SUMMER FOOD SERVICE PROGRAM

STATE AGENCY MONITOR GUIDE

USDA
United States Department of Agriculture

2017

For your reading ease, new or revised information has been highlighted in RED.

Throughout the text, references have been made to memoranda issued by the Food and Nutrition Service. The numbering system may differ from your State agency.

This guidance can be found on the USDA FNS Summer Food Service Program web page at: http://www.fns.usda.gov/sfsp/handbooks.

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PART 1
INTRODUCTION

In this guide, you will find:

- ☑ **STATE AGENCY MONITORING RESPONSIBILITIES**
- ☑ **REQUIRED REGULATORY REVIEW ELEMENTS**
- ☑ **TOOLS FOR A SUCCESSFUL MONITORING SYSTEM**
- ☑ **SAMPLE FORMS**

This guide is for State agency monitoring staff and provides guidance for monitoring Program operations and effective use of Program funds for the Summer Food Service Program (SFSP).

The SFSP is a federally funded Program that provides payments for nutritious meals served to children at approved sites that meet eligibility requirements during vacation periods from the school year. Meals served by participating sponsors must meet minimum guidelines set by the U.S. Department of Agriculture (USDA).

State agencies are a critical link in achieving Program integrity by ensuring compliance with Program regulations, providing training, and conducting oversight reviews of sponsors and sites. The purpose of monitoring is to ensure Program integrity is maintained, while the Program is being operated effectively. Program integrity encompasses compliance with Program expectations, efficient use of Federal funds, and fiscal responsibility. Through proper monitoring, State agencies need to ensure that Program operations are being managed effectively, nutritious meals are served to the intended population, and meals are being counted and claimed properly.

This guidance is designed to provide a State agency monitor with a general working knowledge of SFSP, and to outline the duties and responsibilities of the State agency's representative. There may be differences in how the Program is administered from State agency to State agency and differences in the forms used by each State agency; therefore, the forms provided in this guide are sample forms only.

Check with your State agency about State specific review forms.

The Food and Nutrition Service (FNS) develops Program regulations and policy that State agencies and Program operators are required to follow. Program regulations are published in 7 CFR Part 225. Regulatory citations have been included throughout this guide in *italicized text.*

SFSP policy memoranda also provide additional guidance on Program requirements; references to these policies are also included in this guide.

PART 2

STATE AGENCY RESPONSIBILITIES

- PLANNING
- TRAINING
- TECHNICAL ASSISTANCE

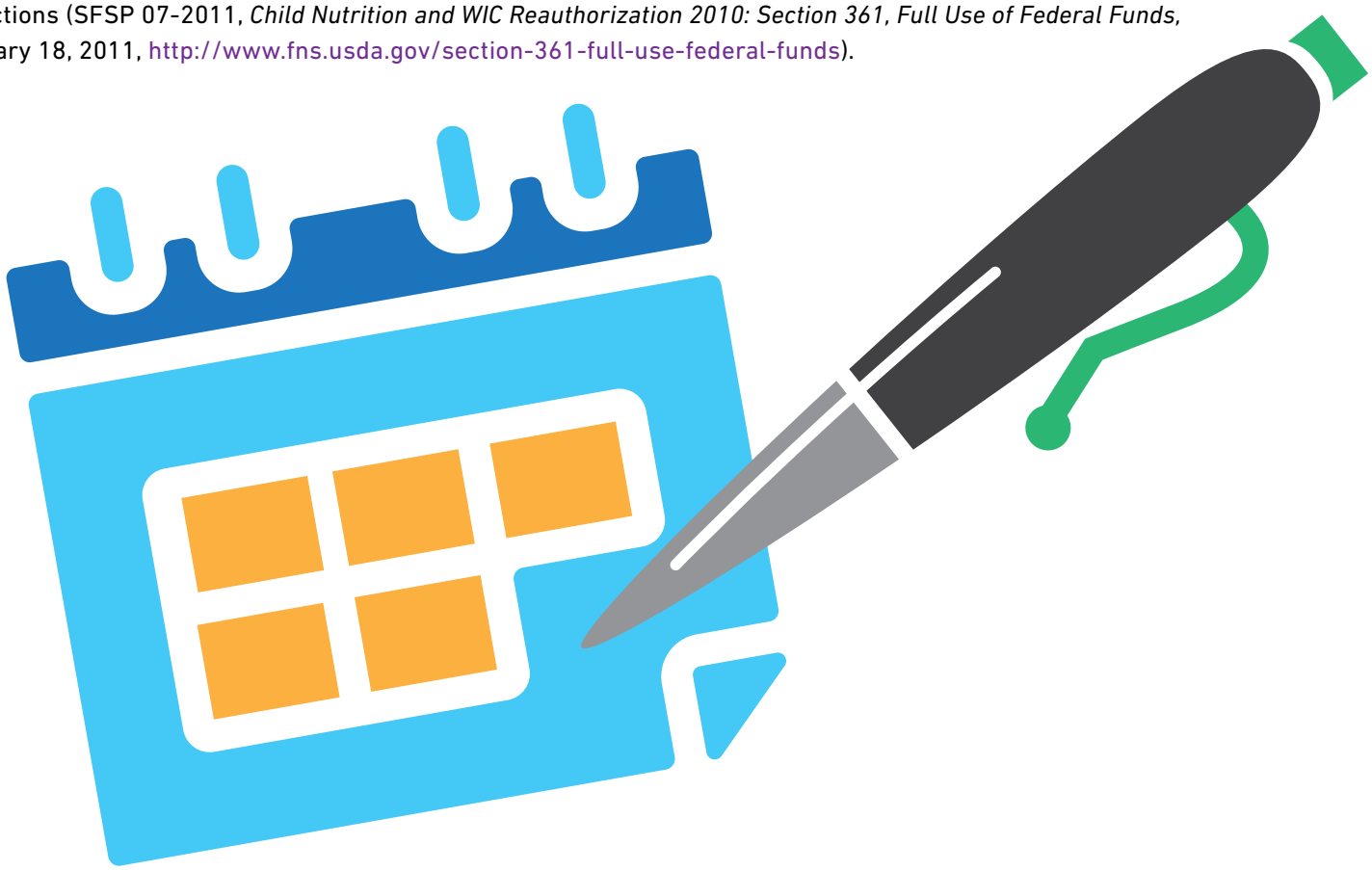
PLANNING

State agencies must develop plans for ensuring Program integrity through planning, training, technical assistance, and monitoring.

By February 1 of each year, State agencies must announce the purpose, eligibility criteria, and availability of summer meals throughout the State through appropriate means of communication. By February 15 of each year, State agencies must submit a Program Management and Administration Plan (MAP) for approval to the appropriate FNS Regional Office (FNSRO).

A State agency's MAP is a legislative requirement but also provides an opportunity to ensure that the State agency has a written plan for operating and improving SFSP each year. The MAP must explain the State agency's plan to ensure monitoring and inspecting sponsors, sites, and Food Service Management Companies (FSMCs), and a plan for timely and effective action against Program violations. In addition to developing a MAP, State agencies are responsible for recruiting sponsors, approving sponsors' applications, providing training and technical assistance to sponsors and sites, monitoring compliance with Program rules and regulations, and handling claims for reimbursement. Each State agency must determine the appropriate number of staff necessary to fulfill regulatory review requirements related to the above responsibilities.

As a reminder, Federal funds provided to State agencies for the administration of the Child Nutrition Program (CNP) must not be subject to State budget restrictions or limitations including hiring freezes, work furloughs, and travel restrictions (SFSP 07-2011, *Child Nutrition and WIC Reauthorization 2010: Section 361, Full Use of Federal Funds,* February 18, 2011, http://www.fns.usda.gov/section-361-full-use-federal-funds).



The following SFSP regulations specify requirements for general State agency responsibilities found in 7 CFR Part 225.6 as well as those aspects of the MAP found in 7 CFR Part 225.4 that relate to training, monitoring, and technical assistance:

7 CFR 225.6 State agency responsibilities.

(a) *General responsibilities. (1)* ***The State agency shall provide sufficient qualified consultative, technical, and managerial personnel to administer the Program, monitor performance,*** *and measure progress in achieving Program goals. The State agency shall assign Program responsibilities to personnel to ensure that all applicable requirements under this part are met.*

7 CFR 225.4 Program management and administration plan.

(a) *Not later than February 15 of each year, each State agency shall submit to FNSRO a Program management and administration plan for that fiscal year.*

(d) *The Plan must include, at a minimum, the following information:*

- (3) *The State's plans for providing* ***technical assistance and training*** *to eligible sponsors;*
- (4) *The State's plans for* ***monitoring and inspecting*** *sponsors, meal sites, and food service management companies and for ensuring that such companies do not enter into contracts for more meals than they can provide effectively and efficiently;*
- (5) *The State's plan for* ***timely and effective action against Program violators;***
- (6) *The State's plan for ensuring the* ***fiscal integrity*** *of sponsors not subject to auditing requirements prescribed by the Secretary;*
- (7) *The State's plan for ensuring* ***compliance*** *with the food service management company* ***procurement monitoring*** *requirements set forth at §225.6(h); and*
- (8) *An estimate of the State's need, if any, for monies available to pay for the cost of conducting health inspections and meal quality tests.*

The MAP must include the State agency's process and focus on Program and fiscal integrity and a plan for ensuring compliance with FSMC procurement monitoring requirements.

