent with the regulations, and they may not deny Program benefits to otherwise eligible institutions, areas or participants, and they must be reviewed and approved by the appropriate FNS Regional Office (SFSP Memorandum 03-2012: Additional State Requirements in the SFSP, October 31, 2011).

State agencies and institutions are encouraged to streamline recordkeeping and reporting systems by establishing an Internet or electronic-based system, including but not limited to application submissions and claims processing. However, any electronic system must include a means to fully access program benefits without Internet or computer access and must not create a barrier to participation. Otherwise, an eligible institution or individual might be denied access to program benefits.

In cases where participating institutions are unable or unwilling to implement electronic based systems, it may not be reasonable to expect that a State agency will be able to provide the same level of service that users of electronic systems receive. On the other hand, States must still meet all regulatory requirements (SFSP Memorandum 07-2007: Electronic Record and Reporting Systems, June 15, 2007).

State agencies may allow sponsors to consolidate claims as follows:

- 10 days or less in their initial month of operation combined with the claim for the subsequent month; or
- up to three consecutive months may be combined, as long as the combined claim only includes 10 days or less from the first and last month of program operations (i.e., a total of 20 extra days).

If a sponsor operates for less than 10 days in the final month, it may combine the claim for the final month with the claim for the previous month. This combined claim must be submitted to the State agency within 60 days of the last day of operation (SFSP Memorandum; Authority for Sponsors to Combine Claims for Reimbursement, May 15, 2000).

Management Responsibilities
(7 CFR 225.15 (a)(3))

Sponsors may not contract out management responsibilities of the program, including but not limited to the following tasks:

- meal ordering;
- assuming official recordkeeping responsibilities, including meal count information to substantiate claims;
- submitting claims;
- training and monitoring administrative and site staff;
- announcing availability of meals to the news media; and

- determining income eligibility and maintaining individual income eligibility statements

Sponsors should check with the State agency before allowing a food service management company to undertake any other tasks that may be considered management functions or any tasks that are related to the bulleted items listed above.

Non-Reimbursable Meals

Sponsors may claim reimbursement only for those meals that meet SFSP requirements. Reimbursement may not be claimed for:

- meals not served as a complete unit (except in "offer versus serve" sites where complete meals must be offered to participants);
- meal patterns or types not approved by State agencies;
- meals served at sites not approved by State agencies;
- meals consumed off-site , except in the case of approved field trips (this does not include a fruit or vegetable that the State agency and sponsor **may** allow to be taken off-site);
- more than one meal served to a child at a time;
- second meals in excess of 2 percent of the number of first meals served by type during the claiming period;
- meals served outside of approved timeframes or approved dates of operation;
- meals served to ineligible children in camps (those not meeting the income eligibility guidelines for free or reduced price school meals);
- meals that are spoiled or damaged;
- meals in excess of the site's approved level of meal service (cap for vended sponsors);
- meals that were not served; and
- meals served to anyone other than eligible children.

FNS Instruction 796-4, Rev. 4, Financial Management – Summer Food Service Program for Children, provides information on establishing standards, principles and guidelines in the development and maintenance of financial management systems. The State agency can provide this information.

Chapter 5 – Recordkeeping

In this chapter, you will find information on what records must be kept for:

- meal counts;
- operating costs;
- administrative costs;
- funds accruing to the program;
- training records;
- visits and reviews; and
- retention of records.

Sponsors must keep full and accurate records so they can substantiate the number of program meals that they have submitted on each claim for reimbursement and that SFSP funds are used only for allowable SFSP costs.

To justify claims for reimbursement, sponsors must maintain the following records:

- records of meal counts taken daily at each site;
- records of program operating costs, including food, and other costs;
- records of program administrative costs, including labor and supplies; and
- records of funds accruing to the program.

Meal Counts

All sponsors must use daily site records in order to document the number of program meals they have served to children. The sponsor must provide all necessary record sheets to the sites. Site supervisors are then responsible for keeping the records each day. The site personnel must complete the records based on actual counts taken at each site for each meal service on each day of operation. Site personnel must be sure that they record all required counts. These counts should include the number of:

- meals delivered or prepared, by type (breakfast, snack, lunch, supper)
  - Vended programs must support this information with a signed delivery receipt.
  - Programs with a central kitchen should also support this information with a signed delivery receipt for good program management.
  - A designated member of the site staff must verify the adequacy and number of meals delivered by checking the meals when they are delivered to the site.
- complete first meals served to children, by type;
- complete second meals served to children, by type;
- excess meals or meals leftover;
- non-reimbursable meals;
- meals served to program adults, if any; and
- meals served to non-program adults, if any.

Sponsors should collect these site records at least every week. They may have their monitors pick up site reports on designated days, or the site supervisors may be asked to mail the records to the sponsor's office. When they collect the site records, sponsors should check for the site supervisor's signature. Any sponsor serving vended meals must be sure that the figure entered as the number of meals delivered on the site record is the same as that entered on the vendor's report. If there is any discrepancy between the numbers, the sponsor should immediately contact the vendor and site supervisor and resolve the problem. The sponsor should make a permanent note of the discrepancy as well as the action that was taken to resolve it.

A sample Daily Meal Count Form is included in the Reference Section as Attachment 18. A consolidated (weekly) meal count form is included as Attachment 19.

Operating Costs
(7 CFR 225.2 definitions and FNS Instruction 796-4, Rev. 4)

Operating costs are allowable costs incurred by the sponsor for preparing and serving meals to eligible children and program adults. These costs include, but are not limited to, cost of food used, labor, nonfood supplies, and space for the food service. Rural sites may include costs that are directly incurred in transporting children from rural homes to rural food service sites. All costs must be fully documented and they must represent actual program costs.

Food Costs for Onsite Preparation (FNS Instruction 796-4, Rev. 4)
The data that is necessary for computing the cost of food used is more extensive when sponsors prepare their own meals onsite or at a central kitchen. Records to support the cost of food used should include, at a minimum:

- receiving reports that record the amount of food received from the supplier;
- purchasing invoices;
- records of any returns, discounts, or other credits not reflected on purchase invoices;
- inventory records that show the kinds of food items on hand at the beginning and end of the inventory period, the quantity of each item, documented major inventory adjustments, and the total value of the beginning and ending inventory; and
- canceled checks or other forms of receipt for payment.

Food costs cover the cost of purchases and the cost of processing, transporting, storing, and handling food that is donated (including USDA Foods) or purchased by the sponsor. Sponsors cannot charge the program for major reductions of food in stock that are the result of fire, theft, spoilage, contamination, or any event other than normal usage. Attachment 17 in the Reference Section provides a sample inventory form and instructions for sponsors that prepare meals on-site or at a central kitchen Attachment 28 provides a worksheet to compute the cost of food used

Food Costs for Vended Programs (FNS Instruction 796-4, Rev. 4)
The cost of food used means the cost of the preparation or the cost of preparation and delivery of meals charged to the sponsor by the food service management company or the school facility. This cannot include charges for meals delivered to non-approved sites, meals not delivered within the established delivery time, meals that are spoiled or do not meet meal pattern requirements, or meals that do not meet the requirements or terms of the contract. The sponsor should not pay the food service management company or school facility for these meals.

The sponsor must maintain records that include the signed delivery slips to support the claim for reimbursement.

The delivery slip must provide sufficient detail to document compliance with SFSP requirements. The delivery slip is the sponsor's only identifier that the meal served matched the menu for that day, unless a substitution has been indicated. Although the Federal regulations do not specifically define what should be addressed on the delivery slips, the site supervisor or designated site personnel should:

- determine what meals they are signing for on the delivery slip,
- check the quantity,
- ensure that meals meet the meal pattern requirements,
- note any errors/differences on the delivery slip, and
- maintain the signed detailed delivery slip to support the sponsors claim for reimbursement.

It is strongly encouraged that, at a minimum, the delivery slip include:

- what meal is being delivered,
- the number of meals delivered, and
- the delivery date and time.

Labor Costs (FNS Instruction 796-4, Rev. 4)

Labor costs include compensation by sponsors for labor that is required to prepare and serve meals, to supervise children during the meal service, and to clean up after the meal service. These costs may include wages, salaries, employee benefits, and the share of taxes paid by the sponsor. Sponsors must keep accurate time and attendance records for all labor costs that are attributed to the SFSP. A sample Staff Time Report for food service and site staff is included in the Reference Section as Attachment 26.

Other Operating Costs (FNS Instruction 796-4, Rev. 4)

Other operating costs may include, but are not limited to:

- costs of nonfood supplies;
- rental costs for buildings, food service equipment, and vehicles; utility costs; and
- mileage allowances.

A sample mileage form for food service and site staff is included in the Reference Section as Attachment 23. If sponsors feel that they may have "other" costs that are not listed, they may contact the State agency for a determination as to whether or not they may use reimbursement to cover

those costs. Sponsors must keep all records and documentation to support any costs that they claim for reimbursement.

Administrative Costs
(7 CFR 225.2 definitions, FNS Instruction 796-4, Rev 4)

Administrative costs are costs incurred by the sponsor for activities related to planning, organizing, and administering the program. Generally, these activities include:

- preparing and submitting an application for participation, including a management plan containing budgets of operating and administrative costs, and staffing and monitoring plans;
- establishing the eligibility of open or restricted open sites by collecting school or census tract data or family income eligibility forms for closed enrolled sites to determine if 50 percent or more of the children are eligible;
- for camps, determining the number of children eligible based on a review of family size and income forms;
- attending training provided by the State agency;
- hiring and training site and administrative personnel;
- visiting sites, reviewing and monitoring operations at sites, and documenting these visits and reviews;
- preparing and submitting a plan for and summary of the invitation to bid when the sponsor wants to contract with a food service management company;
- preparing and submitting claims for reimbursement; and
- performing other activities that are necessary for planning, organizing, and managing the program.

Generally, costs incurred for these activities are:

- labor costs for administrative activities;
- rental costs for offices, office equipment, and vehicles;
- vehicle allowance and parking expenses;
- office supplies;
- communications;
- insurance and indemnification;
- audits; and
- travel.

Maintaining Records of Costs
(7 CFR 225.15(c))

Records must be maintained that document the amount and purpose of all administrative costs attributed to SFSP. For example, time and attendance records must be kept to document labor costs. Attachment 27 in the Reference Section includes a worksheet and instructions for documenting administrative costs.

Attachments 25, 27, and 29 are sample forms for tracking administrative costs. Attachment 23 is a sample form for administrative staff (including monitors) to use in keeping track of mileage, Attachment 25 tracks administrative staff hours worked, and Attachment 27 is a sample form for summarizing all administrative costs.

Tracking Funds

Sponsors must be able to account for the receipt, obligation, and expenditure of all SFSP funds. However, this does not mean that sponsors are necessarily required to maintain SFSP funds in a separate bank account from other institution expenditures. Sponsors must ensure that all SFSP reimbursements are being used solely for conducting nonprofit food service operations.

When an institution's total food service is not conducted principally for the benefit of its own SFSP participants, the nonprogram and program components of the food service operation must be tracked separately. Through this separation, the institution must ensure that the SFSP nonprofit food service program component does not support any nonprogram food service activities such as vending or catering operations or adult meal services.

Funds Accruing to the Program

Funds accruing to the food service include all funds received from Federal, State, local, and other sources, except program advances, startup funds, or reimbursement payments received from the State agency. These funds must be designated specifically for the SFSP. Records reflecting income may include:

- deposit records,
- voucher stubs, or
- receipts.

Training
(7 CFR 225.9(c)(1))

Sponsors must keep records that document:

- date(s) of training for site and administrative personnel,
- attendance at each training session by having all attendees sign an attendance form, and
- topics covered at each training session.

Sponsors that have requested advance payments for operating costs must send certification that they have completed training for site and administrative personnel to the State agency. Without this certification, the State agency will not release the second advance payment for operating costs to the sponsor. This requirement, however, does not apply to school sponsors.

Site Visits
(7 CFR 225.14 (c)(6) and 225.15 (d)(2) and (3))

Sponsors must be able to document that they have met their monitoring requirements. Monitors must submit a report for:

- pre-operational site visits,
- site visits during the first week of program operations, and
- site visits throughout the summer.

A sample First Week Site Visit Form is included as Attachment 29 in the Reference Section.

Site Reviews
(7 CFR 225.15(d) (3))

Monitors must submit a review report form for each site review during the first four weeks of program operations, and for site reviews throughout the duration of the program. This form will contain much of the same information as the Site Visit Form plus information concerning meal preparation and delivery schedules, the quality and accuracy of site records and recordkeeping, the regular adjustment of meal orders, and whether changes are made in menus. A Site Review Forms is included as Attachment 30.

Checklist of Records

There are a number of additional records you must maintain in your files. These records and the records discussed in this chapter are summarized in Attachment 22 -- Checklist of Records.

Retention of Records
(7 CFR 225.8(a))

As a sponsor, you must maintain all records for three years after the end of the fiscal year of operation, or longer if required by the State agency. These records must be accessible to Federal and State agency personnel for audit and review purposes. Further, these records can only be disposed of after three years if there are no unresolved audit findings or the program is not under investigation.

Chapter 6 – Administrative Reviews

In this chapter, you will find information on:

- review procedures and statistical monitoring,
- violations of program requirements, and
- how to create a corrective action plan.

During the course of the summer, State agencies will complete an administrative review of most sponsors' program operations. This administrative review will involve visits by State agency personnel to the sponsor's site(s) and office. The reviews are designed to ensure that a sponsor's overall program is operating according to requirements and to provide technical assistance to a sponsor if there are questions about program operations.

Review Procedures
(7 CFR 225.7(d)(2))

A State agency review of site operations should involve observing the meal service operations and the recordkeeping at the site. A review at the sponsor level should involve a review of how the claim for reimbursement is assembled and a review of the records maintained by the sponsor. Regardless of the specific administrative review procedures, all sponsors must make their records available for the State agency's review and must implement all corrective actions recommended by the State agency. The results of an administrative review may affect the amount of reimbursement a sponsor will receive.

Statistical Monitoring
(7 CFR 225.7(d)(8))

The State agency may elect to use statistical monitoring procedures when it conducts administrative reviews of sponsors. The State agency may use the results of statistical monitoring to determine the sponsor's reimbursement. The State agency will inform the sponsor if it plans to use statistical monitoring and will provide the sponsor with the necessary information on its procedures for conducting statistical monitoring. The State agency can provide additional information on the use of statistical monitoring.

Violations
(7 CFR 225.11(c)(1-4))

Violations of program requirements may result in withholding or recovery of reimbursements, temporary suspension, or termination and exclusion from future program participation.

Program violations include but are not limited to:

- Failure to maintain adequate site or sponsor records.
- Failure to adjust meal orders to conform to changes in site attendance.
- Failure to have a trained site supervisor at each site during the meal service.
- Serving more than one meal to a child at one time.
- Children eating complete meals off-site (Note: This does not refer to the permissible practice of allowing children to take a piece of fruit or vegetable off-site.)
- Claiming meals that were not served to eligible children.
- Serving meals (or in the case of OVS sites, offering meals) that do not include all required meal components and/or correct quantities.
- Failure to report sites to health department.
- Continued use of food service management companies/commercial meal vendor that violate health codes.
- Submission of false information to the State agency.
- Use of program funds for unallowable costs.
- Failure to return excess startup or advance payments to the State agency.
- Not adhering to competitive bid procedures.
- Noncompliance with civil rights laws and regulations.

Corrective Action Plan
(7 CFR 225.11(f))

When the State agency finds violations during a site review, it will require the sponsor to correct the problems found. If the State agency finds a high level of meal service violations at a site, it will immediately require the sponsor to follow a specific corrective action plan. The State agency will initiate a follow-up system to ensure that sponsors take the specific action (as outlined in the plan) for correcting site violations.