The Summer Meals Toolkit page provides assistance and tips for preparing MAPs.

http://www.fns.usda.gov/sites/default/files/cnd/SMT-MAP.pdf

For more policy guidance on MAP requirements and development, see SP 07-2013, SFSP 07-2013: *Expanding Awareness and Access to Summer Meals:* November 12, 2013, http://www.fns.usda.gov/sites/default/files/SP07%20SFSP07-2014os.pdf. Specific details related to monitoring will be discussed in Part 3 of this guide.

TRAINING

Training is an important administrative responsibility for State agencies. State agencies are required to make training available in Program administration to sponsor personnel, food service management company representatives, auditors, and health inspectors who will participate in the Program within that State and to make training available at convenient locations as required by 7 CFR 225.7(a).

The State agencies are also required to provide sufficient, qualified staff to ensure proper training of sponsors. In addition, prior to program operations, the State agency must ensure that the sponsor's supervisory personnel responsible for food service receive training in all necessary areas of Program administration and operations.

A comprehensive training program emphasizes all requirements for Program operation. These requirements consist of planning and serving eligible meals and maintaining accurate records for meals claimed. A comprehensive training can improve meal quality and program integrity and maximize the benefit received by participating children. Training sessions must be made available prior to the beginning of Program operations in all necessary areas of program administration.

7 CFR 225.7(a)

(a) *Training. Prior to the beginning of Program operations, each State agency shall make available training in all necessary areas of Program administration to sponsor personnel, food service management company representatives, auditors, and health inspectors who will participate in the Program in that State. Prior to Program operations, the State agency shall ensure that the sponsor's supervisory personnel responsible for the food service receive training in all necessary areas of Program administration and operations. This training shall reflect the fact that individual sponsors or groups of sponsors require different levels and areas of Program training. State agencies are encouraged to utilize in such training, and in the training of site personnel, sponsor personnel who have previously participated in the Program. Training should be made available at convenient locations. State agencies are not required to conduct this training for sponsors operating the Program during unanticipated school closures during the period from October through April (or at any time of the year in an area with a continuous school calendar).*

Suggested Training Topics:

- Purpose of the Program
- Eligibility requirements (sponsor and site)
- Recordkeeping requirements
- Meal pattern requirements
- Meal quality and meal service requirements
- Meal preparation/ordering adjustments
- Meal counting and claim preparation
- Documentation of nonprofit food service
- Food specifications and meal quality standards, as applicable
- Food safety and health inspection requirements
- Incorporating local foods and agriculture-based activities
- Site visits and site review requirements and forms
- Civil Rights racial/ethnic data collection
- Nondiscrimination compliance

Each year, State agencies are required to offer training for their sponsors before the application process begins. Sponsors have various levels of experience and will need different levels and areas of Program training. While it is a good idea for new sponsors to receive in-person training, some sessions may be provided through online modules. State agencies are encouraged to incorporate experienced sponsors which currently operate a quality SFSP into training sessions. This can be especially useful in identifying best practices for more efficient and effective Program operations. State agencies need to ensure that sponsors have conducted training as prescribed in 7 CFR 225.15(d).

As per policy guidance (SFSP 04-2013 REVISED, *Summer Feeding Options for School Food Authorities:* November 23, 2012, http://www.fns.usda.gov/summer-feeding-options-school-food-authorities) school food authorities (SFAs) participating in the NSLP which are generally familiar with operating a Federal CNP should not be required to attend training prior to submitting an SFSP application. Similarly, members of the food service staff who receive meal service training under the NSLP are not required to attend separate SFSP training on meal services. However, administrative staff must be informed about Program requirements and attend necessary training.

Similarly, At-Risk Afterschool meal sites in good standing are not required to attend training prior to submitting an SFSP application (SFSP 06-2014, *Available Flexibilities for CACFP At-risk Sponsors and Centers Transitioning to Summer Food Service Program (SFSP)*, November 12, 2013, http://www.fns.usda.gov/available-flexibilities-cacfp-risk-sponsors-and-centers-transitioning-summer-food-service-program).

SFSP State agencies are encouraged to offer targeted training on SFSP during NSLP trainings to eliminate the need for SFA administrative staff to attend a separate SFSP training. Similarly, State agencies that administer both the Child and Adult Care Food Program (CACFP) and SFSP are encouraged to offer targeted supplemental training on SFSP requirements during CACFP trainings, to eliminate the need for afterschool center staff to attend a separate SFSP training.

NOTE:

State agencies are not required to conduct this training for sponsors operating the Program during unanticipated school closures during the period from October through April (or at any time of the year in an area with a continuous school calendar).

TECHNICAL ASSISTANCE

In addition to training, State agencies are required to provide necessary Program materials and technical assistance for their sponsors with sufficient lead time to enable them to prepare adequately for administering and operating the Program.

There are some common areas where the need for technical assistance has been identified. These include the application process; completing reimbursement forms; menu planning; meal counts; improving meal quality; financial management and documentation of a nonprofit food service; correcting Program violations; and selecting FSMCs for vended meals.

FNS has developed Program guidance to assist in providing information to sponsors and their sites. These manuals are updated annually for policy and regulatory changes and can be located at http://www.fns.usda.gov/sfsp/handbooks. In addition to providing Program guidance materials to sponsors, State agencies need to provide information on any State specific requirements.

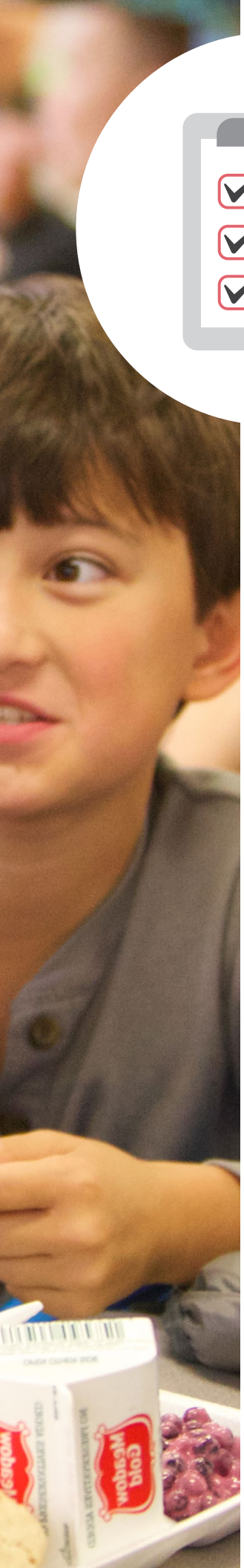
7 CFR 225.7(b)

(b) *Program materials. Each State agency shall develop and make available all necessary Program materials in sufficient time to enable applicant sponsors to prepare adequately for the Program.*

7 CFR 225.7(c)

(c) *Food specifications and meal quality standards. With the assistance of the Department, each State agency shall develop and make available to all sponsors minimum food specifications and model meal quality standards which shall become part of all contracts between vended sponsors and food service management companies.*

In addition to Program guides, 7 CFR 225.7 (c) requires State agencies to provide all sponsors with minimum food specifications and model meal quality standards for inclusion in contracts between vended sponsors and FSMCs. Food specification (includes product size, count, container and packing medium) is a detailed or specific list of the desired characteristics of a food product. Refer to the current year's *Nutrition Guidance for Sponsors* available at http://www.fns.usda.gov/sfsp/handbooks for more guidance on this topic. For more in-depth information and a detailed guide to writing food specifications, you can download *Choice Plus: A Reference Guide for Foods and Ingredients* from the National Food Service Management Institute (NFSMI).



PART 3
STATE AGENCY REVIEW REQUIREMENTS
(MONITORING)

- PRE-APPROVAL VISITS
- SPONSOR AND SITE REVIEWS

State agencies are responsible for completing all required compliance reviews and monitoring activities established in Program regulations within specified timeframes. Each State agency must determine the appropriate number of staff necessary to fulfill regulatory review requirements. Effective monitoring of sponsors and sites ensures compliance with Program guidelines, confirms their viability, accountability, and capability in operating SFSP, and ensures that records are available to justify reimbursement for meals served to participants. Program monitoring ensures that the purpose of the Program is achieved while maintaining Program integrity.