Chapter 6 – Part II Questions and Answers

1. **Once I'm approved to operate the program, what are my training responsibilities?**

   Training is one of the sponsor's major administrative responsibilities. A smoothly operating program will require that training be provided by sponsors throughout the duration of the program. A comprehensive training effort, including weekly or biweekly meetings on program requirements, will help to make certain that the monitor, site, and administrative personnel are performing according to program regulations. Sponsors should attend State agency training and then train both their administrative and site personnel before these staff members undertake their responsibilities. SFSP regulations require that no food service site may operate until personnel at the site have attended at least one of the sponsor's training sessions. This is an annual requirement.

2. **What are my monitoring requirements for the SFSP?**

   An efficient and capable monitoring staff is essential to the success of any sponsor's program. Monitors must ensure that the site operates the program according to program guidelines. This requires a pre-operational visit, which is conducted before a site operates the SFSP. These visits are required for all sites to determine that the sites have the facilities to provide meal service for the anticipated number of children in attendance. Also, a sponsor must visit all new sites and sites that experienced operational problems the previous year at least once during the first week of operation to make sure the food service operation is running smoothly and to verify information such as the site address, storage, holding and preparation facilities, and serving capabilities. Further, sponsors must conduct site reviews at least once during the first four weeks of program operations to observe delivery or preparation of meals, service of meals, children eating the meals, and clean up after meals.

3. **What are my civil right requirements?**

   All participating sponsors must inform potential beneficiaries, particularly minorities, of the availability of the SFSP. Sponsors are required to display the nondiscrimination poster in a prominent place at the site and the sponsor's office. Also sponsors need to make program information available to the public, make reasonable efforts to provide information in the appropriate translations and include the nondiscrimination statement and instructions for filing a complaint on all materials directed to participants and their families. In addition, sponsors must ensure meals are served to all attending children regardless of race, color, national origin,

sex, age or disability and make sure all children have equal access to services and facilities. All sponsors must collect beneficiary data each year by racial/ethnic category for each site under the sponsor's jurisdiction

4. Can I request an advance payment from the State agency?

Yes. When sponsors apply for the program they may request advance payments to assist in meeting operation and administrative expenses. These payments will be advances on the reimbursement received for a month of operation and will be deducted from future reimbursement payments. The advances help maintain a positive cash flow by making funds available to meet program costs as they arise throughout the month.

5. Will I be reimbursed for all of my costs associated with running the SFSP?

The amount of reimbursement you receive is an amount equal to the number of eligible meals served to children, multiplied by the current combined administrative and operating reimbursement rates. The reimbursement is intended to help cover the administrative and operating costs of running the SFSP. However, the reimbursements you receive may not be enough to cover all of your Program costs.

6. How do I receive my reimbursement?

Reimbursement is based on the claims for reimbursement that you submit to your State agency. Claims for reimbursement reflect meals that meet SFSP requirements and are served to eligible children during the claiming period. Claims must be submitted to your State agency within 60 days after the last day of the operating month, unless the State has established an earlier deadline.

7. What type of records do I need to keep for the program?

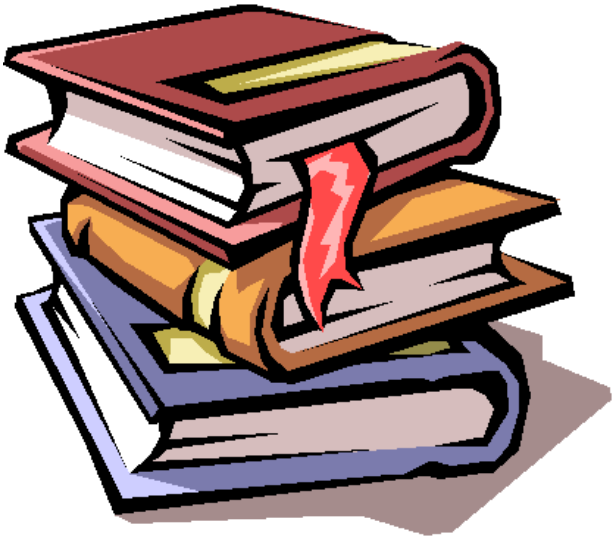
To substantiate your claim for reimbursement, you will need to keep all records of meal counts taken daily at each site, operating costs including food and other costs, administrative costs including labor and supplies, and funds accruing to the program. In addition, records need to be maintained that document the training you have provided for your site and administrative personnel and document you have met your monitoring requirements. Additionally, records that document your eligibility for the SFSP such as the application to participate in the SFSP and the signed agreement with the State agency must be maintained.

8. How long am I required to maintain these records?

Sponsors must maintain all records for three years following the submission date of the final claim for reimbursement, or longer if required by your State agency. For audit and review purposes these records will need to be made available upon request to Federal and State agency personnel. Further, records can only be disposed of if there are no unresolved audit findings or the program is not under investigation.

9. Will my program be reviewed by the State agency?

Sponsors will receive a periodic administrative review by the State agency or FNS Regional Office staff during the course of operations, which will include a review of the office and at least one site. Sponsors must make records available for the State agency reviewer and must take any corrective actions required by the State agency. Results of an administrative review may affect the amount of reimbursement a program will receive. The review may involve assessing how the claim for reimbursement is prepared and looking at the records maintained by the organization. It will also include a look at site operations to observe the meal service operation and recordkeeping.



PART III – FOOD SERVICE MANAGEMENT COMPANIES

In this part, you will find information on:

- soliciting food services from local schools;
- selecting a food service management company;
- invitation for bid and contract;
- competitive bid waivers and standard competitive bid procedures;
- bid specifications; and
- how to award and administer a contract for food service.

Contracting with a Food Service Management Company

What is a Food Service Management Company?
(7 CFR 225.2 definitions)
In the SFSP, the term "food service management company (FSMC)" means any commercial enterprise or nonprofit organization with which a sponsor may contract for preparing unitized meals, with or without milk, for use in the program, or for managing a sponsor's food service operations in accordance with the limitations set forth in the program regulations on *management responsibilities of sponsors*. Food service management companies may be (a) public agencies or entities; (b) private nonprofit organizations; or (c) private, for-profit companies.

Are there any limitations on what a FSMC can do?
(7 CFR 225.15(a) (3))
There are some specific program management responsibilities that sponsors may not contract out to an FSMC, including, but not limited to:

- meal ordering,
- assuming official recordkeeping responsibilities, including meal count information to substantiate claims,
- submitting claims,
- training and monitoring administrative and site staff,
- announcing availability of meals to the news media, and
- determining income eligibility and maintaining individual income eligibility statements.

Sponsors should check with the State agency before allowing an FSMC to undertake any other tasks that may have been identified as management functions that may not be delegated.

Factors Involved with Contracting with a FSMC
(7 CFR 225.2 definitions, 225.6(g) and (h), and 225.15(m))
There are several factors that can influence a sponsor's decision to contract for meals with an FSMC. These factors may include the sponsor's lack of food preparation facilities or personnel, a site that is unsuited for meal preparation, or a large number of sites spread over a wide geographical area.

Sponsors that decide to contract with an FSMC to obtain meals are called "vended sponsors" and must meet various program requirements and follow certain procedures. FSMCs that enter into a contract with a sponsor to prepare and deliver meals must provide meals that comply with program regulations and their contract with the sponsor.

The duration of an agreement with an FSMC generally is limited to a single year, due to the nature and design of the SFSP. However, to be consistent in the administration of all child nutrition programs, SFSP sponsors, with State agency approval, may execute agreements with FSMCs that include an option for renewal that does not exceed four additional years from the original agreement. This optional extended agreement streamlines the procurement process with FSMC contracts but does not compromise the integrity of SFSP. Every precaution must be taken to ensure procurements are conducted in accordance with Federal procurement standards. And, all contracts shall include a termination clause whereby either party may cancel for cause with a 60-day notification. Sponsors should contact the State agency for more details (SFSP 09-2007, July 27, 2007, Food Service Management Company Contracts).

It is important that both sponsors and FSMCs (including commercial meal vendors) are familiar with the information in this section. A successful vended operation depends on both parties fully understanding their mutual responsibilities in the program.

Soliciting Local Schools (7 CFR 225.15(b)(1))
Federal regulations strongly encourage sponsors to first consider their local SFA as a source for obtaining meal service. Using the facilities of local public or private schools to prepare or obtain meals offers the sponsor several advantages. These schools often prepare large numbers of meals during the school year and already have the facilities and the staff to prepare meals for the SFSP. In addition, many schools are accustomed to preparing meals that meet USDA requirements if they participate in other child nutrition programs. Also, the agreement needed to obtain the service of an SFA is simpler to execute than the formal competitive procurement process that is required to use a commercial company.

When assessing a school's ability to provide meal service, sponsors must consider whether or not an adequate delivery service to sites can be established and whether the meals prepared by the school are comparable in price and quality to those available from commercial vendors.

Sponsors that use local SFA facilities must enter into a written agreement with the school, but are not required to utilize the competitive bid procedures described below if the school itself does not obtain its meals from an FSMC. (Attachment 7 in the Reference Section includes a sample agreement between the school and sponsor to furnish prepared meals.)

Year-Round Contracts With School Food Authorities

Generally, if the school itself obtains its meals from an FSMC, the sponsor may not enter into an agreement for meal service, but must use the competitive bid procedures described below.

However, if a sponsor is considering using an SFA that has executed a year-round contract with an FSMC it may be permitted to enter into an agreement with the SFA. The sponsor should check with the State agency before implementing a contract to determine whether SFSP meals may be included in a contract that was competitively procured on a cost-plus-fixed fee basis (Memo 1-2004: Contract Requirements for School Sponsors, March 2, 2004).

Selecting a Company

If a written agreement with a local school is not possible or is not beneficial, sponsors may contract with an FSMC to prepare and deliver meals. There are specific management responsibilities that sponsors may not contract out, such as monitoring, staff training, enforcing corrective action, or preparing program applications and claims for reimbursement. Sponsors remain legally responsible for ensuring that the food service operation meets all requirements specified in the agreement they sign with the State agency. It is also important to note that the contract is between the sponsoring organization and the FSMC only, and neither USDA nor the State agency have jurisdiction to enforce it with either party, or resolve any disputes that may arise.

Procurement

All procurement of food, supplies, goods, and other services with program funds by sponsors must comply with procurement standards prescribed in USDA's Uniform Federal Assistance Regulations, 7 CFR Part 3016 for public sponsors, 7 CFR Part 3019 for private non-profit

sponsors, and 7 CFR Part 225 Summer Food Service Program regulations. (Note: USDA issued a final rule on August 14, 2000, that established Part 3016 and Part 3019 as the appropriate USDA procurement regulations for USDA entitlement programs, including the SFSP and other child nutrition programs.) The State agency will make these documents available to sponsors upon request, and can provide more detailed information about these minimum purchasing requirements. In addition to complying with the minimum Federal standards, sponsor purchases may have to meet other State, local, and/or State agency standards, as well as special procurement requirements which may be established by the State agency, with approval of FNS, to prevent fraud, waste, and program abuse.

Minority Business Enterprise
(7 CFR 3016.36(e), 3019.44(b) and 7 CFR 225.17))

All sponsors are encouraged to take affirmative steps to ensure that minority firms and women's business enterprises are used when possible. Affirmative steps may include placing such businesses on solicitation lists and ensuring such businesses are solicited whenever they are deemed potential sources. When economically feasible, sponsors may wish to divide their total procurement needs into smaller quantities to facilitate participation by minority business enterprises. They may also want to establish delivery schedules that will help minority business enterprises meet deadlines. Sponsors can use the services and assistance of the Small Business Administration and the Office of Minority Business Enterprise of the Department of Commerce.

Invitation for Bid and Contract
(7 CFR 225.6(h)(2))

State agencies may require all sponsors under their jurisdiction to use a standard contract for meals provided by an FSMC. These standard contracts may vary according to different State and local requirements. This document can serve a dual purpose. It may contain the specific information a bidder needs to submit (The Invitation for Bid) and, upon acceptance of the bid and execution, it becomes the contract.

Formal Competitive Bid Waivers
(7 CFR 225.15(m)(4))

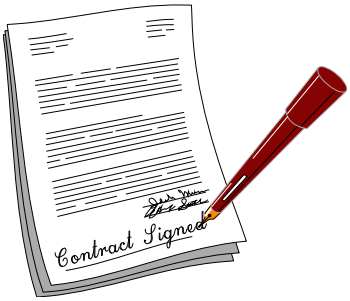
Sponsors that choose to purchase meals from SFAs are not required to conduct competitive procurements to obtain those meals but must still enter into agreements which include the terms and conditions of the purchasing arrangements with the SFAs. Sponsors that are schools or SFAs and have an exclusive contract with an FSMC for year-round service; and sponsors whose total contracts with FSMCs will not exceed $100,000, or any applicable State or local thresholds, are not

required to comply with the competitive sealed bid procedures provided below. In addition to any applicable State or local laws governing bid procedures, all other sponsors that contract with an FSMC shall comply with the competitive sealed bid procedures below. The State agency is responsible for ensuring that contracting and bidding procedures meet USDA requirements and will provide technical assistance to sponsors to help them meet these requirements (SFSP 08-2008: Simplified Acquisition Threshold, July 3, 2008).

Formal Competitive Sealed Bid Procedures
(7 CFR 225.15(m)(4)(i)-(xii))

Formal competitive sealed bid procedures include five steps:

1. Preparing an Invitation for Bid (IFB) package.
2. Publicly announcing all IFBs not less than 14 days before bids are opened. Announcements must include the time and place of the bid opening.
3. Notifying the State agency of the time and place at least 14 days before the bid opening.
4. Publicly opening all bids.
5. Submitting to the State agency copies of all contracts, a certificate of independent price determination, and copies of all bids received, as well as the sponsor's reason for selecting the chosen FSMC. (In some cases, these documents must be submitted to the State agency before issuing a contract award.)



Careful preparation of the IFB is the most important step in the competitive bid process. Sponsors must supply the IFB to all companies responding to the public announcement.

The sponsor's IFB must include:

- a cycle menu approved by the State agency;
- food specifications and meal quality standards;
- a statement requiring compliance with SFSP regulations;
- nonfood items essential for conducting the food service;
- special meal requirements to meet ethnic or religious needs or dietary modifications for children with special physical or medical needs, only if these are necessary to meet the needs of the children to be served; and
- the location of the sponsor's sites and the estimated range of meals required.

The sponsor's IFB must **not**:

- specify a minimum price;
- provide for loans or any other monetary benefit, term, or condition to be made to sponsors by FSMCs; nor
- include nonfood items that are not essential to the conduct of food service.

Bid Bond
(7 CFR 225.15(m)(5))

If FSMCs submit a bid over $100,000, they must submit a bid bond in an amount not less than 5 percent and no more than 10 percent of the value of the contract for which the bid is made, as determined by the sponsor and specified in the IFB. Food service management companies are prohibited from posing any alternative forms of bid bonds. Cash, certified checks, letters of credit, and escrow accounts, are not acceptable substitutes for bid bonds. The bond must be from one of the companies listed in the most recent issue of the United States Department of Treasury Circular 570, which is available from the Government Printing Office for a small fee. Sponsors may obtain a copy by calling (202) 512-1800, or by downloading at: http://www.fms.treas.gov/c570/index.html.

It is important that the FSMC respond to the IFB accurately and completely. FSMCs that attempt to modify any provision of the IFB, or otherwise fail to comply with all IFB requirements, will be considered "non-responsive" and ineligible for contract award. A more detailed discussion of bid specifications follows.

Bid Specifications

Sponsor Responsibilities (7 CFR 225.6(h)(2)). The sponsor must include the following information in the IFB so that bidders will know the exact terms of the bid.

- **Site Information (7 CFR 225.6(h)(2)(iii)):** The sponsor must include a list of proposed site names, addresses, delivery locations, times of meal service, and days of operation. With this information, a bidder can estimate the cost of delivery and the feasibility of meeting the sponsor's requirements. The sponsor should specify in the IFB that single deliveries for multiple meals (e.g., breakfast and lunch) are allowed only at those sites that are equipped with adequate storage and refrigeration facilities.