Monitoring also ensures that sponsors and sites operate according to Program rules and that accurate records are available to justify payments to the sponsor. To be an effective monitor, State agency staff are required to spend enough time at each assigned site to check meal service operation. Knowledge of Program requirements is essential so that monitors can identify issues at the sponsor level, quickly identify operational weakness at sites, and provide technical assistance.

There are two main aspects of State agency monitoring: **pre-approval visits** and **sponsor and site reviews**.

PRE-APPROVAL VISITS

The main purpose of pre-approval visits is to assess the applicant sponsor's or site's potential for successful Program operations and to verify information provided in the application.

As specified in 7 CFR 225.7(d):

(1) *Conduct pre-approval visits for sponsors and sites, as specified, to assess the applicant sponsor's or site's potential for successful Program operations and to verify information provided in the application; The State agency shall visit prior to approval:*

- (i) *All applicant sponsors which did not participate in the program in the prior year,*
- (ii) *All applicant sponsors which, as a result of operational problems noted in the prior year, the State agency has determined need a pre-approval visit; and*
- (iii) *All sites which the State agency has determined need a pre-approval visit.*

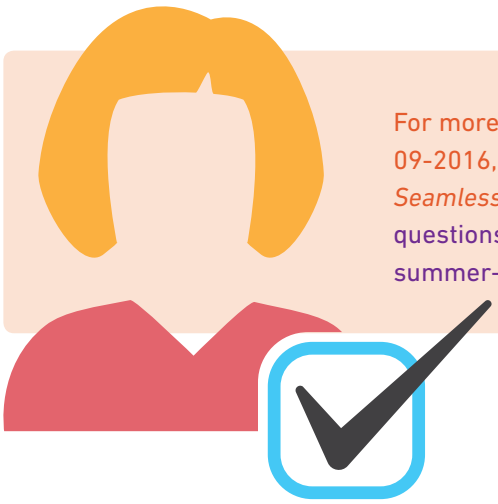
These visits allow State agencies to identify potential compliance issues and provide collaborative technical assistance. State agencies may create their own forms to conduct these visits.

Pre-approval visits of sponsors proposing to operate the Program during unanticipated school closures during the period from October through April (or at any time of the year in an area with a continuous school calendar) may also be conducted at the discretion of the State agency. Pre-approval visits also give State agencies an opportunity to provide technical assistance before the Program begins.

Transitioning from Seamless Summer Option (SSO) to SFSP

If a sponsor is an SFA and has been reviewed by the State agency under NSLP during the preceding 12 months and had no significant deficiencies noted in that review, a pre-approval visit may be conducted at the discretion of the State agency.

(Refer to Policy memo SP 07-2013, SFSP 04-2013 - *Summer Feeding Options for School Food Authorities,* November 23, 2012, http://www.fns.usda.gov/summer-feeding-options-school-food-authorities.)



For more information on the Seamless Summer Option, refer to memorandum SP 09-2016, *2017 Edition of Questions and Answers for the National School Lunch Program's Seamless Summer Option,* December 1, 2016 (https://www.fns.usda.gov/2017-edition-questions-and-answers-national-school-lunch-program%E2%80%99s-seamless-summer-option).

SPONSOR AND SITE REVIEWS

Based on 7 CFR 225.7(d)(2)(ii), the State agency must determine which sponsors will need to be reviewed in a given year during the summer.

As specified in 7 CFR 225.7(d)(2)(ii),

The State agency must review sponsors and sites to ensure compliance with Program regulations (7 CFR Part 225), the USDA non-discrimination regulations (7 CFR Part 15), and any other applicable USDA instructions (such as FNS Instruction 796-4, "Financial Management – Summer Food Service Program for Children").

(A) *Conduct a review of every new sponsor at least once during the first year of operation;*

(B) *Annually review a number of sponsors whose program reimbursements, in the aggregate, accounted for at least one-half of the total program meal reimbursements in the State in the prior year;*

(C) *Annually review every sponsor which experienced significant operational problems in the prior year;*

(D) *Review each sponsor at least once every three years; and*

(E) *As part of each sponsor review, conduct reviews of at least 10 percent of each sponsor's sites, or one site, whichever number is greater.*

Follow-up reviews must be conducted of sponsors and sites as necessary [7 CFR 225.7(d)(3)].

Below is a proposed approach that FNS encourages State agencies to use in order to better organize their review selection process. The list of sponsors to be reviewed should be determined and selected in the following order:

- All new sponsors;
- Sponsors who experienced significant operational issues last year; and
- Sponsors that have not been reviewed in the previous two years (in order to ensure that sponsors are reviewed at least once every three years).

Once this *initial* list has been created to contain all sponsors ***required*** to be reviewed, the aggregate Program reimbursements need to be summed to ensure that they meet or exceed at least one-half of the total Program meal reimbursements in the State in the prior year. ***Additional sponsor reviews must be added to the list until the Program reimbursement requirement is met.***

State agencies are encouraged to use **risk analysis** for identifying the **additional sponsor reviews** needed. Risk factors may include continual non-compliance issues from prior years and high meal claims when compared with sponsors having similar enrollment. Sponsors having many facilities and large participation should also be considered for election of additional reviews since more Program funds are at risk. **This suggested order is one approach; each State agency may determine their own approach to ensure regulatory review requirements are met.**

Transitioning from SSO/NSLP to SFSP

When the same SFA personnel administer SFSP as well as NSLP, the State agency is not required to conduct a review of SFSP in the same year in which NSLP operations have been reviewed and determined to be satisfactory (7 CFR 225.7(d)(2)(i)).