- **Cycle Menu (7 CFR 225.15 (m)(4)(v) and (vii)):** The sponsor also must attach a cycle menu that lists the types and amounts of food in each meal. Program regulations specify minimum meal pattern requirements, but sponsors may improve upon these minimums to increase the variety and appeal of menus. Sponsors may request approval from the State agency for variations from the meal requirements only when necessary to meet ethnic, religious, economic, or nutritional needs.

- **Meal Requirements (7 CFR 225.15(m)(4)(vi) and 225.7(c)):** As part of the IFB, the sponsor must provide the FSMC with a copy of the meal requirements outlined in Section 225.16 of the SFSP regulations. The sponsor also must provide a copy of the minimum food specifications and model meal quality standards required by Section 225.7(c) of the SFSP regulations. The FSMC must deliver meals that meet these meal requirements and minimum food specifications and model meal quality standards.

Reimbursable Meals (7 CFR 225.6(h)(2)(ix) and 225.15(m)(4)(ix)): Under the provisions of the contract between the sponsor and the FSMC, the sponsor is required to pay only for the delivered meals that meet these requirements and should not pay for ineligible meals. Similarly, the sponsor will receive payments from the State agency only for meals that meet these requirements.

Quality Control: An effective quality control system is essential for verifying that meal components meet the minimum quantity requirements. During food preparation, the FSMC should regularly inspect and measure items to ensure correct sizes and weights. Setting production equipment for the desired specifications is no substitute for a quality control system, because equipment settings may become distorted during operation. State agencies and sponsors are responsible for sampling meals and disallowing payment for meals that fail to meet minimum standards. The entire meal must be disallowed for reimbursement if any component does not meet minimum standards.

Unitized Meals (7 CFR 225.6(h)(3)): Sponsors must ensure that FSMCs provide "unitized" meals with or without milk or juice. This means that meals must be individually portioned, packaged, delivered, and served as a unit. The milk or juice may be packaged and provided separately, but must be served with the meal unit. Other variations of unitized meals can be approved by the State agency.

USDA Foods (7 CFR 225.9(b)): Sponsors of vended programs can only receive USDA Foods if the vendor is a school or school district, or if the sponsor is an SFA that competitively procures its SFSP meals from the same FSMC that competitively provided its most recent NSLP meals.

Meal Range Adjustments (7 CFR 225.6(h)(2)(xi)): Actual participation under a given sponsorship frequently varies from the estimate specified in the IFB. The FSMC bases a bid on the

specifications and expects to be serving close to the number of meals listed in the estimate. A sizeable discrepancy between estimated and actual participation can increase or decrease the FSMC's unit production cost. Therefore, the sponsor must carefully estimate the number of meals it will need each day. Sponsors also should consider including a provision that will decrease the per-meal price if the number of meals served exceeds expectations. Sponsors may increase or decrease the number of meals specified in the IFB only after notifying the FSMC. Sponsors should consider specifying in the IFB a time period during which changes in a site's meal orders may be made to the vendor. A reasonable time frame for notifying the vendor may be within 24 to 36 hours of the change. Increases in maximum meal service levels at sites receiving vended meals must be approved by the State agency.

Special Accounts (7 CFR 225.6(f)): The State agency may require sponsors to set up special accounts at financial institutions. If such accounts are established, the sponsor must deposit any payments received from the State agency in the special account. Both the FSMC and the sponsor must authorize any checks drawn on this account. This is to help ensure that the company receives payment for the eligible meals it provides to the sponsor's program.

Food Service Management Company Requirements

There are several specific requirements FSMCs should be aware of before submitting a bid. These requirements are:

- **Health Certification and Inspection** (**7 CFR 225.6(h)(2)(v)):** An FSMC must have State or local health certification for the facility(ies) used to prepare meals for the SFSP. The company must ensure that health and sanitation requirements are met at all times. In addition, the company must ask local health authorities or independent agencies to periodically inspect the meals they serve to determine bacteria levels. These levels must conform to the standards set by local health authorities. The company must submit the results of the inspections promptly to the sponsor and the State agency.

- **State Agency Inspections (7 CFR 225.7(d) (6) and (e)):** FSMCs also should be aware that the State agency must inspect the FSMC's facilities as part of the sponsor review. In addition, the State agency may conduct inspections of food preparation facilities and food service sites and perform meal quality tests. This inspection is independent of the one the FSMC provides.

- **Records (7 CFR 225.6(h)(2)(vii)):** FSMCs must maintain records (supported by invoices, receipts, or other evidence) that the sponsor needs to meet program responsibilities. Companies must report to the sponsor at the end of each month, at a minimum. The FSMC must keep the books and records concerning the sponsor's food service operations for three years, or longer if required by the State agency, from the date of receipt of final payment under the contract. Representatives of the State agency, USDA, and the United States General Accountability Office may examine or audit these records at any reasonable time and place. Records must be retained longer if there is an unresolved audit or investigation.

- **Subcontracts (7 CFR 225.6(h)(2)(ii)):** FSMCs may not subcontract with another company for the total meal (with or without milk) or for assembling of the meal. Subcontracting is prohibited because it inflates costs and lessens the sponsor's control over the quality and supply of the meals.

- **Contract Responsibility (7 CFR 225.6(h)(2)(ix)): It is important for the prospective FSMC to realize that the contract is a private contract between the FSMC and the sponsor.** Neither USDA nor the State agency has any jurisdiction in the payments made to the FSMC. Before contracting to provide meals for the program, the FSMC needs to assess the sponsor's capability to meet the terms of the contract and the sponsor's capability to pay them for all meals that are properly delivered. If applicable, the company should become familiar with the sponsor's past performance in this or other federally funded programs.

Awarding the Contract

Sponsors should award the contract to the responsive and responsible bidder whose per-meal bid was lowest in price. "Responsive" bidders are those whose bids conform to all of the terms, conditions, and requirements of the IFB. Sponsors are encouraged to use the services of minority-owned companies and should consult local and State authorities regarding the applicability of preference and set-aside provisions. Only statutory or court decreed preferences and set-asides that are not excessive may be used.

The sponsor should award the contract at least two weeks before program operations will begin to allow time for both the FSMC and the sponsor to prepare. The sponsor must give to the State agency copies of all bids the sponsor received and the reason it chose that particular FSMC.

State Agency Approval
(7 CFR 225.6(h)(6)

All bids totaling $100,000 or more must be submitted to the State agency for approval before the sponsor can accept a bid. In addition, any bids (regardless of dollar amount) that exceed the lowest bid must be submitted to the State agency for approval before acceptance, with an explanation of why that particular bid was chosen. The IFB that the sponsor accepts will become the contract for program operations between the sponsor and the FSMC. The State agency will keep copies of all contracts between sponsors and FSMCs.

Bid Bond
(7 CFR 225.15 (m)(6))

When an FSMC and a sponsor enter into one or more contracts totaling over $100,000, the company must obtain a performance bond from a surety company listed in the current United States Department of Treasury Circular 570. The Circular is available from the Government Printing Office for a small fee. Sponsors may obtain a copy by calling (202) 512-1800 or downloading the file from: http://www.fms.treas.gov/c570/index.html.

The amount of the bond must be no less than 10 percent or no more than 25 percent of the value of the contract, as determined by the State agency and specified in the IFB. FSMCs are prohibited from posing any alternative forms of performance bonds. Cash, certified checks, letters of credit, and escrow accounts are not acceptable substitutes for performance bonds. The FSMC must furnish a copy of the bond to the sponsor within 10 days of the contract's award.

Award Conference

After awarding but before executing the contract, all sponsor and FSMC representatives should meet to discuss their mutual and individual responsibilities in the SFSP. In this meeting, which is called the award conference, the representatives should review the IFB's required procedures for adjusting meal deliveries, cycle menus, food quality specifications, and meal packaging, as well as sanitation requirements.

The FSMC also must be familiar with all State and local health requirements, particularly those concerning food preparation and meal delivery. Most vended meals are packaged to prevent contamination. Thus, the greatest danger usually results when meals are held too long or are stored under improper temperature controls. Sponsors should also inform the FSMC of the function of monitors, reviews, and statistical monitoring, if applicable, in the operation of SFSP.

Administering the Contract

Food Service Sites

Sponsors should provide the FSMC with a list of approved food service sites, along with the limit on the number of meals that may be claimed for reimbursement for each site. It is likely that some approved sites, for one reason or another, may have been canceled or dropped from participation before food service operations begin. A new list should be provided to the FSMC well before it is to start food service operations and at any other time during the program when sites are added or deleted. The sponsor should notify the company within the time limits mutually agreed upon in the contract if any site on its delivery schedule is going to be dropped or canceled.

Approved Meal Levels

During the application approval process, the State agency will approve sponsors that purchase meals from a FSMC to serve a maximum number of meals at each meal service for each site. The approved level represents the maximum number of meals sponsors can serve and claim for reimbursement at each meal service at their vended sites. The State agency may reduce the approved level at any time if it determines that a site's attendance is below its approved level. If a sponsor finds that the approved level is too low, the sponsor may seek an adjustment by requesting the State agency to conduct a site review; or the sponsor may document in writing (to the State agency) that attendance at a site exceeds the approved level.

Sponsors must plan for and adjust meal orders with the objective of serving only one meal to each child at each meal service. A vended sponsor must inform its FSMC of:

- the approved level for each meal service at each site where the FSMC will deliver meals; and
- any adjustments in the approved level for its sites.

Such sponsors must advise the FSMC that the approved level for each site is the maximum number of meals that can be served at that site. This does not mean that these sites will serve that specific number of meals each day. The sponsor must clearly inform its FSMC that it will only be ordering the number of meals actually needed, based on participation trends and with the intent of serving only one meal to each child at each meal service. During reviews, State agencies will disallow all served meals that exceed the approved level for each site.

Adjusting Meal Deliveries

One of the most important topics for discussion in the award conference is the adjustment of meal deliveries. As a sponsor, you

should establish a system for collecting information on attendance changes from its sites, translating these changes into adjustments in the meal order, and communicating these adjustments to the FSMC. In turn, the FSMC should have an organized system for:

- receiving orders for delivery adjustments;
- documenting orders for delivery adjustments;
- adjusting production levels, if necessary;
- ensuring that delivery receipts are changed to reflect adjusted meal orders; and
- ensuring that adjusted meal orders for each site are correctly packaged and loaded for delivery.

The FSMC's key personnel must be aware of these responsibilities. For example, the FSMC's delivery personnel must understand that site supervisors cannot independently request more or fewer meals. These requests must be channeled through the sponsor. Meal deliveries may be adjusted only by the sponsor. If the sponsor wants to order in excess of the approved meal level, State agency approval is required.

The attendance at sites will probably fluctuate during the duration of the program, especially if there is no organized activity at a site other than the food service. Sponsors should try to anticipate certain fluctuations in attendance (such as local events that may interfere with site participation) and make arrangements in advance with the FSMC to adjust orders. For example, a consistent drop in attendance each Friday should be handled by reducing the number of meals delivered on Fridays.

Whenever possible, meals should be transferred from a site with too many meals to a site with a shortage, provided that the site's approved meal level is not exceeded. Monitors should be aware of the procedures for handling extra meals so they can assist the site supervisors in making transfers or other arrangements.

During the course of the program, sites may cease food service operations on either a temporary or permanent basis. Also, new sites may be authorized to participate in the SFSP. Site deletions and additions may necessitate changes in delivery routes and production levels, and will require the FSMC's cooperation. Sponsors are responsible for making sure the FSMC is informed of such changes.

Planning Delivery Routes (7 CFR 225.16(c)(5))

The FSMC must carefully plan delivery routes and schedules and should review them with the sponsor. Sites without adequate facilities for holding meals within the temperature ranges established by State or

local health ordinances must receive all meals not more than one hour before the beginning of the meal service. Delivery personnel for FSMCs should become familiar with their routes before the SFSP begins to help avoid confusion. The FSMC or sponsor should evaluate and restructure the routes if deliveries for some sites are consistently late. The FSMC is responsible for ensuring that sufficient equipment is available to handle such changes (for example, additional trucks, refrigeration, etc.). Sponsors must plan a system for serving meals when the weather is bad or for canceling meal deliveries and service at sites lacking sheltered facilities. The FSMC should be notified of these contingency plans.

Communication

Good communication is essential for smooth program operations. Even with good management and good intentions, complaints about the food service can arise. FSMCs and sponsors should establish a system for communicating and resolving complaints. Experience indicates that problems can be most efficiently resolved when both the sponsor and the FSMC designate officials to receive and respond to suggestions and complaints.

Reimbursement (7 CFR 225.6(h)(2)(ix))

The FSMC should understand that the sponsor must pay for meals delivered by the FSMC in accordance with the contract. State agencies and USDA are not parties to such contracts. Federal reimbursement to sponsors is based solely upon the number of complete meals that are properly served to eligible children. Therefore, if sponsors do not meet their responsibilities (such as ensuring that meals are served as a unit), meals must be disallowed. Although the sponsor remains contractually liable for the number of meals delivered in accordance with the contract, the FSMC should make sure that it is informed of any sponsor disallowances made by the State agency.

Administrative Reviews (7 CFR 225.7(d)(6) and (e))

During the course of the program, the State agency will conduct administrative reviews of the sponsor's program operations. The reviews are designed to ensure that the sponsor's overall program is operating according to requirements. The results of these reviews may affect the amount of reimbursement a sponsor will receive and the payment to the FSMC. The FSMC should designate an official to be familiar with the total program, particularly with the sponsor's responsibilities. For example, in addition to reading the SFSP regulations, this guide, and other aids for the sponsor, the FSMC’s representatives may want to attend training sessions arranged by sponsor for food service personnel.

Sponsor Disallowances (7 CFR 225.11(d) and (e))
If the State agency disallows meals for any of the following reasons, the sponsor is still responsible for paying the FSMC:

- excess meals, which are a result of failure to plan and prepare, or order and adjust, meal orders with the objective of providing only one meal per child at each meal service;
- allowing meals to be eaten off-site;
- failure to serve meals as a unit;
- claiming meals served to adults;
- serving meals outside the approved timeframes; and
- serving meals in excess of approved levels.

Food Service Management Company Disallowances (7 CFR 225.6(h)(2) and (3))
Violations that would cause disallowances in the FSMC's payment from the sponsor's reimbursement are:

- delivering meals that are not unitized;
- delivering meals that are wholly or partially spoiled;
- delivering meals outside the designated delivery times;
- delivering meals with components that are less than the required size or weight;
- delivering meals that are missing components; and
- changing menus or substituting components without the sponsor's prior approval.

Default of Contract
A sponsor should ensure that the FSMC contract contains a default or termination clause that allows the sponsor to terminate the contract if the FSMC does not comply with the contract terms. The sponsor will notify the FSMC (and surety company, if a performance bond is in effect) of specific instances of unsatisfactory performance. If the FSMC does not immediately take corrective action, the sponsor may request the surety company to provide another FSMC, or the sponsor may negotiate another contract. The sponsor can negotiate this other contract on a competitive or non-competitive basis. The clause should state that the defaulting FSMC (or surety company if applicable) is liable for any difference in price between the original price and the new contract price.

Use of Small and Disadvantaged Businesses
(7 CFR 225.17(d), 7 CFR 3016, and 7 CFR 3019)
Sponsors are encouraged, whenever possible, to procure services from minority business enterprises, small businesses, or women's-owned businesses on solicitation lists. If it is economically feasible, sponsors

may wish to divide their total procurement into smaller tasks or quantities to encourage participation by such entities.

A minority business is a business in which the management and daily operations are controlled by a member or members of a minority group. Such minority groups include Blacks or African Americans, Hispanics or Latinos, American Indians or Alaskan Natives, Asians, Native Hawaiian or other Pacific Islanders.

Assistance Provided By The Small Business Administration (7 CFR 225.17(d)(5))

The Small Business Administration (SBA) is an independent Federal agency established to provide assistance to all small businesses. The SBA provides prospective, new, and established members of the small business community with financial assistance, management training, and counseling. SBA's policy is to extend the fullest opportunity for minorities and disadvantaged people to participate in the small business sector. For more information about the SBA and its services, visit the web site at www.sbaonline.sba.gov.