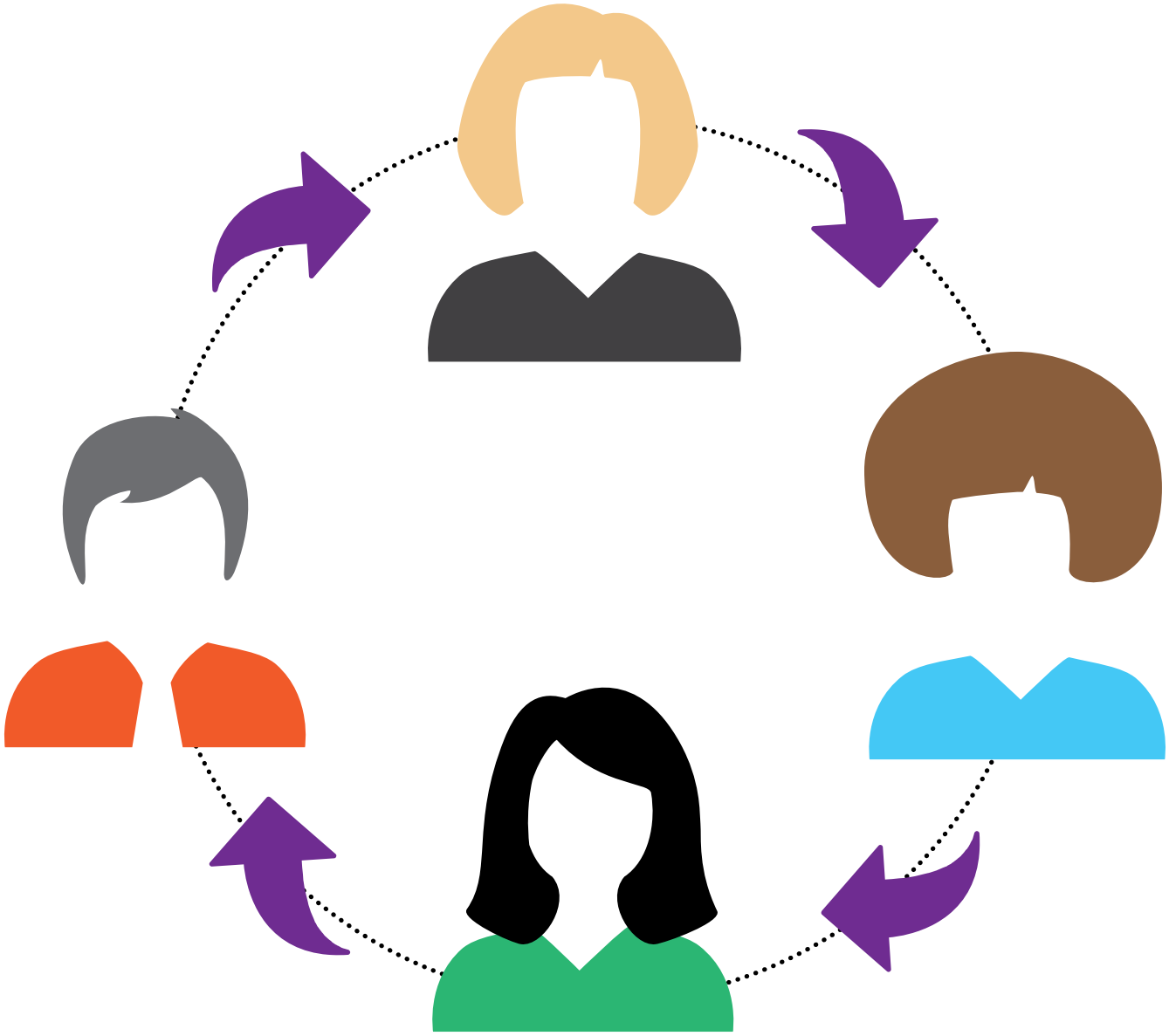
PART 4

REVIEW PROCEDURES

- STATE AGENCY REVIEW TEAM
- PREPARING FOR THE REVIEW
- ENTRANCE CONFERENCE

STATE AGENCY REVIEW TEAM

Whether as part of a multi-member team or as a team of one, each team member plays an important role in the review process. Thus, the organization of the review team is critical to the overall success of the review process. In general, the team leader takes responsibility for coordinating the review process, and each member of the team is responsible for completing their review assignments and for contributing to the written review report. Although actual roles and tasks will vary among States based on their staffing resources, the following are suggested roles and tasks of the review team.



TEAM LEAD/LEAD REVIEWER RESPONSIBILITIES

PLANNING

- Negotiates and schedules review dates with team members. Works with sponsor personnel to coordinate, unless an unannounced review
- Identifies the minimum number of site reviews that need to be conducted (minimum of 10% with at least one site) and selects sites [7 CFR 225.7(d)(2)(ii)(E)]
- Determines the number of days needed to conduct an on-site review at the sponsor and selected meal service sites
- Identifies the normal hours of operations for sponsors and sites so reviewers can estimate schedules
- Works closely with team members to confirm dates, lodging information, transportation plans, and directions
- Corresponds with the sponsor in writing (such as notification of review, review report, and review closure) if necessary

REVIEW

- Informs team members of issues and concerns with the sponsor, such as findings of non-compliance and corrective action required based on reading the previous review report(s), technical assistance documents, and one-time exceptions

  This includes examining claims for reimbursement and any other information collected by the State agency about the sponsor's operation to identify any red flags for unusual data or trends
- Assigns areas of the review to each team member
- Provides team members with State agency review form
- Conducts the entrance and exit conference
- Coordinates with sponsor to identify which sponsor personnel are responsible for each Program area being reviewed
- Coordinates with sponsor to schedule time for interviews with sponsor personnel regarding review questions

POST REVIEW

- Leads team discussions prior to the exit conference to coordinate findings and corrective action items (including observations and recommendations)
- Coordinates and issues the review report of findings, corrective actions, and any fiscal action
- Ensures that the sponsor responds with acceptable timely corrective action to permanently correct all Program deficiencies
- Determines whether the corrective action plan is sufficient
- Follows up with sponsor to determine if corrective action has been fully implemented; if not, follow up with declaration of serious deficiency determination
- Recommends sponsor for a follow-up review if needed
- Closes out review or submits it for further action

TEAM MEMBER RESPONSIBILITIES

PLANNING

- Confirms review dates, lodging information, transportation plans, and directions
- Prepares for, and completes, the portion of the review assigned by the team leader
- Attends the entrance conference

REVIEW

- Determines and documents whether Program operations are in compliance with SFSP requirements or if Program violations have occurred and corrective action is needed
- Attends the exit conference

POST REVIEW

- Discusses Program findings with team leader and submits Program findings and observations in writing to the team leader
- Assists, as assigned, in writing the review report
- Assists in determining if corrective action has been fully implemented

PREPARING FOR THE REVIEW

Once the team leader/reviewer has been selected, preparation for the review of the sponsor can begin. The review team, if applicable, needs to be selected and dates of the review need to be established. Below we have outlined the steps that need to be addressed as a part of the review.

Site Selection

As part of each sponsor review, at least 10 percent of each sponsor's sites, or one site, whichever number is greater, must receive a site review [7 CFR 225.7(d)(2)(ii)(E)]. Sites should be selected according to various factors, such as type of site, meal types served, location, enrollment, previous findings of Program deficiencies, potential red flags discovered during pre-site review, and sponsor request for site review by the State agency. The State agency should make an effort to visit sites that have never received a State agency review and that are representative of the meal types served by the sponsor.

Site information is needed to identify the type of site, type of approved meal services and number of meals, serving times, method of preparation, delivery schedule times, and menus for each site. Refer to the site application for this information.

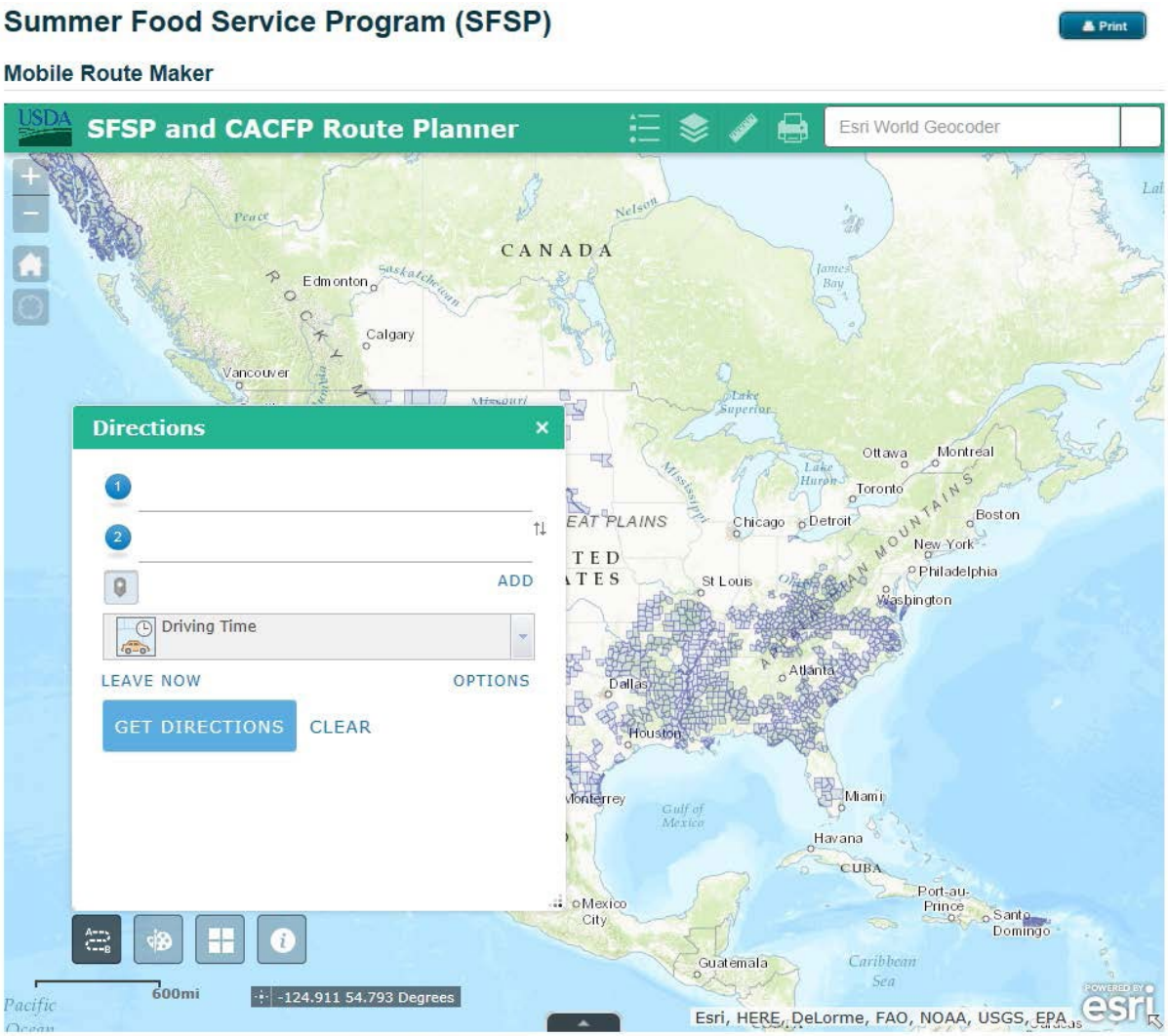
The State agency may use statistical monitoring procedures in lieu of the site monitoring requirements and may use the findings of statistical monitoring in evaluating claims for reimbursement [7 CFR 225.7(d)(8)].