The SBA may be able to help minority-owned and disadvantaged FSMCs/commercial meal vendor improve or develop their businesses in the following areas.

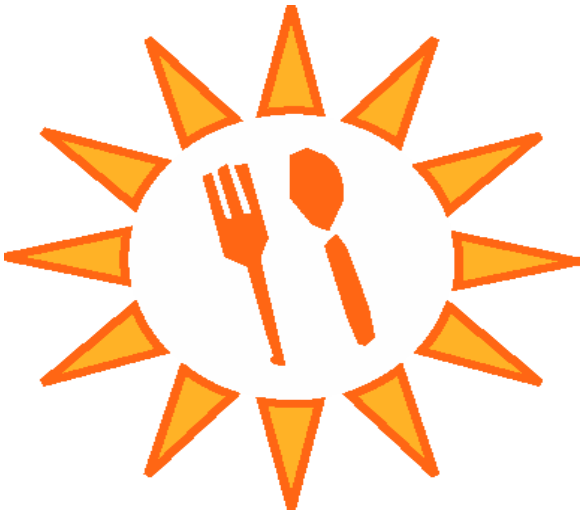
- **Financial Assistance:** FSMCs that need money and cannot borrow it on reasonable terms from conventional lenders may be able to get assistance from the SBA's loan programs. However, by law, the SBA may not make a loan if a business is able to obtain funds from a bank or other private source. The SBA may either participate with a bank or other lender in a loan, or it may guarantee up to 90 percent of a loan against loss. If the bank or other lender cannot provide funds using either of these methods, the law provides that the SBA can consider lending the entire amount as a direct government loan, if the funds are available. The SBA loans may be used to help FSMCs purchase equipment, facilities, and supplies.

- **Surety Bonds:** Under the SFSP, FSMCs that submit bids over $100,000 and that enter into a food service contract for over $100,000 must obtain bid and performance bonds. The SBA makes the bonding process accessible to small and emerging contractors that find bonding unavailable to them. The SBA is authorized to guarantee a qualified surety up to 90 percent of losses incurred under bid payment bonds. The SBA can also guarantee performance bonds that are issued to contractors on contracts up to $1 million. FSMCs that anticipate problems in

obtaining bid and performance bonds for the SFSP may contact the SBA for assistance.

- **Management and Counseling Assistance:** The SBA places special emphasis on improving the management ability of small business owners and managers. Accordingly, small business specialists may be able to assist minority-owned FSMCs with their management problems. They also may provide counseling on the problems or concerns FSMCs may have in meeting requirements for the SFSP.

  Minority-owned FSMCs should contact SBA's nearest field office for prompt assistance.



Part III Questions and Answers

1. **Are there any advantages to obtaining meals from an SFA?**
   Sponsors are encouraged to contact the local SFA about the possibility of obtaining meals under a written agreement with a school. Using the facilities of local public or private schools to prepare or obtain meals offers sponsors several advantages. These schools often prepare large numbers of meals during the school year and already have the facilities and staff for such a service. Many schools are also accustomed to preparing meals that meet USDA requirements if they participate in other child nutrition programs.

2. **Can I contract out any of my management responsibilities?**
   Sponsors may not contract out certain management responsibilities of the SFSP such as monitoring, staff training, enforcing corrective action, or preparing program applications and claims for reimbursement. Sponsors remain legally responsible for seeing that the food service operation meets all requirements specified in the agreement they sign with the State agency.

3. **What type of information do I need to provide to FSMCs when I invite them to bid on my contract?**
   Sponsors will need to include a list of proposed site names, addresses, delivery locations, times of meal service, and days of operation. Also include a cycle menu that lists the types and amount of food in each meal, a copy of the meal pattern requirements and minimum food specifications and model meal quality standards. Sponsors will need to ensure that the companies they plan to contract with provide "unitized" meals. Also, sponsors must carefully estimate the number of meals needed each day because a sizable difference between estimated and actual participation can increase or decrease the FSMC's unit production cost. In addition, sponsors must clarify that commodities will be received only if the vendor is a school or school district, or if the sponsor is a SFA that procures its meals from the same FSMC that currently provides NLSP meals.

4. **Do commercial FSMCs that I contract out with need to be registered with the State agency?**
   It depends. Commercial FSMCs are no longer required by Federal law to register with the State agency. However, States may continue to require their own registration procedures. This policy gives State agencies flexibility in managing the SFSP. Some State agencies have found the registration process to be beneficial and continue to require it.

5. **Are there certain requirements FSMCs need to fulfill?**
   Yes. FSMCs must have State or local health certificates for the facilities they use to prepare meals for the SFSP and they must ask local health authorities or independent agencies to periodically inspect the meals they serve to determine bacteria levels. Further, companies must maintain records supported by invoices, receipts, or other evidence that demonstrates program responsibilities are met. These records must be kept by the companies for at least three years from the date of receipt of final payment under the contract. In addition, these types of companies may not subcontract with another company for the total meal or for assembling the meal because this will inflate costs and lessen control of the quality and supply of the meals.

6. **To whom do I award the contract?**
   Sponsors should award the contract to the responsive and responsible bidder whose per meal bid was lowest in price. Responsive bidders would be considered those whose bids conform to all of the terms, conditions, and requirements of the Invitation For Bid. Sponsors are encouraged to use the services of minority-owned companies and should consult local and State authorities regarding the applicability of preference and set-aside provisions. For bids totaling $100,000 or more, or to select a bid that is not the lowest bid, sponsors must first receive State agency approval before acceptance.

   This requirement should not be interpreted to allow sponsors the ability to arbitrarily award the contract other than to the lower price responsible bidder whose bid conforms to all the material terms and conditions of the solicitation. Additionally, in situations where a sponsor wishes to disallow the bid of a previous management company due to poor performance, the sponsor should bring forth documentation of specific incidents and deficiencies, correspondences regarding these matters, and any requests for corrective actions or resolution. This documentation should clearly demonstrate why the award to this specific contractor would not be in the best interest of the sponsor, or the SFSP.

7. **Is it possible for an organization such as a college or university to have year-round contracts that provide meal service for the SFSP in conjunction with other on campus meal services?**
   Yes. This arrangement can work provided the scope of the SFSP meal service is included in the original solicitation (i.e., RFP/IFB) and the resulting contract.

Attachment 1

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

Act means the National School Lunch Act, as amended.

Administrative costs means costs incurred by a sponsor related to planning, organizing, and managing a food service under the Program, and excluding interest costs and operating costs.

Adult means, for the purposes of the collection of social security numbers as a condition of eligibility for Program meals, any individual 21 years of age or older.

Advance payments means financial assistance made available to a sponsor for its operating costs and/or administrative costs prior to the end of the month in which such costs will be incurred.

Areas in which poor economic conditions exist means:

(a) The local areas from which an open site and restricted open site draw their attendance in which at least 50 percent of the children are eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined:

(1) By information provided from departments of welfare, education, zoning commissions, census tracts, and organizations determined by the State agency to be migrant organizations;

(2) By the number of free and reduced price lunches or breakfasts served to children attending public and nonprofit private schools located in the areas of Program sites; or

(3) From other appropriate sources; or

(b) A closed enrolled site.

Camps means residential summer camps and nonresidential day camps which offer a regularly scheduled food service as part of an organized program for enrolled children. Nonresidential camp sites shall offer a continuous schedule of organized cultural or recreational programs for enrolled children between meal services.

Children means (a) persons 18 years of age and under, and (b) persons over 18 years of age who are determined by a State educational agency or a local public educational agency of a State to be mentally or physically handicapped and who participate in a public or nonprofit private school program established for the mentally or physically handicapped.

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

Closed enrolled site means a site which is open only to enrolled children, as opposed to the community at large, and in which at least 50 percent of the enrolled children at the site are eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined by approval of applications in accordance with §225.15(f).

Continuous school calendar means a situation in which all or part of the student body of a school is (a) on a vacation for periods of 15 continuous school days or more during the period October through April and (b) in attendance at regularly scheduled classes during most of the period May through September.

Costs of obtaining food means costs related to obtaining food for consumption by children. Such costs may include, in addition to the purchase price of agricultural commodities and other food, the cost of processing, distributing, transporting, storing, or handling any food purchased for, or donated to, the Program.

Current income means income, as defined in § 225.15 (f)(4)(vi), received during the month prior to application for free meals. If such income does not accurately reflect the household's annual income, income must be based on the projected annual household income. If the prior year's income provides an accurate reflection of the household's current annual income, the prior year may be used as a base for the projected annual income.

Department means the U.S. Department of Agriculture.

Disclosure means individual children's program eligibility information obtained through the free and reduced price meal eligibility process that is revealed or used for a purpose other than for the purpose for which the information was obtained. The term refers to access, release, or transfer of personal data about children by means of print, tape, microfilm, microfiche, electronic communication or any other means.

Documentation means:

(a) The completion of the following information on a free meal application:
    (1) Names of all household members:
    (2) Income received by each household member, identified by source of income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation, social security and other cash income);
    (3) The signature of an adult household member; and

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

(4) The last four digits of the social security number of the adult household member who signs the application, or an indication that he/she does not possess a social security number; or

b. For a child who is a member of a household receiving SNAP, FDPIR, or TANF benefits, "documentation" means completion only the following information on a free meal application:
   (1) The name(s) and appropriate SNAP, FDPIR, or TANF case number(s) for the child(ren); and
   (2) The signature of an adult member of the household.

Experienced site means a site which, as determined by the State agency, has successfully participated in the Program in the prior year.

Experienced sponsor means a sponsor which, as determined by the State agency, has successfully participated in the Program in the prior year.

Family means a group of related or nonrelated individuals who are not residents of an institution or boarding house but who are living as one economic unit.

FDPIR household means any individual or group of individuals which is currently certified to receive assistance as a household under the Food Distribution Program on Indian Reservations.

Fiscal Year means the period beginning October 1 of any calendar year and ending September 30 of the following calendar year.

FNS means the Food and Nutrition Service of the Department.

FNSRO means the appropriate FNS Regional Office.

Food Service Management Company means any commercial enterprise or nonprofit organization with which a sponsor may contract for preparing unitized meals, with or without milk, for the use in the Program, or for managing a sponsor's food service operations in accordance with the limitations set forth in §225.15. Food service management companies/commercial meal vendor may be:
   (a) Public agencies or entities;
   (b) Private, nonprofit organizations; or
   (c) Private, for-profit companies.

SNAP household means any individual or group of individuals which is currently certified to receive assistance as a household under the SNAP Program.

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

Homeless children or youth means individuals who lack a fixed, regular, and adequate nighttime residence and includes: (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C)); (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii). Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)

Household means "family," as defined in this section.

Income accruing to the program means all funds used by a sponsor in its food service program, including but not limited to all monies, other than program payments, received from Federal, State and local governments, from food sales to adults, and from any other source including cash donations or grants. Income accruing to the Program will be deducted from combined operating and administrative costs.

Income standards means the family-size and income standards prescribed annually by the Secretary for determining eligibility for reduced price meals under the National School Lunch Program and the School Breakfast Program.

Meals means food which is served to children at a food service site and which meets the nutritional requirements set out in this part.

Medicaid means the State medical assistance program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

Milk means whole milk, low fat milk, skim milk, and buttermilk. All milk must be fluid and pasteurized and must meet State and local standards for the appropriate type of milk. Milk served may be flavored or unflavored. In Alaska, Hawaii, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and the Virgin Islands of the United States, if a sufficient supply of such types of fluid milk cannot be obtained, reconstituted or recombined milk may be used. All milk should contain Vitamins A and D at the levels specified by the Food and Drug Administration and at levels consistent with State and local standards for such milk.

Needy children means children from families whose incomes are equal to or below the Secretary's Guidelines for Determining Eligibility for Reduced Price School Meals.

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

New site means a site that did not participate in the Program in the prior year, or, as determined by the State agency, a site that has experienced significant staff turnover from the prior year.

New sponsor means a sponsor that did not participate in the Program in the prior year, or, as determined by the State agency, a sponsor that has experienced significant staff turnover from the prior year.

NYSP means the National Youth Sports Program administered by the National Collegiate Athletic Association.

NYSP feeding site means a site at which all of the children receiving Program meals are enrolled in the NYSP and which qualifies for Program participation on the basis of documentation that the site meets the definition of "areas in which poor economic conditions exist" as provided in this section.

O*IG* means the Office of the Inspector General of the Department.

Open site means a site at which meals are made available to all children in the area and which is located in an area in which at least 50 percent of the children are from households that would be eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined in accordance with paragraph (a) of the definition of *Areas in which poor economic conditions exist*.

Operating costs means the cost of operating a food service under the Program,
(a) Including the:
- (1) cost of obtaining food,
- (2) labor directly involved in the preparation and service of food,
- (3) cost of nonfood supplies,
- (4) rental and use allowances for equipment and space, and
- (5) cost of transporting children in rural areas to feeding sites in rural areas, but

(b) Excluding:
- (1) the cost of the purchase of land, acquisition or construction of buildings,
- (2) alteration of existing buildings,
- (3) interest costs,
- (4) the value of in-kind donations, and
- (5) administrative costs.

Private nonprofit means tax exempt under the Internal Revenue Code of 1986, as amended.

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

Private nonprofit organization means an organization (other than private nonprofit residential camps, school food authorities, or colleges or universities participating in the NYSP) that meets the definition of "private nonprofit" in this section and which:

(a) Administers the Program:
(b) Operates in areas where a school food authority has not indicated that it will operate the Program in the current year;
(c) Exercises full control and authority over the operation of the Program at all sites under its sponsorship;
(d) Provides ongoing year-round activities for children or families;
(e) Demonstrates that it possesses adequate management and the fiscal capacity to operate the Program; and
(f) Meets applicable State and local health, safety, and sanitation standards.

Program means the Summer Food Service Program for Children authorized by Section 13 of the Act.

Program funds means Federal financial assistance made available to State agencies for the purpose of making Program payments.

Program payments means financial assistance in the form of start-up payments, advance payments, or reimbursement paid to sponsors for operating and administrative costs.

Restricted open site means a site which is initially open to broad community participation, but at which the sponsor restricts or limits attendance for reasons of security, safety or control. Site eligibility for a restricted open site shall be documented in accordance with paragraph (a) of the definition of *Areas in which poor economic conditions exist*.

Rural means (a) any area in a county which is not a part of a Metropolitan Statistical Area or (b) any "pocket" within a Metropolitan Statistical Area which, at the option of the State agency and with FNSRO concurrence, is determined to be geographically isolated from urban areas.

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

School food authority (SFA) means the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a lunch program in those schools. In addition, for the purpose of determining the applicability of food service management company registration and bid procedure requirements, "school food authority" also means any college or university which participates in the Program.

Secretary means the Secretary of Agriculture.

Self-preparation sponsor means a sponsor which prepares the meals that will be served at its site(s) and does not contract with a food service management company for unitized meals, with or without milk, or for management services.

Session means a specified period of time during which an enrolled group of children attend camp.

Site means a physical location at which a sponsor provides a food service for children and at which children consume meals in a supervised setting.

Special account means an account that a State agency may require a vended sponsor to establish with the State agency or with a Federally insured bank. Operating costs payable to the sponsor by the State agency are deposited in the account and disbursement of monies from the account must be authorized by both the sponsor and the food service management company.

Sponsor means a public or private nonprofit school food authority, a public or private nonprofit residential summer camp, a unit of local, municipal, county or State government, a public or private nonprofit college or university currently participating in the NYSP, or a private nonprofit organization which develops a special summer or other school vacation program providing food service similar to that made available to children during the school year under the National School Lunch and School Breakfast Programs and which is approved to participate in the Program. Sponsors are referred to in the Act as "service institutions."

Start-up payments means financial assistance made available to a sponsor for administrative costs to enable it to effectively plan a summer food service, and to establish effective management procedures for such a service. These payments shall be deducted from subsequent administrative cost payments.

State means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands.

Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions

State agency means the State educational agency or an alternate agency that has been designated by the Governor or other appropriate executive or legislative authority of the State and which has been approved by the Department to administer the Program within the State, or, in States where FNS administers the Program, FNSRO.

State Children's Health Insurance Program (SCHIP) means the State medical assistance program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

TANF means the State funded program under part A of title IV of the Social Security Act that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995. The program is commonly referred to as Temporary Assistance for Needy Families, although States may refer to the program by another name.

Unit of local, municipal, county or State government means an entity which is so recognized by the State constitution or State laws, such as the State administrative procedures act, tax laws, or other applicable State laws which delineate authority for government responsibility in the State.

Vended sponsor means a sponsor which purchases from a food service management company the unitized meals, with or without milk, which it will serve at its site(s), or a sponsor which purchases management services, subject to the limitations set forth in Sec. 225.15, from a food service management company.

Yogurt means commercially prepared coagulated milk products obtained by the fermentation of specific bacteria, that meet milk fat or milk solid requirements and to which flavoring foods or ingredients may be added. These products are covered by the Food and Drug Administration's Standard of Identity for yogurt, low-fat yogurt, and nonfat yogurt, (21 CFR 131.200), (21 CFR 131.203), (21 CFR 131.206), respectively.

[54 FR 18208, Apr. 27, 1989, as amended at 54 FR 27153, June 28, 1989;
55 FR 13466, Apr. 10, 1990; 61 FR 25553, May 22, 1996; 64 FR 72483, Dec. 28, 1999;
64 FR 72895, Dec. 29, 1999]

Attachment 2

Glossary of Acronyms

CACFP	Child and Adult Care Food Program
CFR	Code of Federal Regulations
DHHS	United States Department of Health and Human Services
FDPIR	Food Distribution Program on Indian Reservations
FNS	Food and Nutrition Service
FSMC	Food Service Management Company
IFB	Invitation for Bid
IRS	United States Internal Revenue Service
NSLA	National School Lunch Act
NSLP	National School Lunch Program
NYSP	National Youth Sports Program
OVS	Offer Versus Serve
RCCI	Residential Child Care Institution
SBA	Small Business Administration
SBP	School Breakfast Program
SFSP	Summer Food Service Program
SMP	Special Milk Program
TANF	Temporary Assistance to Needy Families
USC	United States Code
USDA	United States Department of Agriculture
YMCA	Young Men's Christian Association
YWCA	Young Women's Christian Association

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Attachment 3

INCOME ELIGIBILITY GUIDELINES													
			Effective from				July 1, 2011		to	June 30, 2012			
HOUSEHOLD SIZE	FEDERAL POVERTY GUIDELINES ANNUAL		REDUCED PRICE MEALS - 185 % ANNUAL	MONTHLY	TWICE PER MONTH	EVERY TWO WEEKS	WEEKLY		FREE MEALS - 130 % ANNUAL	MONTHLY	TWICE PER MONTH	EVERY TWO WEEKS	WEEKLY
48 CONTIGUOUS STATES, DISTRICT OF COLUMBIA, GUAM, AND TERRITORIES													
1	10,890		20,147	1,679	840	775	388		14,157	1,180	590	545	273
2	14,710		27,214	2,268	1,134	1,047	524		19,123	1,594	797	736	368
3	18,530		34,281	2,857	1,429	1,319	660		24,089	2,008	1,004	927	464
4	22,350		41,348	3,446	1,723	1,591	796		29,055	2,422	1,211	1,118	559
5	26,170		48,415	4,035	2,018	1,863	932		34,021	2,836	1,418	1,309	655
6	29,990		55,482	4,624	2,312	2,134	1,067		38,987	3,249	1,625	1,500	750
7	33,810		62,549	5,213	2,607	2,406	1,203		43,953	3,663	1,832	1,691	846
8	37,630		69,616	5,802	2,901	2,678	1,339		48,919	4,077	2,039	1,882	941
For each add'l family member, add	3,820		7,067	589	295	272	136		4,966	414	207	191	96
ALASKA													
1	13,600		25,160	2,097	1,049	968	484		17,680	1,474	737	680	340
2	18,380		34,003	2,834	1,417	1,308	654		23,894	1,992	996	919	460
3	23,160		42,846	3,571	1,786	1,648	824		30,108	2,509	1,255	1,158	579
4	27,940		51,689	4,308	2,154	1,989	995		36,322	3,027	1,514	1,397	699
5	32,720		60,532	5,045	2,523	2,329	1,165		42,536	3,545	1,773	1,636	818
6	37,500		69,375	5,782	2,891	2,669	1,335		48,750	4,063	2,032	1,875	938
7	42,280		78,218	6,519	3,260	3,009	1,505		54,964	4,581	2,291	2,114	1,057
8	47,060		87,061	7,256	3,628	3,349	1,675		61,178	5,099	2,550	2,353	1,177
For each add'l family member, add	4,780		8,843	737	369	341	171		6,214	518	259	239	120
HAWAII													
1	12,540		23,199	1,934	967	893	447		16,302	1,359	680	627	314
2	16,930		31,321	2,611	1,306	1,205	603		22,009	1,835	918	847	424
3	21,320		39,442	3,287	1,644	1,517	759		27,716	2,310	1,155	1,066	533
4	25,710		47,564	3,964	1,982	1,830	915		33,423	2,786	1,393	1,286	643
5	30,100		55,685	4,641	2,321	2,142	1,071		39,130	3,261	1,631	1,505	753
6	34,490		63,807	5,318	2,659	2,455	1,228		44,837	3,737	1,869	1,725	863
7	38,880		71,928	5,994	2,997	2,767	1,384		50,544	4,212	2,106	1,944	972
8	43,270		80,050	6,671	3,336	3,079	1,540		56,251	4,688	2,344	2,164	1,082
For each add'l family member, add	4,390		8,122	677	339	313	157		5,707	476	238	220	110

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Attachment 4

Summer Food Service Program Meal Pattern Requirements

	Breakfast	Lunch or Supper	Snack[1] (Choose two of the four)
Milk Milk, fluid	1 cup (8 fl. oz.)[2]	1 cup (8 fl. oz.)[3]	1 cup (8 fl. oz.)[2]
Vegetables and/or Fruits Vegetable(s) and/or fruit(s), or Full-strength vegetable or fruit juice or an equivalent quantity of any combination of vegetables(s), fruit(s), and juice	½ cup ½ cup (4 fl. oz.)	¾ cup total[4]	¾ cup ¾ cup (6 fl. oz.)
Grains and Breads[5] Bread or Cornbread, biscuits, rolls, muffins, etc. or Cold dry cereal or Cooked pasta or noodle product or Cooked cereal or cereal grains or an equivalent quantity of any combination of grains/breads	1 slice 1 serving ¾ cup or 1 oz.[6] ½ cup ½ cup	1 slice 1 serving ½ cup ½ cup	1 slice 1 serving ¾ cup or 1 oz.[6] ½ cup ½ cup
Meat and Meat Alternates Lean meat or poultry or fish or alternate protein product [7] or Cheese or Eggs or Cooked dry beans or peas or Peanut butter or soy nut butter or other nut or seed butters or Peanuts or soy nuts or tree nuts or seeds or Yogurt, plain or sweetened and flavored or An equivalent quantity of any combination of the above meat/meat alternates	(Optional) 1 oz. 1 oz. ½ large egg ¼ cup 2 tbsp. 1 oz. 4 oz. or ½ cup	2 oz. 2 oz. 1 large egg ½ cup 4 tbsp. 1 oz.= 50%[8] 8 oz. or 1 cup	1 oz. 1 oz. ½ large egg ¼ cup 2 tbsp. 1 oz. 4 oz. or ½ cup

For the purpose of this table, a cup means a standard measuring cup.
Indicated endnotes can be found on the next page.

Endnotes

1. Serve two food items. Each food item must be from a different food component. Juice may not be served when milk is served as the only other component.

2. Must be served as a beverage, or on cereal, or use part of it for each purpose.

3. Must be served as a beverage.

4. Serve two or more kinds of vegetable(s) and/or fruit(s) or a combination of both. Full-strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement.

5. All grain/bread items must be enriched or whole-grain, made from enriched or whole-grain meal or flour, or if it is a cereal, the product must be whole-grain, enriched or fortified. Bran and germ are credited the same as enriched or whole-grain meal or flour.

6. Either volume (cup) or weight (oz.) whichever is less.

7. Must meet the requirements in Appendix A of the SFSP regulations.

8. No more than 50 percent of the requirement shall be met with nuts or seeds. Nuts or seeds shall be combined with another meat/meat alternate to fulfill the requirement. When determining combinations, l oz. of nuts or seeds is equal to 1 oz. of cooked lean meat, poultry, or fish.

Attachment 5

SFSP Federal Guidance

Sponsors must understand and follow Federal requirements to successfully run the Summer Food Service Program (SFSP). Consult the applicable State agency for copies of, or questions about, any of the Federal regulations, Office of Management and Budget Circulars, FNS Instructions, and Child Nutrition Program numbered and unnumbered policies described below:

U.S. DEPARTMENT OF AGRICULTURE REGULATIONS

7 CFR 225	Summer Food Service Program for Children
7 CFR 3015	Uniform Federal Assistance Regulations
7 CFR 3016	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
7 CFR 3017	Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)
7 CFR 3018	New Restrictions on Lobbying
7 CFR 3019	Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations
7 CFR 3052	Audits of States, Local Governments, and Non-Profit Organizations

OFFICE OF MANAGEMENT AND BUDGET CIRCULARS

OMB Circular A-87	Cost Principles for State and Local Governments
OMB Circular A-102	Grants and Cooperative Agreements with States and Local Governments
OMB Circular A-110	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations
OMB Circular A-122	Cost Principles for Non-Profit Organizations
OMB Circular A-133	Audits of States, Local Governments, and Nonprofit Organizations

FOOD AND NUTRITION SERVICE INSTRUCTIONS

FNS Instruction 113-1	Civil Rights Compliance and Enforcement in the SFSP
FNS Instruction 770-3	Eligibility for Donated Foods to Camps in the SFSP
FNS Instruction 782-4, rev. 2	Approval of Child Care Institutions for the SFSP
FNS Instruction 783-1, rev. 2	The Grains/Breads Requirement for the Food Based Menu Planning Alternatives in the Child Nutrition Programs
FNS Instruction 783-7, rev. 1	Milk Requirement – Child Nutrition Programs

FNS Instruction 783-2, rev. 2	Meal Substitutions for Medical or Other Special Dietary Reasons
FNS Instruction 783-3, rev. 1	Family Style Meal Service in the SFSP
FNS Instruction 783-11, rev. 1	Juice Products—Child Nutrition Programs
FNS Instruction 783-13, rev. 2	Variations in Meal Requirements for Religious Reasons: Jewish Schools, Institutions, and Sponsors
FNS Instruction 786-6, rev. 1	Reimbursement for Recycled Milk and Other Meal Components
FNS Instruction 788-12, rev. 1	Approval of Sponsors Under Investigation or Audit in the SFSP
FNS Instruction 788-13, rev. 1	Sub-sites in the SFSP
FNS Instruction 794-5, rev. 1	Agreements With Entities Which Operate Interstate Schools and Facilities
FNS Instruction 796-4, rev. 4	Financial Management – SFSP for Children

CHILD NUTRITION NUMBERED AND UN-NUMBERED POLICIES
(available at http://www.fns.usda.gov/cnd/Summer/)

November 23, 2011	SFSP Memorandum #6-2012; Additional Foods in the Summer Food Service Program
October 31, 2011	SFSP Memorandum #5-2012; Simplifying Application Procedures in SFSP
October 31, 2011	SFSP Memorandum #4-2012; Sponsors Operating in Multiple States in SFSP
October 31, 2011	SFSP Memorandum #3-2012; Additional State Requirements in SFSP
October 31, 2011	SFSP Memorandum #2-2012; Eligibility Based on Census Data
October 06, 2011	SFSP Memorandum #1-2012; Rural Development's Community Facilities Program
August 03, 2011	SFSP Memorandum #18-2011; Translations for the Free and Reduced Price School Meals Application and CACFP Meal Benefit Income Eligibility Form
June 30, 2011	SFSP Memorandum #17-2011; Automatic Revocation of Tax Exempt Status

May 18, 2011	SFSP Memorandum #16-2011; Restricted Open Sites and Summer Schools
May 13, 2011	SFSP Memorandum #15-2011; Child Nutrition and WIC Reauthorization 2010: Implementation of Section 361, Full Use of Federal Funds, FAQ 2
May 9, 2011	SFSP Memorandum #14-2011; Existing Flexibilities in SFSP
April 8, 2011	SFSP Memorandum #13-2011; For-Profit Locations as Meal Sites
April 5, 2011	SFSP Memorandum #12-2011; Waiver of Site Monitoring Requirements
April 5, 2011	SFSP Memorandum #11-2011; Waiver of Meal Time Restrictions and Unitized Meal Requirements
April 1, 2011	SFSP Memorandum #10-2011; Eligibility of Children Evacuated from Japan and Bahrain
March 29, 2011	SFSP Memorandum #09-2011; Child Nutrition and WIC Reauthorization 2010: Implementation of Section 361, Full Use of Federal Funds
March 8, 2011	SFSP Memorandum #08-2011; Child Reauthorization 2010: Cooperation with Program Research and Evaluation
February 18, 2011	SFSP Memorandum #07-2011; Child Reauthorization 2010: Section 361, Full Use of Federal Funds
February 15, 2011	SFSP Memorandum #06-2011; Child Reauthorization 2010: Privacy Protection and the Use of Social Security Numbers
January 31, 2011	SFSP Memorandum #05-2011; Child Reauthorization 2010: Categorical Eligibility of Foster Children
January 25, 2011	SFSP Memorandum #04-2011; Child Reauthorization 2010: Outreach to Households
January 14, 2011	SFSP Memorandum #03-2011; Child Reauthorization 2010: Permanent Agreements
January 14, 2011	SFSP Memorandum #02-2011; Child Reauthorization 2010: Eligibility Requirements and Site Limits for Private Nonprofit Organizations

December 6, 2010	SFSP Memorandum #01-2011; Effects of Busing on Area Eligibility in the CACFP, SFSP, and the Afterschool Snack and Seamless Summer Option served through the NSLP
August 23, 2010	SFSP Memorandum #15-2010; Disclosure Requirements for the Child Nutrition Programs
August 2, 2010	SFSP Memorandum #14-2010; Update on the Publication of Updated Poverty Guidelines
June 11, 2010	SFSP Memorandum #13-2010; Update on the Continuing Delay of Publication of Updated Poverty Guidelines
May 24, 2010	SFSP Memorandum #12-2010; Prototype Application Materials for School Year 2010-2011
May 5, 2010	SFSP Memorandum #11-2010; Waiver on Providing Income Limits on Applications
May 3, 2010	SFSP Memorandum #10-2010; Q&As: Extending Categorical Eligibility to Addition Children in a Household
May 3, 2010	SFSP Memorandum #09-2010; Extension of 2010 Sponsor Application Deadline
April 19, 2010	SFSP Memorandum #08-2010; Categorical Eligibility – Temporary Assistance to Needy Families
January 29, 2010	SFSP Memorandum #07-2010; Eligibility of Haitian Refugees for Child Nutrition Programs
November 13, 2009	SFSP Memorandum #06-2010; Geographic Preference for the Procurement of Unprocessed Agricultural Products in the Child Nutrition Programs
November 12, 2009	SFSP Memorandum #05-2010; Q&As: Milk Substitution for Children with Medical or Special Dietary Needs (Non-Disability)
September 15, 2009	SFSP Memorandum #04-2010; Exclusion of Military Combat Pay
November 6, 2009	SFSP Memorandum #03-2010; Pandemic Supplemental Nutrition Program (P-SNAP) Benefits for Children Certified as Eligible to Receive Free and Reduced Priced School Lunch During School Closures

October 9, 2009	SFSP Memorandum #02-2010; Procurement Questions
October 9, 2009	SFSP Memorandum #01-2010; Applying Geographic Preferences in Procurements for the Child Nutrition Programs - Update
November 12, 2009	SFSP Memorandum #05-2010; Q&As: Milk Substitution for Children with Medical or Special Dietary Needs (Non-Disability)
August 27, 2009	SFSP Memorandum #07-2009; Extending Categorical Eligibility to Additional Children in a Household
September 24, 2009	SFSP Memorandum #03-2009; Transmittal of Guidance (Revised)
August 5, 2008	SFSP Memorandum # 09-2008; Automatic Eligibility for Early Head Start Participants
July 3, 2008	SFSP Memorandum # 08-2008; Simplified Acquisition Threshold
May 16, 2008	SFSP Memorandum # 06-2008; Automatic Eligibility for Free Meal Benefits Extended to All Children Enrolled in Head Start
February 15, 2008	SFSP 04-2008; Sharing Income Eligibility Information Between Child Nutrition Programs
February 14, 2008	SFSP 03-2008; Simplified Procedures in the Summer Food Service Program
January 2, 2008	SFSP Memorandum # 01-2008; Nationwide Expansion of Summer Food Service Program Simplified Cost Accounting Procedures
July 27, 2007	SFSP Memorandum #9-2007; Food Service Management Company Contracts
June 11, 2007	SFSP Memorandum #08-2007; Operation of Child Nutrition Programs during a Pandemic
June 15, 2007	SFSP Memorandum # 07-2007; Electronic Record and Reporting Systems
April 20, 2007	SFSP Memorandum #05-2007; Area Eligibility Duration in the Summer Food Service Program

February 23, 2007	SFSP Memorandum #04-2007; Migrant Site Eligibility Determinations
January 19, 2007	SFSP Memorandum #01-2007; SFSP—Exceptions to Approving Sponsors Prior to Program Operations (Update to memorandum issued March 7, 2002)
August 25, 2006	SFSP Memorandum #07-2006; U.S. Armed Forces Family Supplemental Subsistence Allowance – Permanently Excluded from Income Consideration for the Child Nutrition Programs
August 30, 2005	U.S. Armed Forces Family Supplemental Subsistence Allowance – Excluded from Income Consideration
June 29, 2005	SFSP Memorandum #01-05: Simplified Summer Food Program: December 2, 2004; Transmittal of Guidance on Simplified Q & A's
July 1, 2004	Reauthorization 2004: Implementation CN 1 * Exclusion of the Housing Allowance for Military Households in Privatized Housing
May 26, 2004	Eligibility of Upward Bound Sites
March 26, 2004	Using Metropolitan Statistical Area Data for Determining Rural Administrative Reimbursement
March 2, 2004	SFSP #1-04; Contract Requirements for School Sponsors
February 3, 2003	Field Trips in the SFSP
March 1, 2002	Requirements for First-Week Visits in SFSP for Non-School Sponsors
May 15, 2000	Authority for Sponsors to Combine Claims for Reimbursement
May 23, 2000	Categorical Eligibility of Job Training Partnership Act/Workforce Investment Act Participants
February 12, 1999	SFSP #17-99; Mobile Feeding Sites in Rural Areas
February 2, 1999	SFSP #15-99; Supper Meal Service
December 4, 1998	SFSP #3-99; Issues Related to Meal Service

Attachment 6

SFSP SITE DEFINITIONS & ELIGIBILITY DOCUMENTATION

SFSP SITE

A site is the physical location where program meals are served to children and where children consume meals in a supervised setting.

OPEN SITE

- Is located in an area where at least 50% of the children are eligible for free or reduced-price school meals
- Reimbursed for all attending children

RESTRICTED OPEN SITE

- Community on a first-come, first-served basis
- Sponsor may limit attendance for reasons of security, safety or control due to staff limitations, etc.
- Reimbursed for all attending children

ELIGIBILITY DOCUMENTATION

SCHOOL DATA

CENSUS BLOCK GROUP DATA

CAMPS

- Residential sites must offer regular schedule food service as part of program
  Non-residential day camp sites must offer continuous scheduled cultural or recreational program between meal services
- Reimbursed only for children meeting free or reduced price school meals

ELIGIBILITY DOCUMENTATION

- Income eligibility applications

CLOSED ENROLLED SITE

- Serves only children in specific program or in activity serving only identified group of children
- Site is not open to the community at large
- Reimbursed for all children in attendance when at least half are eligible for free or reduced price school meals

ELIGIBILITY DOCUMENTATION

- Income eligibility application accurately completed & at least 50% of enrollees are eligible for free or reduced-price school meals, or
- Sponsor may obtain lists of names and eligibility of enrolled children for free or reduced-price meals from schools where children receive school lunch or breakfast, or
- Use “area” eligibility data or census data for the location of the site to show that at least 50% of the area households meet the income eligibility guidelines

SFSP SITE DEFINITIONS & ELIGIBILITY DOCUMENTATION

RESIDENTIAL SUMMER CAMP
AND
NON RESIDENTIAL DAY CAMP

Reimbursed only for meals served to campers who have been individually determined to be eligible for free or reduced-price school meals.

NATIONAL YOUTH SPORTS PROGRAM (NYSP)

3 Ways to Qualify

- Sponsor provides written certification that it meets DHHS income guidelines
- 50% of enrolled children reside in geographical area where poor economic conditions exist
- 50% of enrolled children meet the income eligibility guidelines for free or reduced-price meals

MIGRANT SITE

- May be located in needy or non-needy areas
- Must serve primarily children of migrant families, but may serve other children as well
- Reimbursed for all children served

ELIGIBILITY DOCUMENTATION

- Migrant organization certifies that the site serves migrant children

or

- If other children are served, the migrant organization certifies that the site primarily serves migrant children

Attachment 7

AGREEMENT TO FURNISH FOOD SERVICE FOR THE SUMMER FOOD SERVICE PROGRAM

THIS AGREEMENT is made and entered into between (school) _____ _____and (sponsor) _____ _____.

WHEREAS the (school) _____ agrees to supply unitized meals (inclusive/exclusive) of milk and juice to (sponsor) _____ with and for the rates herein listed:

Breakfast ..... $_____each Lunch ..... $_____each
Snacks ..... $_____each Supper .....… $_____each

It is further agreed that (school)_____, pursuant to the provisions of the Summer Food Service Program regulations, attached copy of which is part of this agreement, will assure that said meals meet the minimum meal pattern requirements as to components and portion sizes, and will maintain full and accurate records that the (sponsor) _____ _____will need to meet its responsibility including menu records containing the amount of food prepared and daily number of meals delivered by type.

These records must be reported to the (sponsor) _____ promptly at the end of the month. (School) _____ agrees also to retain records required under the preceding clause for a period of 3 years from the date of receipt of final payment under this agreement (or longer, if an audit is in progress); and upon request, to make all accounts and records pertaining to the Program available to representatives of the U.S. Department of Agriculture and the General Accounting Office for audit or administrative review at a reasonable time and place.

This agreement shall be effective as of (date) _____. It may be terminated by notice in writing given by either party hereto to the other, at least 30 days prior to the date of termination.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the dates indicated below:

_____ _____
School Official Sponsor

_____ _____
Title Date Title Date

Location of food preparation center(s):

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Attachment 8

APPLICATION REQUIREMENTS FOR NEW AND EXPERIENCED SPONSORS/SITES

Once a sponsor's initial program application has been approved by the State agency, the sponsor enters into a permanent agreement with the State agency and is required to submit more limited annual updates to the application. This chart indicates the elements of the application that are not required beyond the initial application. However, State agencies may require more information annually from sponsors that have demonstrated past operational problems.

Requirement	New Sponsors/Sites and Sponsors/Sites with Past Operational Problems	Experienced Sponsors/Sites
Site Information Sheet: 7 CFR 225.6(c)(2)(i) and (3)(i)		
Organized and supervised system for serving meals to children	**Required**	**Not Required**
Estimated number and types of meals to be served and times of service	**Required**	**Required**
Arrangements for delivery and holding of meals and storing leftovers for next day meal service	**Required**	**Not Required**
Arrangements for food service during periods of inclement weather	**Required**	**Not Required**
Access to means of communication for making necessary adjustments for number of meals to be served at each site	**Required**	**Not Required**
Whether the site is rural or non-rural and whether the site's food service will be self-prepared or vended	**Required**	**Not Required**
Open sites and restricted open sites: documentation supporting area eligibility determination	**Required**	**Required** Documentation must be submitted every five years when school or census data is used, or earlier if requested by the State agency.
Closed enrolled sites: the projected number of children enrolled and projected number of children eligible for f/rp meals for each site	**Required**	**Required**
NYSP sites: certification from sponsor that all children who will receive SFSP meals are enrolled participants in NYSP	**Required**	**Not Required**
Camps: number of children enrolled in each session who meet Program income standards	**Required**	**Required**

APPLICATION REQUIREMENTS FOR NEW AND EXPERIENCED SPONSORS/SITES		Attachment 8, Continued
Requirement	**New Sponsors/Sites and Sponsors/Sites with Past Operational Problems**	**Experienced Sponsors/Sites**
Migrant sites: certification from migrant organization that site serves children of migrant worker families. If site also serves non-migrant children, sponsor must certify that the site primarily serves migrant children.	**Required**	**Not Required**
Homeless feeding sites: information that demonstrates that site is not a residential child care institution; description of method used to ensure that no cash payments or other in-kind services are used for meal service; certification that site only claims meals served to children	**Required**	**Not Required**
Other Application Requirements: 7 CFR 225.6(c)(2)(ii) and (3)(ii)		
Information that demonstrates that applicant meets requirements in §225.14; extent of Program payments needed including advance and start-up payments (if applicable); staffing and monitoring plan	**Required**	**Required**
Complete administrative and operating budget which includes projected administrative expenses and information of how sponsor will operate the Program within estimated reimbursement	**Required**	**Required**
Summary of how meals will be obtained; if invitation for bid is required, sponsors must submit a schedule for bid dates and a copy of their IFB	**Required**	**Required** If IFB is required, sponsors must submit schedule for bid dates and copy of IFB if a change has occurred from previous year. If method for procuring meals has changed from previous year, sponsors must submit a summary of how meals will be obtained.
For sponsors seeking approval as unit of local, municipal, county or State government, certification that it will directly operate the Program in accordance with §225.14(d)(3).	**Required**	**Not Required**

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Attachment 9

FOOD SERVICE EQUIPMENT NEEDS				
Equipment	Number of Children			
	1 - 50	51 - 100	101 - 200	201 - 300
Range with ventilating hood	1 range with oven; 30" domestic or 30" - 36" commercial (2 burners)	1 range with oven 30" - 36" commercial (4 burners)	1 range with oven 30" - 36" commercial (2 if over 150 children) (6 burners)	2 ranges with ovens 30" - 36" commercial or 1 range w/oven 60" or larger commercial (8 burners)
Refrigerator with shelves	single section domestic 18 cu. ft. or commercial reach-in 20-25 cu. ft.	double section commercial reach-in 40-50 cu. ft.	double section commercial reach-in 50-60 cu. ft. or 64 sq. ft. (8 ft. x 8 ft.) walk-in	triple section commercial reach-in 60-75 cu. ft. or 64 sq. ft. (8 ft. x 8 ft.) walk-in
Freezer	same as refrigerator	same as refrigerator	same as refrigerator	same as refrigerator
Work Tables (Allow 4 linear ft. per worker). Use countertops as tables	1 table	2 table	3 table	4 tables
Sink with separate hand sink	1 sink - 3 compartments	1 sink - 3 compartments	1 sink - 3 compartments	1 sink - 3 compartments

If the site will serve over 100 children, the following equipment is recommended to supplement the minimum items listed above:

- Steam equipment (kettle, steamer)
- Hot food holding cabinet
- Convection oven
- Electric food slicer
- Mixer with attachments (vegetable slicer/shredder, meat and food chopper)

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Attachment 10

INCOME ELIGIBILITY FORM
FOR THE
SUMMER FOOD SERVICE PROGRAM
(For Use by Camps and Closed Enrolled Sites)

Please complete the following form using the instructions below. Sign the form and return it to: **[Name of Sponsor]**
_____.

If you need help, call **[phone number of Sponsor]**

Follow these instructions, if your household gets SNAP TANF or FDPIR:

Part 1: List participant's name and a SNAP, TANF or FDPIR case number.
Part 2: Skip this part.
Part 3: Skip this part.
Part 4: Sign the form. A Social Security Number is NOT required.
Part 5: Answer this question if you choose to.

If your household includes a FOSTER CHILD, use one application for the whole household and follow these instructions:

Part 1: Enter the child's name.
Part 2: Please contact us at **[phone number of Sponsor]**
Part 3: Complete this part if you are applying for other children in the household and you did not enter a SNAP, TANF or FDPIR case number in Part 1.
Part 4: Sign the form. If Part 3 was completed, provide the last four digits of the signing adult's Social Security Number.
Part 5: Answer this question if you choose to.

ALL OTHER HOUSEHOLDS, including WIC households, follow these instructions:

Part 1: List each participant's name.
Part 2: Skip this part.
Part 3: Follow these instructions to report total household income from last month.

Column A–Name: List the first and last name of **each** person living in your household, related or not (such as grandparents, other relatives, or friends who live with you). You must include yourself and all children living with you. Attach another sheet of paper if you need to.

Column B–Gross income last month and how often it was received. Next to each person's name, list each type of income received last month, and how often it was received.

In Box 1, list the **gross income** each person earned from work. This is not the same as take-home pay. **Gross income is the amount earned before taxes and other deductions.** The amount should be listed on your pay stub, or your boss can tell you. Next to the amount, write how often the person got it (weekly, every other week, twice a month, or monthly).

In box 2, list the amount each person got last month from welfare, child support, alimony.

In box 3, list Social Security, pensions, and retirement.

In box 4, list ALL OTHER INCOME SOURCES including Worker's Compensation, unemployment, strike benefits, Supplemental Security Income (SSI), Veteran's benefits (VA benefits), disability benefits, regular contributions from people who do not live in your household. Report net income for self-owned business, farm, or rental income. Next to the amount, write how often the person got it. If you are in the Military Housing Privatization Initiative do not include this housing allowance.

Column C–Check if no income: If the person does not have any income, check the box.

Part 4: An adult household member must sign the form and include the last four digits of his or her Social Security Number, or mark the box if he or she doesn't have one.
Part 5: Answer this question if you choose to.

Privacy Act Statement: This explains how we will use the information you give us.

Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly.

Part 1. Children enrolled in Camp or Closed Enrolled Sites.

Names (First, Middle Initial, Last)	SNAP, TANF or FDPIR case # (if any). **Skip to Part 4 if you listed a case #.**

Part 2. Foster Child

Foster children are eligible for free and reduced-price meals regardless of household income. If a foster child lives with you, please contact **[name of Sponsor]** at **[phone number]**. Complete Part 3 if you are applying for other children in your household and you did not enter a SNAP, TANF or FDPIR case number in Part 1.

Part 3. Total Household Gross Income—You must tell us how much and how often

A. Name (List **everyone** in household, including children)	**B. Gross income and how often it was received** *Example: $100/monthly $100/twice a month $100/every other week $100/weekly*				**C. Check if NO income**
	1. Earnings from work before deductions	2. Welfare, child support, alimony	3. Social Security, pensions, retirement,	4. All Other Income	
(Example) Jane Smith	$200/weekly_____	$150/weekly_____	$100/monthly_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑
	$_____/_____	$_____/_____	$_____/_____	$_____/_____	❑

Part 4. Signature and Social Security Number (Adult must sign)

An adult household member must sign this form. If Part 3 is completed, the adult signing the form must also list the last four digits of his or her Social Security Number or mark the "I do not have a Social Security Number" box. (See Privacy Act Statement on the back of this page.)

I certify that all information on this form is true and that all income is reported. I understand that this information is being given for the receipt of Federal funds. I understand that SFSP officials may verify the information. I understand that if I purposely give false information, the participant receiving meals may lose the meal benefits, and I may be prosecuted.