If the State agency chooses to use statistical monitoring, it should work with the sponsor in advance to determine the feasibility of statistical monitoring based on the data available for off-site review. The State is responsible for coordinating with the sponsor to develop the statistical monitoring procedures and the monitoring plan to be used for the site reviews. However, the State agency is encouraged to use a combination of on-site visits and statistical monitoring to improve the accuracy of reviews.

SFSP AND CACFP ROUTE PLANNER

Utilizing the Route Planner may assist in site review planning.

- Navigate to the Route Planner in a web browser or mobile device (https://www.fns.usda.gov/mobile-route-maker)
- Select the directions icon, highlighted below
- Type in addresses in the "Directions" box
- For more than 2 addresses, select "Add"
- Select the directions option desired.
  - Driving distance, rural driving distance, rural driving time, trucking distance, trucking time, walking distance, walking time
- Select "Get Directions."
- Addresses can be reorganized by dragging and dropping the icon with the number inside the "Directions" box before or after another address.
- Directions can be printed by selecting the printer icon



Announced or Unannounced Reviews

State agency reviews may be announced or unannounced. For announced reviews, the State agency may initiate notification of the official review in a professional manner by sending written notification to the sponsor's authorized representative or contact person informing them of the date(s) of the review. This notification should convey the scope and areas to be covered during the review. When the reviewed sponsor is a SFA, the school administrator who signed the Program agreement and/or application materials is the person that the State agency should notify. For unannounced reviews, the State agency does not notify the sponsors in advance and requests documentation during the entrance conference.

Off-Site or Pre-Site Review Tasks

(Prior to the On-Site Review)

The review must take place on-site at the sponsor's office and/or site location(s), although portions may be conducted at the State agency office, informally known as a "desk," "off-site," or "pre-site" review. Being prepared prior to the on-site review allows State agency staff (monitors) to use the time on-site more efficiently. The Program review is generally a combination of on-site and off-site work. Some of the pre-site review work includes examination of:

- Program application/agreement, including budget
- Eligibility documentation
- Documented training attendance
- Public announcement/media release, training materials
- Meal count records
- Procurement procedures
- Claims for reimbursement (including site claim data)
- Recent review reports and any follow-up reviews from previous summer, including findings of Program violations, corrective action plans, and documented corrective action
- Other correspondence, such as technical assistance, complaints, and one-time late claim exceptions
- Audits
- Documentation requested by and submitted to the State agency

Examining claims for reimbursement and any other information collected by the State agency about the sponsor's operation is necessary in order to identify any red flags for unusual data, trends, or patterns that may indicate potential areas of concern or potential Program violations. For State agencies using electronic systems, the State agency may run reports and/or queries to obtain data for analysis. For renewing sponsors, the State agency monitor must obtain the previous Program review to ensure that the sponsor has corrected any Program violations.

Audit Review

Sponsors that receive more than $750,000 in total *Federal* funds (which includes, but is not limited to, SFSP Federal funds received) in a fiscal year are required to conduct a single audit (previously known as an A-133 audit). Federal funds include funds received directly from Federal agencies, as well as funds received from pass-through entities, such as a State agency. The audit report of either a nonprofit or a for-profit organization must be completed and the report submitted to the Federal Audit Clearinghouse (available at https://harvester.census.gov/facweb/) within nine months of the end of the audit period. **If there are SFSP findings, the sponsor must provide a copy of the report to the State agency. The State agency monitor must review the SFSP findings prior to the review.**

The State agency monitor will determine if an audit was required, and if required ensure that the audit was submitted within timeframes. Any Program findings and/or audit recommendations will be noted and a determination will be made whether they were implemented.

For sponsors not subject to auditing requirements, the State agency monitor needs to provide additional oversight of financial activities through administrative reviews of sponsors and ensure the fiscal integrity of those sponsors by following the State's plan as described in the State agency's Program management and administration plan (MAP) per 7 CFR 225.4(d)(6).

NOTE:

The single audit requirements are located in Subpart F of the OMB guidance in 2 CFR Part 200, titled The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Grant guidance) which was adopted by the USDA regulations in 2 CFR Part 400.

(These requirements previously existed in OMB Circulars A-133 and A-50.)

ENTRANCE CONFERENCE

Once the preparation stage is complete, the next step is an entrance conference. FNS encourages State agencies to begin the on-site review by conducting an entrance conference with the sponsor where the State agency team leader/reviewer should:

- Explain the review process and scope of the review
- Set work hours and confirm workspace for the review team
- Schedule interview times with key personnel
- Discuss the logistics of the review
- Discuss any preliminary findings from any pre-site review conducted
- Identify any findings from the most recent review report (can be from previous summer) for which the corrective action will be verified during the review

An entrance conference gives the State agency monitors an opportunity to meet with the sponsor staff to set up a work schedule conducive to accomplishing the review. The entrance conference will allow for introductions to be made of all team members and for identification of the sponsor's contact for each review area.

NOTE:

The State agency team leader/reviewer should explain the review process and scope of the review to the sponsor. When selecting review files, choose the most recent month for which a claim for reimbursement has been submitted, provided that it has at least ten operating days. If needed, all SFSP claims for the fiscal year may be reviewed to verify a sponsor's non profit food service and to determine the extent of any non-compliance.

Conducting an entrance conference is not a requirement in Program regulations; however, FNS encourages the practice as it establishes the review process' intention to provide an assessment of Program compliance, along with providing any needed technical assistance. The State agency may also discuss any Program findings noted in the previous review report to ensure that they have been fully corrected. During the entrance conference, the State agency should also schedule the date and time of an exit conference to discuss any findings or observations noted.

Note the list of recommended supplies to complete a successful review.

LIST OF RECOMMENDED SUPPLIES

- "And Justice for All" poster
- Pens, pencils, erasers, highlighters
- Paper or Notepad
- Clipboard
- Calculator
- Tablet/laptop (with charger)
- Power strip
- Hotspot (for internet connectivity)
- Thermometer (food temperatures)
- List of holidays/days not in session
- Portable printer (if desired)
- GPS device
- Area Map

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PART 5

REVIEW FORMS/ PROGRAM RECORDS DOCUMENTATION

- PROGRAM RECORDS/DOCUMENTATION
- SPONSOR REVIEW/ADMINISTRATIVE REVIEW

The State agency is responsible for developing a monitoring system (225.7(d)(4) which includes forms to collect data from the review. The review forms must include all required areas of review and all required areas must be fully completed. Some State agencies use electronic methods for capturing review data, whereas others use paper. Regardless of which method is used, there are two key forms that are used in the review process: the Sponsor Administrative Review Report and the Site Operational Review Report. In this section we will discuss the areas covered in each review form. Sample versions of these forms are located in the back of this guidance.

In addition to review forms, each member of the review team needs to have access to the income eligibility guidelines and reimbursement rates effective for the review period. Program regulations and guidance materials should also be accessible during the review.

The State agency monitor must be knowledgeable about what information needs to be collected in order to fully complete the review forms. Some information to be recorded will be obtained from reviewing documents, some will be obtained by asking questions in conversations with sponsor and site staff, and some will be obtained by observation. Often the review will begin with an examination of Program records and other documentation.

PROGRAM RECORDS/ DOCUMENTATION

The State agency must review sufficient records to determine whether the sponsor is in compliance with Program requirements as detailed in regulations. State agency monitors may request this documentation before the on-site review.

7 CFR 225.15(c) Records

(1) ***Sponsors shall maintain accurate records which justify all costs and meals claimed****. Failure to maintain such records may be grounds for denial of reimbursement for meals served and/or administrative costs claimed during the period covered by the records in question.* ***The sponsor's records shall be available at all times for inspection and audit*** *by representatives of the Secretary, the Comptroller General of the United States, and the State agency* ***for a period of three years following the date of submission of the final claim for reimbursement for the fiscal year.***

NOTE:

A benefit of reviewing accounting records, bank statements, check ledgers, and credit card statements is to verify that purchases are supported by receipts and match expenditure records.

The State agency monitor will evaluate each type of record to determine compliance. If a State agency has additional recordkeeping requirements, such as production records, the State agency must have written prior approval from their FNS Regional Office. Please note that Sponsor and Site review forms (located in the "Resources" section) can be used to evaluate program records.

THESE RECORDS INCLUDE, BUT ARE NOT LIMITED TO:

- Program agreement
- Program application (and supporting documents)
- Documents to support the sponsor's eligibility
- Tax exempt status documentation to support nonprofit food status
- Training documentation (provided to and attended by staff)
- Sponsor site monitoring records (such as pre-operational site visits, first week visits, and reviews conducted within the first four weeks)
- Accounting records, bank statements, check ledgers, and credit card statements
- Invoices and receipts
- Meal count records
- Menus and other food service records
- Meal delivery receipts
- Documentation of the nonprofit food service account
- Health and safety inspections
- FSMC contracts, if applicable
- Documentation of corrective action taken to correct any Program violations

For more information on tax exempt status, please refer to memorandum SFSP 04-2017, *Automatic Revocation of Tax-Exempt Status* - Revised, December 1, 2016 found at http://www.fns.usda.gov/sfsp/policy.

SPONSOR REVIEW/ ADMINISTRATIVE REVIEW

The following areas related to the sponsor/administrative review will be discussed: sponsor/site eligibility, training, monitoring, food service, food safety, sanitation, health inspections, operating and administrative costs, procurement, claims for reimbursement, and civil rights. To make the review process easier, guidance questions are provided.

Sponsor/Site Eligibility Documentation

The first step in the review process is to ensure that sponsor/site eligibility information is accurate. Review of supporting documentation is needed to ensure that sponsors and sites meet eligibility requirements. The State agency will have verified area eligibility for those sites during the application process. **If a site is not area eligible, then the State agency will need to review the income eligibility statements (and/or eligibility documentation from SFAs) during the review for enrolled children (for sites selected for review) to ensure that the site meets eligibility requirements in order to qualify for SFSP reimbursement.**

DOES THE ELIGIBILITY DOCUMENTATION ADDRESS THE FOLLOWING:

- Are all of the sponsor's sites approved sites (i.e., is the sponsor operating any unapproved sites)? Compare list of sites claimed to State agency's list of approved sites.
- Open, restricted open, and/or migrant sites: Does the sponsor have the required documentation to establish the eligibility of each site? Was eligibility accurately determined?
- Enrolled sites: If a site is not area eligible, is documentation available to substantiate that 50 percent of enrolled children are eligible to receive free or reduced price meals? Was the documentation accurate and income eligibility applications correctly approved?

For more information on area eligibility, refer to SFSP memorandum 03-2017, *Area Eligibility in Child Nutrition Programs*, December 1, 2017, found at http://www.fns.usda.gov/sfsp/policy.

For ***residential*** camps, a list of children enrolled in each camp session is not a Federal requirement; however, a list can be useful in documenting the eligibility categories of participants and total enrollment. Camps are approved to claim reimbursement only for meals served free to enrolled children who meet the Program's eligibility standards [7 CFR 225.6(b)(8)]. Site information sheets submitted with the Program application are to include the number of children enrolled in each session who meet the Program's income standards or, if not available, submitted no later than with the camp's claim for reimbursement each session [7 CFR 225.6(c)(3)(i)(D)]. Sponsors of camps shall be reimbursed only for meals served to children in camps whose eligibility for Program meals is documented [7 CFR 225.9(d)(10) and 7 CFR 225.16(b)(1)]. This information is verified during a Program review.

Training

The State agency monitor will need to review sponsor training records to ensure that training requirements were met as specified in the SFSP regulations.

7 CFR 225.15(d)

(1) *Each sponsor shall hold Program training sessions for its administrative and site personnel and shall allow no site to operate until personnel have attended at least one of these training sessions. The State agency may waive these training requirements for operation of the Program during unanticipated school closures during the period from October through April (or at any time of the year in an area with a continuous school calendar). Training of site personnel shall, at a minimum, include: the purpose of the Program; site eligibility; recordkeeping; site operations; meal pattern requirements; and the duties of a monitor. Each sponsor shall ensure that its administrative personnel attend State agency training provided to sponsors, and sponsors shall provide training throughout the summer to ensure that administrative personnel are thoroughly knowledgeable in all required areas of Program administration and operation and are provided with sufficient information to enable them to carry out their Program responsibilities. Each site shall have present at each meal service at least one person who has received this training.*

Best Practices

- Review sign-in sheets to determine if at least one person from each site has been trained, particularly for sponsors with multiple sites.
- Review meal count sheets to determine if those signing off on daily and consolidated meal count sheets had been trained.

DO SPONSOR TRAINING RECORDS ADDRESS THE FOLLOWING?

- Does the sponsor have documentation of training, including topics, dates, and names of personnel who attended (including attendance by administrative personnel at a State agency training)? As part of the review of documentation, it is also a good practice to review the information covered under each topic.
- Does the documentation verify that all new site personnel were trained before the site began operation?
- Does this include documentation to establish the eligibility of each site? Was eligibility accurately determined?

Sponsor Monitoring

The State agency monitor will need to review sponsor monitoring records to ensure that monitoring requirements (related to pre-operational visits, first week visits, and site reviews) were met as specified in the SFSP regulations.

7 CFR 225.15(d)

(2) *Sponsors shall visit each of their sites at least once during the first week of operation under the Program and shall promptly take such actions as are necessary to correct any deficiencies.*

(3) *Sponsors shall review food service operations at each site at least once during the first four weeks of Program operations, and thereafter shall maintain a reasonable level of site monitoring. Sponsors shall complete a monitoring form developed by the State agency during the conduct of these reviews.*

NOTE:

FNS has granted State agencies the authority to waive the first week site visit requirement for returning sites that operated successfully during the previous summer (or other most recent period of operation) and had no serious deficiency findings.

(SFSP 12-2011 - *Waiver of Site Monitoring Requirements in the Summer Food Service Program*, April 5, 2011, **http://www.fns.usda.gov/waiver-site-monitoring-requirements-summer-food-service-program**)

DO MONITORING RECORDS ADDRESS THE FOLLOWING?

- Were all required visits conducted as required and documented? (Note if the sponsor used the waiver for first week visits for sites eligible per SFSP Memorandum 14-2011 - *Existing Flexibilities in the Summer Food Service Program,* May 9, 2011, http://www.fns.usda.gov/existing-flexibilities-summer-food-service-program). Review dates of visits to determine if they were timely.
- Review times to ensure monitor stayed for entire meal service.
- Has the sponsor taken corrective action on problems identified by monitors? (Note any problems identified by sponsor monitors.)
- Do the visits and reviews confirm successful corrective action for any prior Program violations?

Meal Counts

It is very important to ensure the accuracy of meal counts, as proper meal counts play a large role in program integrity. The goal of monitoring meal counting and claiming is to ensure the processes used provide accurate counts of reimbursble meals at the site level. This includes ensuring that the claims are correctly consolidated and reported by the sponsor to yield an accurate claim for reimbursement. Below are items that should be addressed by the State agency monitor when reviewing meal count documentation.

ITEMS TO IDENTIFY WHEN REVIEWING MEAL COUNT DOCUMENTATION

- Are meal counts completed daily for each approved site? Examples of daily meal count forms are available as attachments in the Administrative Guidance Manual.
- Are the meal counts properly completed?
- For vended sponsors, do delivery receipts for vended meals support meal counts? (See procurement section for more details.)
- Are daily meal counts correctly totaled into the monthly claim? There could be errors in consolidating daily counts (first meals, second meals, etc.) into weekly forms that are later totaled unto monthly claims. Ensure your consolidated meal count form is consistent with the form provided in the administrative guidance manual.
- Do verified meal counts reconcile with reported meal counts?
- Are all meals claimed authorized by meal type for each site or camp session?

POTENTIAL COMMON MEAL COUNT PROBLEMS "RED FLAGS"

- Recording the same number of meals served day after day
- Incomplete meal count records
- Recording the same number of meals delivered as number of meals served
- Never or rarely recording second meals served or excess meals except on the day of a review
- Recording first meals served in multiples of five (e.g., 20, 35, but rarely 21, 28)
- Serving a substantially lower number of meals on the day of a review than on previous days

Claim for Reimbursement/Claim Validation

If the sponsor has submitted a claim for reimbursement, the State agency monitor must review the meal count documentation used to consolidate monthly meal counts and must validate at least one month's claim. A complete claim review would consist of examining meal claims for all claiming sites in the review month. During the review, the State Agency shall compare the total claim amounts for all sites with the total claimed by the sponsor.

A meal count consolidation report (spreadsheet) should be completed which totals the number of meals counted for each site, and for each meal on a daily basis for the claim month (including meals provided for field trips). For sites where not all meals served to children are eligible for reimbursement, such as camps, the State agency must determine the number of eligible meals served to eligible children.

NOTE:

While sampling may be an appropriate means of choosing which sites to review (10 percent, or 1 site whichever is greater), when completing a sponsor review, meal claims of all claiming sites in the review month should be reviewed, totaled, and compared to the total claimed by the sponsor.

A difference in claiming totals could signify improper meal claiming and reporting, which would require further follow-up to identify and resolve the issue.