Sign here: X_____Print name:_____Date: _____

Address:_____Phone Number:_____

Last four digits of Social Security Number: __ __ __ __ ❑ I do not have a Social Security Number

Part 5. Participant's ethnic and racial identities (optional)

Mark one ethnic identity:	Mark one or more racial identities:	
❑ Hispanic or Latino ❑ Not Hispanic or Latino	❑ Asian ❑ White ❑ Black or African American	❑ American Indian or Alaska Native ❑ Native Hawaiian or Other Pacific Islander

Don't fill out this part. This is for official use only.

Annual Income Conversion: Weekly x 52, Every 2 Weeks x 26, Twice A Month x 24, Monthly x 12

Total Income: _____ Per: ❑ Week, ❑ Every 2 Weeks, ❑ Twice A Month, ❑ Month, ❑ Year

Household size: _____

Categorical Eligibility: ___ Date Withdrawn: _____ Eligibility: Free___ Reduced___ Denied___

Reason: _____

Temporary: Free_____ Reduced_____ Time Period: _____ (expires after _____ days)

Determining Official's Signature: _____ Date: _____

Confirming Official's Signature: _____ Date: _____

Follow-up Official's Signature: _____ Date:_____

The Richard B. Russell National School Lunch Act requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced price meals. You must include the social security number of the adult household member who signs the application. The social security number is not required when you apply on behalf of a foster child or you list a SNAP, Temporary Assistance for Needy Families (TANF) Program or Food Distribution Program on Indian Reservations (FDPIR) case number for your child or other (FDPIR) identifier or when you indicate that the adult household member signing the application does not have a social security number. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the Program.
Non-discrimination Statement: In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write to USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

Attachment 11

PLANNING CHECKLIST: SUMMER FOOD SERVICE PROGRAM	
Date completed	**Action**
1. _____	Meet with community leaders, if possible, or survey community for assistance in determining suitable site locations.
2. _____	Choose possible sites and compile written documentation supporting the eligibility of each site. This involves determining the method to be used to show need (such as area eligibility based on census tract or school district data, or the enrollment of each participating child).
3. _____	Choose method of meal preparation (self-preparation of meals or purchase of meals from a school food authority or a public or private food service management company).
4. _____	If meals will not be prepared by the sponsor, contact local schools and other possible vendors concerning vending meals for the Program.
5. _____	Contact recreation departments, schools, and local service organizations to coordinate recreation activities with planned food service at sites.
6. _____	Contact reliable site supervisors from previous year(s) to determine if they have an interest in continuing in the Program.
7. _____	Attend training workshops offered by State agency personnel.
8. _____	Hire secretarial staff to assist the program director.
9. _____	Develop specifications for the invitation to bid (if applicable).
10. _____	Publicly advertise the bid, at least 14 days before bid openings (if applicable).
11. _____	Estimate potential Program reimbursement and develop budget and staffing plans for the Program.
12. _____	Solicit volunteer help at sites whenever possible.
13. _____	Hire an assistant program director, if necessary.
14. _____	Design forms, use the State agency's sample forms, or the sample forms in the Reference Section of this handbook for all aspects of Program operations.

PLANNING CHECKLIST: SUMMER FOOD SERVICE PROGRAM	
Date completed	**Action**
15. _____	Set up a filing system for those documents that must be maintained for at least 3 years.
16. _____	For camps, obtain data for each child to document eligibility for free or reduced price school meals. This also applies to sites where eligibility is based on the enrollment group served.
17. _____	Notify the health department of your intention to operate a food service program, giving a list of sites you plan to serve.
18. _____	Submit to the State agency a copy of the notification letter to the health department as part of the application for participation.
19. _____	Conduct a pre-operational visit to all new or problem sites.
20. _____	Submit a complete application with accompanying documents to the State agency. Include all attachments as requested by the State agency.
21. _____	Use proper procedures to select a vendor (if applicable).
22. _____	Meet the vendor and develop delivery schedules (if applicable).
23. _____	Arrange for facilities, equipment, and food purchases at self-preparation sites (if applicable).
24. _____	Hire monitors and site supervisors.
25. _____	Hold training workshops for monitors and site supervisors.
26. _____	Announce the availability of the Program and the nondiscrimination policy through the local media.
27. _____	Finalize monitoring schedules and any emergency procedures.
28. _____	Arrange to have a nondiscrimination poster, either developed by USDA or approved by the State agency, for each site.

Attachment 12

Sample News Release
Open Sites

The _____(name of sponsor)_____ is participating in the Summer Food Service Program. Meals will be provided to all children without charge and are the same for all children regardless of race, color, national origin, sex, age or disability, and there will be no discrimination in the course of the meal service. Meals will be provided at the sites and times as follows: [list all sites and the starting and ending times of meal service for each site]

_____
_____
_____
_____
_____
_____
_____

To file a complaint of discrimination, write or call immediately to:

USDA
Director, Office of Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
(800) 795-3272 or (202) 720-6382 (TTY)

USDA is an equal opportunity provider and employer.

Sample News Release
Enrolled Sites and Camps

The _____(name of sponsor)_____ is participating in the Summer Food Service Program. Meals will be provided to all eligible children free of charge. (To be eligible to receive free meals at a residential or non-residential camp, children must meet the income guidelines for reduced-price meals in the National School Lunch Program. The income guidelines for reduced-price meals by family size are listed on the next page.) Children who are part of households that receive Supplemental Nutrition Assistance Program (SNAP, formerly foods stamps) benefits, or benefits under the Food Distribution Program on Indian Reservations (FDPIR), or Temporary Assistance to Needy Families (TANF) are automatically eligible to receive free meals.

Acceptance and participation requirements for the Program and all activities are the same for all regardless of race, color, national origin, sex, age or disability, and there will be no discrimination in the course of the meal service. Meals will be provided at the sites and times as follows: [list all sites and the starting and ending times of meal service for each site]

_____
_____
_____
_____
_____
_____

To file a complaint of discrimination, write or call immediately to:

USDA
Director, Office of Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
(800) 795-3272 or (202) 720-6382 (TTY)

USDA is an equal opportunity provider and employer.

Attachment 13

PRE-OPERATIONAL VISIT WORKSHEET

Site name: _____ Site number: _____

Site address: _____

Site telephone number: _____

Person to contact for use of site: _____

Type of site (check appropriate type):

_____ Recreation center
_____ School
_____ Church
_____ Playground
_____ Settlement house
_____ Park
_____ Residential camp
_____ Play street
_____ Other

Estimated number of children the site could serve: _____
Estimated number of needy children in area: _____
Estimated number of personnel needed to adequately control the food service: _____

Is another site needed in this area? _____ Yes _____ No

Are the present facilities adequate for an organized meal service? _____ Yes _____ No

If answer is no, comments:_____
_____

For the estimated number of children, does the site have:	Yes	No
Shelter for inclement weather?	_____	_____
Adequate cooking facilities (if applicable)?	_____	_____
Adequate storage for prepared or delivered food?	_____	_____
Storage space for records at site?	_____	_____
Adequate refrigeration?	_____	_____
Access to a telephone?	_____	_____

What type of organized activities are possible or planned at this site?
_____
_____

Improvements or corrective actions needed before site operates:
_____
_____

_____ _____

Monitor's Signature **Date**

Attachment 14

SPONSOR/SITE AGREEMENT
FOR THE SUMMER FOOD SERVICE PROGRAM

Name of site: _____

Address of site: _____

Site supervisor/State agency official: _____

Telephone: _____

The person named above agrees to:

1. Serve meals to all needy children 18 years of age and under (or persons 19 and over who are mentally or physically disabled and participating in a public or private nonprofit school program for the mentally or physically disabled).

2. Serve meals that meet the minimum meal pattern requirements.

3. Provide adequate supervision during the meal service.

4. Maintain and submit promptly such reports and records that the sponsor requires.

5. Report to the sponsor any changes in the number of meals required as attendance fluctuates.

6. Report any other problems regarding the meal services.

7. Comply with civil rights laws and regulations.

8. Attend sponsor training sessions.

_____ _____
Site Supervisor/State Agency Official Date

_____ _____
Sponsor Date

Attachment 15

Training Checklist for Administrative Staff

Use this checklist for training sponsor administrative staff, including office assistants, clerks, bookkeepers, secretaries, area supervisors, and monitors.

1. General explanation of the Program:

    A. Purpose of the Program
    B. Site eligibility
    C. Recordkeeping requirements
    D. Organized site activity
    E. Meal requirements
    F. Nondiscrimination compliance

2. How the Program operates:

    A. How meals will be provided
    B. The delivery schedule, if applicable
    C. What records are kept and what forms are used

3. Special duties of Monitors (include if separate training is not held for monitors):

    A. How to conduct site visits and reviews
    B. Sites for which each monitor is responsible
    C. Monitoring schedule
    D. Reporting procedures
    E. Office procedures

Training Checklist for Monitors

1. Sites for which they will be responsible
2. Conducting site visits and reviews
3. Monitoring schedules
4. Reporting and recordkeeping procedures
5. Follow-up procedures
6. Office procedures
7. Local sanitation and health laws
8. Civil rights
9. Reporting racial/ethnic data
10. Personal safety precautions, if necessary

Training Checklist for Site Staff

1. General explanation of the Program

    A. Purpose of the Program
    B. Site eligibility
    C. Importance of accurate records especially meal counts
    D. Importance of organized activities at sites

2. How sites operate:

    A. For vended sites:
        1. Types of meals to be served and the meal pattern requirements (provide planned menus)
        2. Delivery schedules (give exact times)
        3. Adjustments in the number of meals delivered
        4. Facilities for storing meals
        5. Who to contact about problems (name and phone number)
        6. Approved level of meal service

    B. For self-preparation sites:
        1. Meal pattern requirements
        2. Inventory (use inventory forms)
        3. Meal adjustments (use production records)
        4. Meal preparation adjustments

3. Recordkeeping requirements

    A. Daily recordkeeping requirements
    B. Delivery receipts (provide sample forms)
    C. Seconds, leftovers and spoiled meals
    D. Daily labor – actual time spent on food service and time and attendance records
    E. Collection of daily record forms
    F. Maintain copies of meal service forms

4. Monitors' responsibilities (use site visit and review forms)
    A. Duties and authority
    B. Introduce monitors and discuss areas of assignment

5. Civil Rights requirements (use Site Supervisor's Guide)

6. Other policies/issues
    A. What to do in inclement weather and alternate service areas
    B. How to handle unauthorized adults trying to eat meals
    C. How to handle discipline
    D. Review equipment, facilities, and materials available for recreational activities
    E. Review trash removal requirements
    F. Discuss corrective action
    G. Nutrition education

Attachment 16

Meal Count Worksheet for Camps

	Date																					
	Meals	B	L	S	B	L	S	B	L	S	B	L	S	B	L	S	B	L	S	B	L	S
Camper's Name	Code																					
1.																						
2.																						
3.																						
4.																						
5.																						
6.																						
7.																						
8.																						
9.																						
10.																						
11.																						
12.																						
13.																						
14.																						
15.																						

Total Eligible Meals: _____ Total Ineligible Meals: _____ Total Program Adult Meals: _____

Total Non-Program Adult Meals: _____

Attachment 17

INVENTORY CONTROL SHEET				
Name of site/sponsor:		Onsite:		
Central kitchen:				
Inventory period:	to			
Beginning inventory: $				
1. Food item	2. Purchase unit--size & description (case, bag, can, lb.)	3. # of units on hand	4. Unit cost	5. Total cost
		Ending inventory		$

INVENTORY CONTROL SHEET INSTRUCTIONS

The value of the beginning inventory is determined by taking a physical count before the food service operation begins. The value of the beginning inventory thereafter is the same as the ending inventory for the previous month.

A complete physical inventory of all purchased foods, commodities, and supplies on hand must be taken at the end of the reporting period.

For ease in taking a physical count of foods in storage, arrange the items according to food groups in the storage area and arrange each group in alphabetical order, for example, canned fruits and fruit juices - apples, apricots, etc. Store food in cases, boxes, or other containers marked with the date received and cost per unit to facilitate the taking of inventories.

Column l. Enter the name of the food item, such as corn, green beans, or mayonnaise.

Column 2. Enter the size pack, such as, 6/#10 case, #50 bag, or #10 can. If different size containers of the same food item are on hand, use a separate line for each size and a separate line for each different unit cost of the same size pack.

Column 3. Enter the number of units (of the size shown in column 2) found on hand from actual count.

Column 4. Enter the unit cost for the size unit shown in column 2 (use the unit cost written on package or unit). Use invoices to determine the unit cost per item and total food purchases for the reporting period.

Column 5. Obtain the total cost by multiplying the number of units (column 3) by the unit cost (column 4) and enter in column 5. Add column 5 (total cost) on all pages for the inventory at the end of the month. This total is the value of the ending inventory.

This is a permanent source document and must be retained for a period of three years following the date of submission of the final claim for reimbursement for the fiscal year.

Attachment 18

DAILY MEAL COUNT FORM

Site Name: Meal Type (circle) : B L SN SU

Address: Telephone:

Supervisor's Name: Delivery Time: Date:

Meals received/prepared _____ + Meals available from previous day _____ = _____ (Total meals available) **[1]**

First Meals Served to Children (cross off number as each child receives a meal):

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120
121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140
141	142	143	144	145	146	147	148	149	150										

Total First Meals + **[2]**

Second meals served to children:

1 2 3 4 5 6 7 8 9 10 **Total Second Meals +** **[3]**

Meals served to Program adults:

1 2 3 4 5 6 7 8 9 10 **Total Program Adult Meals +** **[4]**

Meals served to non-Program adults:

1 2 3 4 5 6 7 8 9 10 **Total non-Program Adult Meals +** **[5]**

TOTAL MEALS SERVED = **[6]**

Total damaged/incomplete/other non-reimbursable meals + **[7]**

Total leftover meals + **[8]**

Total of items: **[6] . + [7] + [8] . = [9]**

(Item [9] should be equal to item [1])

Number of additional children requesting a meal after all available meals were served:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

By signing below, I certify that the above information is true and accurate:

_____ _____

Signature Date

CONTINUATION PAGE FOR DAILY MEAL COUNT FORM

Site Name: Date:

First Meals Served to Children (cross off number as each child receives a meal):

151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170

171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190

191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210

211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230

231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250

Total First Meals + **[2]**

Second meals served to children:

11 12 13 14 15 16 17 18 19 20 **Total Second Meals +** **[3]**

Meals served to Program adults:

11 12 13 14 15 16 17 18 19 20 **Total Program Adult Meals +** **[4]**

Meals served to non-Program adults:

11 12 13 14 15 16 17 18 19 20 **Total non-Program Adult Meals +** **[5]**

TOTAL MEALS SERVED = **[6]**

Total damaged/incomplete/other non-reimbursable meals + **[7]**

Total leftover meals + **[8]**

Total of items: **[6] + [7] + [8] = [9]**

(Item **[9]** should be equal to item **[1]**on the front side of the page)

Number of additional children requesting a meal after all available meals were served:

16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

Instructions for Meal Count Form – Daily

Each site must take a point-of-service meal count every day. This form may be used for the daily meal count.

1. Line 1 equals the total meals available. That number equals the number of meals received or prepared plus the number of meals available from the previous day.

2. Line 2 equals the total number of first meals served to children. Cross out each number as a child receives a meal. Include any teenagers, 18 and under, paid or unpaid, who are helping out at the site. (If more than 150 children are served at the site, use the optional second page. For sites needing the second page, we suggest printing this form front to back.)

3. Line 3 equals the total number of second meals served to children. (Remember, reimbursable meals are limited to no more than two percent of the total number of first meals served.)

4. Line 4 equals the total number of meals served to Program adults. "Program adults" are adults who work directly as part of the operation of the food service. This includes all adults who prepare meals, serve meals, clean up, or supervise the children. This does <u>not</u> include teenagers, 18 and under, who may perform these tasks at the site. Meals for children 18 and under are fully reimbursable, and you would count these meals on Line 2.