If a claim has not been submitted, the State agency monitor should examine meal count information for the period of review and, if feasible, verify the most recent claim submitted by the sponsor. Follow–up on obtaining final meal count documentation to verify the claim submitted for the period of review is also strongly recommended.

Food Service Records

Menus

Daily records of menus must be reviewed to ensure that meal pattern requirements were met. (Refer to SP 10, SFSP 06-2017, *Meal Service Requirements in the Summer Meal Programs, with Questions and Answers, Revised*, December 5, 2016, https://www.fns.usda.gov/meal-service-requirements-summer-meal-programs-questions-and-answers-%E2%80%93-revised.) Menu substitutions must be recorded to reflect actual foods served to Program participants.

Other Food Service Records

(as required by the State agency)

The State agency may require additional food service records, such as daily meal production records, which document the quantity of food prepared for each menu item served. Such records document that an adequate amount of food meeting meal pattern requirements was prepared and served to children. Standardized recipes, product formulation statements, and CN labels are other records that also may be required to document that foods met meal pattern requirements and were reimbursable. Although these specific documents may not be a Federal requirement, the sponsor must maintain accurate records which justify all costs and meals claimed [7 CFR 225.15(c)(1)].(Refer to policy memo SFSP 06-2013 - *Revised*: *Additional State Agency Requirements in the Summer Food Service Program*, January 24, 2013, http://www.fns.usda.gov/additional-state-agency-requirements-summer-food-service-program.)

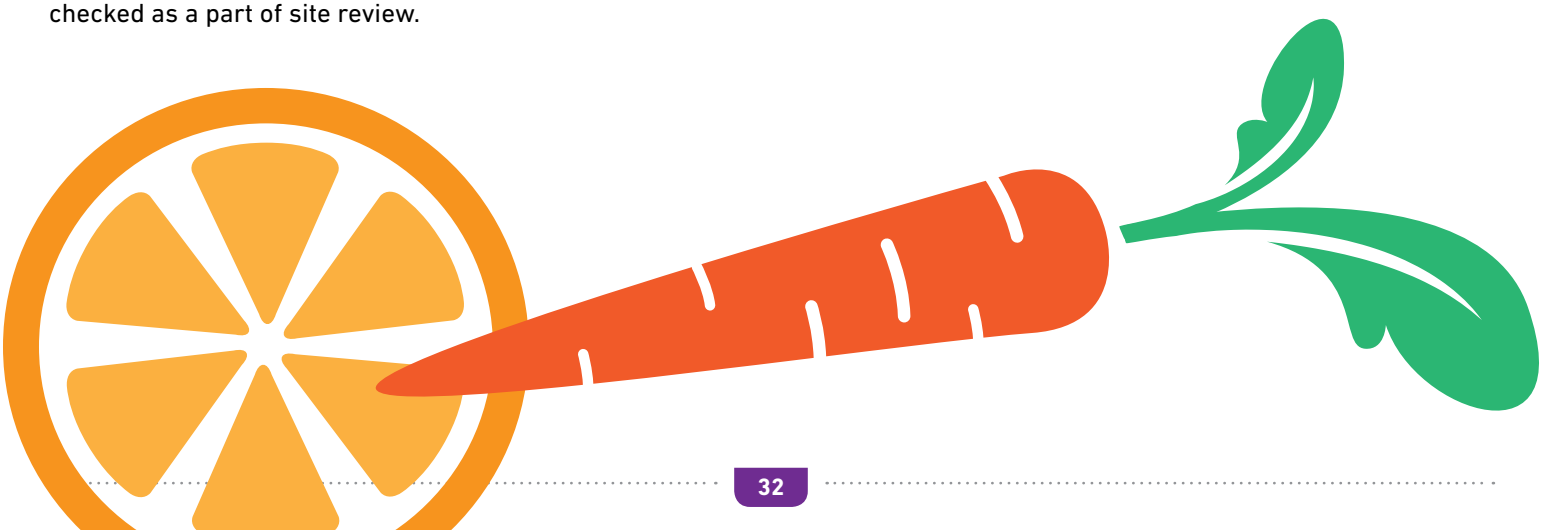
In reviewing the food service documentation, a State agency monitor needs to ensure that the following items are addressed. Some of these records may not be available at sponsor's office and in that case, these items may be checked as a part of site review.

- Did the sponsor review menus and food purchase receipts?
- Do these records support that all meals contained all meal components and that serving sizes met meal pattern requirements?
- Did the sponsors with vended sites have delivery receipts to support meal counts reported for each site? (See procurement monitoring section for more details).
- Does sponsor implement offer vs. serve? If yes, State agency monitor cannot use milk receipts to verify meals by comparing to the total number of breakfasts and lunches claimed.
- Did the sponsor adjust number of meals ordered or prepared to meet the objective of serving only one meal per child per meal service?
- Did the sponsor receive USDA foods? If so, did the sponsor maintain those records?

NOTE:

Production records are not a Federal requirement.

States are permitted to implement additional State agency requirements that are not inconsistent with the Federal requirements. However, State agencies may not deny an application, disallow meals that are otherwise reimbursable, assess an over claim, declare a sponsor seriously deficient, or terminate a sponsor based solely on the violation of an additional State agency requirement (SFSP 06-2013 - *Revised, Additional State Agency Requirements in the Summer Food Service Program,* January 24, 2013, http://www.fns.usda.gov/additional-state-agency-requirements-summer-food-service-program).



Food Safety, Sanitation, Health Inspections

All SFSP sponsors are required to enter into an agreement with the State agency that their sites will maintain proper sanitation and health standards in conformance with all applicable State and local laws and regulations [7 CFR 225.6(e)(9)]. Health and safety standards must be in place to ensure that adequate facilities are available to prepare and store meals. FNS makes inspection funds available to State agencies to be used solely to enable State or local health departments or other governmental agencies to carry out health inspections and meal quality tests. If these agencies cannot perform such inspections or tests, the State agency may use the funds to contract with an independent agency to conduct the inspection or meal quality tests [7 CFR 225.5(f)].

SFSP sites located in schools that participate in NSLP or the School Breakfast Program (SBP) and that are in compliance with NSLP or SBP inspection requirements are not required to obtain an additional health and safety inspection (refer to CACFP 05, SFSP 07-2015: *Health and Safety Inspection Requirements*, December 10, 2014, http://www.fns.usda.gov/health-and-safety-inspection-requirements).

FSMCs must have State or local health certification for the facilities in which they propose to prepare SFSP meals. They must also ensure that State and local health and sanitation requirements are met at all times. FSMCs also must ensure that meals are inspected periodically as required under Program regulations [7 CFR 225.6(h)(2)(v)], refer to policy memo - CACFP 05, SFSP 07-2015, *Health and Safety Inspection Requirements*, December 10, 2014, http://www.fns.usda.gov/health-and-safety-inspection-requirements.

In addition to required health certification for FSMCs, State agencies are required to inspect FSMCs' facilities as part of their review of vended sponsors [7 CFR 225.7(d)(6)]. In addition, State agencies may conduct or arrange to have conducted inspections of self-preparation and vended sponsors' food preparation facilities, inspections of food service sites, and meal quality tests [7 CFR 225.7(e)]. Procedures for these inspections and tests must be consistent with the procedures used by local health authorities.

In cases where the health and safety inspection standards for CACFP and SFSP sites are the same or more stringent, CACFP State agencies may accept documentation of an inspection obtained by a sponsor for SFSP. This option is available for SFSP sponsors or sites transitioning from SFSP to CACFP as well (CACFP 12, SFSP 14-2013, *Transitioning from the Summer Food Service Program to Child and Adult Care Food Program At-risk Afterschool Meals,* May 31, 2013, http://www.fns.usda.gov/transitioning-sfsp-cacfp-risk-afterschool-meals-0).

Schools participating in NSLP or SBP are required to obtain two food safety inspections annually from State or local authorities [7 CFR 210.13(b) and 7 CFR 220.7(a)(2)]. These inspections are generally in alignment with or more stringent than the health and safety standards required for SFSP sites. Therefore, SFSP sites located in schools that participate in the NSLP or SBP and that are in compliance with NSLP or SBP inspection requirements are not required to obtain an additional health and safety inspection.

DO MONITORING RECORDS ADDRESS THE FOLLOWING?

- Does the sponsor have documentation verifying that the local health department was notified of the locations and dates of operation of its sites?
- Has the local health department inspected any of the sponsor's sites? If yes, were any violations reported? If yes, has the sponsor documented the corrective action?