5. Line 5 equals the total number of meals served to non-Program adults. "Non-Program adults" are adults who are not directly involved in the operation of the food service. Non-Program adults include any sponsor administrative staff, such as monitors or sponsor directors, or State or Federal reviewers.

6. Line 6 equals the total number of meals served, which is the sum of Lines 1 – 5.

7. Line 7 equals the total number of meals that are unusable because they are damaged, incomplete, or otherwise non-reimbursable.

8. Line 8 equals the total number of leftover meals, which is calculated by subtracting Line 6 from Line 1.

9. Line 9 equals the sum of Lines 6, 7, and 8. It accounts for all meals and should equal Line 1.

10. Use the line at the bottom of the form to record the number of children requesting a (first) meal after all available meals were served. This information is helpful in adjusting meal orders upward.

11. The site supervisor must sign and date the meal count form.

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MEAL COUNT (WEEKLY CONSOLIDATED) **Attachment 19**

				ADDRESS AND PHONE NUMBER:				
SITE SUPERVISOR:				WEEK OF:				
MEAL TYPE: (CIRCLE) B L SN SU	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	TOTAL FOR WEEK
1. Number of meals received/prepared								
Number of meals available from previous day								
2. Number of first meals served to children								
3. Number of second meals served to children								
4. Number of meals served to Program adults								
5. Number of meals served to non-Program adults								
6. Number of incomplete/ damaged meals								
7. Number of leftover meals								
8. Number of additional children requesting a meal after all available meals were served								
9. Money collected/to be collected for adult meals								
REMARKS:					SIGNATURE OF SITE SUPERVISOR:			

Instructions for Meal Count Form (Weekly/Consolidated)

1. Use this form to consolidate daily meal count information (see Attachment 20).
2. Use a separate consolidated meal count form for each meal type.
3. Information for Items 1 – 9 should be transferred directly from the Daily Meal Count Form for the week.
4. Information for Item 10, Money Collected/To Be Collected For Adult Meals, is not collected on the Daily Meal Count Form.
5. When completed, this form must be signed and dated by the Site Supervisor.

Attachment 20

Meal Count - Consolidation Form of First (1st) and Second (2nd) Meals Served
Claim Period: _____ to _____

Site	Breakfast		Lunch		Snack		Supper	
	1st Meal	2nd Meal	1st Meal	2nd Meal	1st Meal	2nd Meal	1st Meal	2nd Meal
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
16.								
17.								
18.								
19.								
20.								
TOTAL								

Meal Type	**(A) Total 1st Meals Served**	**(B) Total 2nd Meals Served**	**(C) 2nd Meal Limitation (.02 x A)**	**(D) Allowable 2nd Meals – Lesser of (B) or (C)**	**(E) Allowable Total Meals (A) + (D)**
Breakfast					
Lunch					
Snack					
Supper					

Attachment 21

ETHNIC AND RACIAL DATA FORM**

Sponsor: _____

Site: _____

Address: _____

Site supervisor: _____

Ethnic Categories	Number of Participating Children
Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic or Latino."	
Non-Hispanic or Latino	
Racial Categories	
American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America, (including Central America), and who maintains tribal affiliation or community recognition.	
Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.	
Black or African American. A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."	
Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.	
White. A person having origins in any of the original peoples of Europe, the Middle East or North Africa.	
_____ Monitor's Signature	_____ Date

** Note: Based on OMB Notice, Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity, published 10/30/97 *and* in FNS Instruction 113-1, Civil Rights Compliance and Enforcement Nutrition Programs and Activities, published November 8, 2005. See Back for Instructions

Instructions for Completing the Ethnic or Racial Data Form

- The sponsor should complete this form for each site under its jurisdiction each year. Sponsors of residential camps must collect this information for each camp session. For all other sites, the sponsor must count the participating children at least once during the site's operation.

- The sponsor may use visual identification to determine a participant's racial or ethnic category or the parents of a participant may be asked to identify the racial or ethnic group of their child(ren). A participant may be included in the group that he/she appears to belong, identifies with, or is regarded as a member by the community.

- To provide flexibility and ensure data quality, separate categories shall be used when collecting and reporting race and ethnicity. Ethnicity shall be collected first. Respondents shall be offered the option of selecting one or more racial designations.

- The sponsor must retain racial or ethnic data, as well as documentation for the data for three years and must safeguard this information to prevent its use for discriminatory purposes. Access to Program records containing racial or ethnic data should be limited to authorized personnel.

Attachment 22

CHECKLIST OF RECORDS

1. Records that document eligibility for the Summer Food Service Program:

    ____ Approved agreement

    ____ Application

    ____ Site Information Sheet for each site

    ____ Evidence to show eligibility for each site based on serving needy children (or in the case of camps and enrolled sites, evidence to show that children are individually documented as being eligible for free or reduced price school meals)

    ____ Public release

    ____ Letter from IRS showing tax-exempt status (for private nonprofit sponsors)

    ____ Pre-operational site visit forms

    ____ Sponsor/site agreements

    ____ Documentation of training

    ____ Letter of engagement of CPA firm or independent accountant, or State or local government accountant and management letter (if applicable)

    ____ Letter to health department

2. Records that support the number of meals served to children:

    ____ Daily count of milks delivered

    ____ Daily count of milks leftover

    ____ Daily count of meals prepared or received at sites

    ____ Daily count of complete first meals served to children

    ____ Daily count of complete second meals served to children

    ____ Daily count of meals served to Program and non-Program adults

    ____ Daily count of disallowed meals

    ____ Daily count of excess meals

3. Records that support food service costs:

    ____ Food inventories

    ____ Delivery receipts for vended meals

    ____ Payroll and time-and-attendance records for site personnel

    ____ Purchase invoices

4. Records that support administrative costs:

____ Payroll and daily time-and-attendance records for administrative personnel

____ Rental agreements for office equipment or space

____ Mileage records

5. Records to support funds accruing to the Program:

____ Site records of cash collected

____ Copies of receipts given for cash donations

____ Records of any other funds received for the Summer Food Service Program

6. Other records:

____ Agreement with schools to furnish meals

____ Contract with a food service management company

____ Bid procedures used

____ Records and inventories of USDA-donated foods

____ Monitor's reports of site visits and reviews

____ Records of training conducted

____ Menu records

____ Receipts, invoices, and bills for all rented or purchased items and services

____ Bank statements and deposit slips

____ Accounting ledgers

____ Sanitation and health reports

____ Certification of Independent Price Determination (FSMC contracts)

____ Beneficiary Data Form

Attachment 23

MILEAGE RECORD – Administrative Staff*				
Name of Employee:				
Date	Odometer Reading: Start	Odometer Reading: Stop	Number of Miles	Itinerary

_____

Signature of Employee

*Use this form for any staff performing an **administrative** task (e.g. monitors, sponsor administrative staff visiting/reviewing sites).

Attachment 24

MILEAGE RECORD – Site and Food Service Staff*				
Name of Employee:				
Date	Odometer Reading: **Start**	Odometer Reading: **Stop**	Number of Miles	Itinerary

_____
Signature of Employee

*Use this form for any staff performing an **operating** task, specifically related to the food service (e.g. site staff, cooks, etc. transporting meals).

Attachment 25

TIME REPORT – Administrative Staff*

Sponsor name:_____ Sponsor Number: _____

Sponsor address:_____

Week of:_____

Hours Worked in SFSP Administration

Name	Hours Per Day							Total Hours Weekly	Hourly Wage	Total Claimable
	S	M	T	W	T	F	S			

I understand that this information is being given in connection with the receipt of Federal funds and that deliberate misrepresentation may subject me to prosecution under applicable State and Federal criminal statutes.

_____

Supervisor's signature Date

*Use this form for administrative staff performing **administrative** cost tasks, that is, tasks related to the **administration** of the Program (e.g. monitors, book keepers, office staff, directors).

TIME REPORT – Site and Food Service Staff*

Site/Sponsor name:_____ Site/Sponsor Number: _____

Site/Sponsor address:_____

Week of:_____

Hours Worked in Food Service

Name	Hours Per Day							Total Hours Weekly	Hourly Wage	Total Claimable
	S	M	T	W	T	F	S			

I understand that this information is being given in connection with the receipt of Federal funds and that deliberate misrepresentation may subject me to prosecution under applicable State and Federal criminal statutes.

_____

Site supervisor's signature Date

*Use this form for all site-level and food service staff performing **operating** costs tasks, that is, tasks directly related to the **food service** (e.g. meal servers, cooks, supervising children at the site).

SUMMARY OF ADMINISTRATIVE EXPENSES

1. Name of sponsor _____

2. Month and year _____

3. Position (a)	# of People in that position (b)		Salary per hour (c)		# of hours spent on SFSP administration (d)		Total (e)
_____	_____	x	$_____	x	_____	=	$_____
_____	_____	x	$_____	x	_____	=	$_____
_____	_____	x	$_____	x	_____	=	$_____
_____	_____	x	$_____	x	_____	=	$_____
_____	_____	x	$_____	x	_____	=	$_____

(f) Total salaries paid $_____

4. Salaries (line 3f) $_____
5. Transportation $_____
6. Communication $_____
7. Rental of office space $_____
8. Office supplies $_____
9. Utilities $_____
10. Use allowance of furniture and fixtures $_____
11. Audit fees $_____
12. Legal fees $_____
13. Office building maintenance $_____
14. Other (specify) $_____
    $_____
    $_____
15. **TOTAL** $_____

SUMMARY OF ADMINISTRATIVE EXPENSES - INSTRUCTIONS

Item number:

1. Enter the name of the sponsor.

2. Enter the time period (month and year) covered by the form.

3. Enter:
   a. the position,
   b. the number of people working in that position,
   c. the hourly salary rate they receive,
   d. the number of hours they spend working with SFSP administration,
   e. the total dollar amount spent on salaries for that position (b x c x d), and
   f. add the total dollar amount spent on salaries for all positions.

4. Enter the total dollar amount spent on salaries during the month (line 3f).

5. Enter the total dollar amount spent on transportation during the month.

6. Enter the total dollar amount spent on communication during the month.

7. Enter the total dollar amount spent on the rental of office space during the month.

8. Enter the total dollar amount spent on office supplies during the month.

9. Enter the total dollar amount spent on utilities during the month.

10. Enter the total dollar amount spent on use allowance of furniture and fixtures.

11. Enter total dollar amount spent on audit fees.

12. Enter total dollar amount spent on legal fees.

13. Enter total dollar amount spent on office building maintenance.

14. Enter the total dollar amount spent on miscellaneous administrative supplies or services during the month that do not fall under any of the categories mentioned above.

15. Add items 4 through 14 and enter the total administrative expenses for the month.

Be sure you collect and keep the receipts for all of the administrative expenses (i.e., canceled checks, gasoline receipts, receipts for printing).

Attachment 28

WORKSHEET FOR COST OF FOOD USED

1. Site _____

2. Month/year _____

3. Cost of food used:

A.	Beginning inventory	$_____
B.	Inventory adjustment (+ or -)	$_____
C.	Purchases (including milk)	$_____
D.	Total food available	$_____
E.	Less ending inventory	$_____
F.	Total cost of food used	$_____

Instructions

1. Enter name of site.

2. Enter month and year.

3. A. Enter dollar value of beginning inventory.

   B. Enter amount of adjustment (plus or minus) for any transfer, spoilage, pilferage, etc. (explain any adjustment on the back of this form).

   C. Enter the dollar value of all food purchases made during the month. This should equal food expenditures.

   D. Enter the total of A + C (+ or -) B.

   E. Enter dollar value of ending inventory.

   F. Enter the total of D - E (total cost of food used).

Attachment 29

First Week Visit Form

Date of site visit: _____ Monitor's arrival time: _____ Departure time: _____

Site name: _____ Site address: _____

Discussion with site staff (list names): _____

Areas of Discussion	Notes and Observations
Has the site supervisor attended training session?	
Are meals being counted and signed for?	
Are all required records being completed?	
Are meals served as second meals excessive?	
Do meals meet meal pattern requirements?	
Is there proper sanitation/storage?	
Is the site supervisor following procedures established to make meal order adjustments?	
Are meals served within appropriate time frames?	
Are all meals served and consumed onsite? (Note if State Agency and sponsor allow fruits or vegetables to be taken off site).	
Is each meal served as a unit?	
Are there any problems with delivery?	
Is there documentation of children's income eligibility, if applicable?	
Is there a nondiscrimination poster, provided by the sponsor, on display in a prominent place?	

List any problems that were noted during the visit, and any corrective actions that were initiated to eliminate the problems:

_____

_____

_____

_____

_____

_____

_____ Site supervisor's signature

_____ Monitor's signature

Attachment 30

SITE REVIEW FORM
SUMMER FOOD SERVICE PROGRAM

NOTE: To be completed during first four weeks of operations.

Sponsor: _____ Site: _____

Site contact:_____
Name Title

Site address:_____

Telephone: _____ Date of review: _____

Monitor's arrival time: _____ Departure time:_____

Site supervisor:_____

Regular site: _____ Camp site: _____ Average daily participation (if applicable): _____

Today's attendance: _____ Approved meal service time: _____

Type(s) of meals reviewed:

	Breakfast	Snack	Lunch	Snack	Supper
Approved level(s) of meal service	_____	_____	_____	_____	_____

Day of visit	Breakfast	AM Snack	Lunch	PM Snack	Supper
# meals delivered					
# meals/milk from previous day					
Time meals delivered					
Time meals served					
# first meals served to children					
# second meals served to children					
# meals served to Program adults					
# meals served to non-Program adults					
# meals leftover					

YES	NO	EXPLAIN ANY "NO" ANSWERS BELOW
____	_____	1. Does the staffing pattern correspond to that listed on the approved site sheet?
____	_____	2. Has the site supervisor attended training session?
____	_____	3. Does the site have sufficient food service supervision?
____	_____	4. Are meals counted/checked before signing delivery receipt?
____	_____	5. Are accurate meal counts taken of meals served?
____	_____	6. Are meals served as second meals excessive?
____	_____	7. Are records of adult meals being kept?
____	_____	8. Do meals meet approved menu?
____	_____	9. Do meals meet meal pattern requirements?
____	_____	10. Are meals checked for quality?
____	_____	11. Is there proper sanitation/storage?
_____	_____	12. Is the site supervisor following procedures established to make meal order adjustments?
_____	_____	13. Are meals served within appropriate time frames?
____	_____	14. Are all meals served and consumed onsite? (Note if State Agency and sponsor allow fruits or vegetables to be taken off-site).
____	_____	15. Does site have a plan in place in case of inclement weather?
_____	_____	16. Is each meal served as a unit?
____	_____	17. Is the meal delivery schedule followed?
____	____	18. Are there provisions for storing or returning excess meals?
____	____	19. Is there documentation of children's income eligibility, if applicable?
____	_____	20. Is there a nondiscrimination poster, provided by the sponsor, on display in a prominent place?
____	_____	21. Are meals served to all attending children regardless of the child's race, color, national origin, sex, age, or disability?
____	_____	22. Do all children have equal access to services and facilities at the site regardless of the child's race, color, national origin, sex, age, or disability?
____	_____	23. Is informational material concerning the availability and nutritional benefits of the Program available in appropriate translations?

Explanations:

Attachment 30, Continued

MAJOR VIOLATIONS	ACTUAL COUNT	TYPE OF MEAL
1. Adult meals included in count of meals served to children.	_____	_____
2. Offsite consumption. (Do not include fruits and vegetables if allowed by State agency and sponsor).	_____	_____
3. More than one meal served at one time to children.	_____	_____
4. Meal pattern not met (specify).	_____	_____
5. Meals not served as a unit.	_____	_____
6. Meal serving times not met.	_____	_____

CHECK IF THE FOLLOWING APPLY (Explain any checked items)	EXPLANATION
7. No records	
8. Incomplete records	
9. Poor sanitation	
10. Other	

Corrective action discussed with (name and title):

Corrective action taken:

Site supervisor's comments:

Further action needed by (date):

I certify that the above information is correct:

_____ _____

Monitor's signature Date Site supervisor's signature Date

_____

Sponsor representative's signature Date