State agencies may refer to the USDA SFSP Toolkit for Health Inspection Tips located at

http://www.fns.usda.gov/sites/default/files/sfsp/SMT-Health_Inspections.pdf

Operating and Administrative Cost Records

The State agency must develop systems for evaluating the financial management records of sponsors in accordance with the OMB regulations in 2 CFR Part 200 and FNS Instruction 796-4, Financial Management in the Summer Food Service Program.

7 CFR 225.7 Program monitoring and assistance.

(f) *Financial management. Each State agency shall establish a financial management system, in accordance with regulations, as applicable, and FNS guidance, to identify allowable Program costs and to establish standards for sponsor recordkeeping and reporting. The State agency shall provide guidance on these financial management standards to each sponsor.*

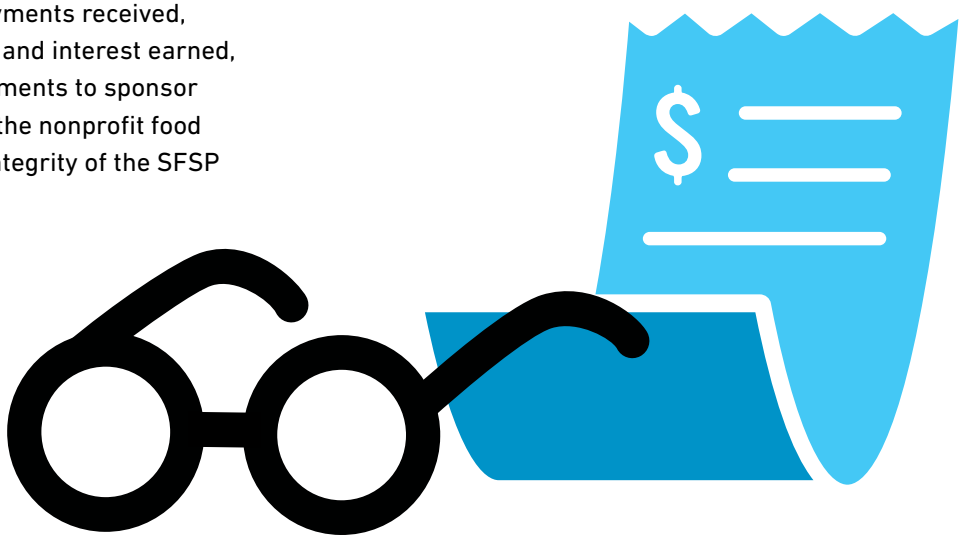
In determining what proposed costs and related activities may be supported by the nonprofit food service account, a State agency should assess the allowability of costs by considering the activity's impact in supporting the operation and/or improvement of SFSP. A State agency must consider whether the proposed cost is reasonable, necessary, and allocable in accordance with 2 CFR Part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart E – Cost Principles." The cost principles serve an extremely important function in considering proposed costs and assisting Program operators in better understanding how nonprofit food service account funds are being used.

The sponsor must maintain all Program financial records documenting Program income and Program expenses, such as invoices and receipts, bank statements, checking account ledgers, Program reimbursement payments received, Program advance payments received and interest earned, funds accruing to SFSP, and disbursements to sponsor facilities to ensure documentation of the nonprofit food service account to ensure the fiscal integrity of the SFSP funds paid to the sponsor.

The State agency monitor needs to ensure that the sponsor has documentation for food costs, labor costs, other approved administrative costs, and any other Program income. The State agency monitor also needs to compare costs to the approved budget.

A review of the documentation demonstrating that SFSP reimbursement is spent on allowable costs is required. Allowable costs can include both operating and administrative costs.

See the following for a list of allowable (operating and administrative costs) and unallowable costs. Refer to FNS Instruction 796-4 for a more detailed list.



PROGRAM OPERATING COSTS

These are allowable costs incurred by the sponsor for preparing, transporting, and serving meals to eligible children.

- Food costs (itemized grocery receipts and purchasing invoices)
- Non-food supplies costs (itemized receipts and purchasing invoices)
- Storage, processing, and transportation of food and associated supplies (invoices and payment records)
- Food service labor costs (timesheets, payroll records, and personnel activity reports)
- Facilities and utility costs; transport of children to the meal site

PROGRAM ADMINISTRATIVE COSTS

These are allowable costs incurred by the sponsor for planning, organizing, and administering SFSP.

- Administrative labor costs (timesheets, payroll records, and personnel activity reports)
- Printing costs
- Mileage costs (such as for site visits and monitoring reviews)
- Indirect costs

UNALLOWABLE COSTS

These are costs for which Program funds may not be used. These include, but are not limited to (for a complete list of un-allowable costs, please refer to FNS Instruction 796-4):

- Bad debts (losses arising from non-collectible accounts and other claims and related costs)
- Payment of over claims, fines, and/or penalties resulting from Program violations;
- Entertainment costs
- Fundraising costs
- Gifts
- Capital expenditures (such as land, buildings, etc.)
- The cost of meals served to administrative adult personnel, or any other adults that are not in the operation of the food service
- The cost of meals served to ineligible children
- The cost of meals served in violation of Program requirements; (i.e., served outside approved time; missing/inadequate components; over approved site cap; consumed off-site, non-unitized, served to adults but included in count of reimbursable meals, etc.)
- The cost to purchase food (including coffee, etc.) for use outside of SFSP
- The cost of vended meals served in excess of the approved capacity, are spoiled or unwholesome, or that do not meet meal pattern requirements

For additional guidance, refer to SFSP 11-2015, *Assessing Costs in the Summer Food Service Program*, February 25, 2015.

http://www.fns.usda.gov/sites/default/files/SFSP11-2015os.pdf

Ensuring financial integrity is part of a program review. The State agency monitor needs to examine actual expenditures for allowable and unallowable costs. Validating **actual costs with the approved budget may reveal discrepancies that are significant and require corrective action.** It is important to make sure that cost validation is completed accurately and that validated costs are comparable to the approved budget and that there are no cost review discrepancies.

In comparing documentation of actual expenditures to Program reimbursement, it is important to determine if Program income exceeds Program expenditures. If it is determined that a sponsor receives more reimbursement funds than they expend for the Program, it is important to attempt to identify why there are excess funds. As most sponsors operate the SFSP for a short time each year, it is critical for the State agency to monitor sponsor funding and Program expenditures and ensure that sponsors continue to operate a nonprofit food service. If the State identifies an excessive gap between a sponsor's reimbursements and expenditures, the State must require corrective action, (See SFSP 05-2017, *Summer Food Service Program Questions and Answers*, December 1, 2016. https://www.fns.usda.gov/sfsp/summer-food-service-program-questions-and-answers-0.) Sponsors should first exhaust their SFSP funds on their current summer meal operations to improve the meal service and meal quality at sites or food preparation facilities, or use them as start-up funds for improving the meal quality for the following summer, before allocating funds to another Child Nutrition Program (SP 06-2014, CACFP 03-2014, SFSP 06-2014, *Available Flexibilities for CACFP At-risk Sponsors and Centers Transitioning to Summer Food Service Program,* November 12, 2013, http://www.fns.usda.gov/available-flexibilities-cacfp-risk-sponsors-and-centers-transitioning-summer-food-service-program). If SFSP excess reimbursement is used for other CN Programs, the State agency may need to do a cross-program fiscal review/desk audit.

STATE AGENCY MONITORS MUST REVIEW ANY FINANCIAL MANAGEMENT RELATED DOCUMENTATION TO ENSURE THE FOLLOWING:

- Are all the costs allowable?
- Does the sponsor maintain documentation to justify all costs and meals claimed?
- Did the costs include any non-creditable food items?
- Does the sponsor maintain good control and accountability for using all funds efficiently?
- Are food costs reasonable? For example, if the per meal expenditures are very low, it is unlikely that the sponsor is meeting meal pattern requirements or providing quality meals.

The State agency monitor needs to also ensure that any income received was accounted for correctly and that costs are allocated correctly to the Program. If sponsors are found to have an excess balance of funds, this is an opportunity for the State agency to provide technical assistance regarding improving meal quality and meal diversity. If the sponsor is operating multiple CNPs, and excess funds are identified as a result of insufficient cost documentation compared to SFSP reimbursement, the first step is to conduct a follow up review to identify source of excess funds. It is also important to ensure that the State agencies have procedures for conducting cross-Program reviews to verify that a sponsor has a non-profit food service operation especially when they operate multiple CNPs.

Procurement

State agencies must ensure compliance with procurement requirements as specified in Program regulations (7 CFR 225.6(h), 7 CFR 225.15(h), and 7 CFR 225.17) and in the government-wide regulations in 2 CFR Part 200.318-326 (formerly in 7 CFR Parts 3016 and 3019, as applicable).

Refer to the *Sponsor Administrative Guidance Manual*, Chapter 6: Procurement and Bid Procedures of the administrative guidance manual for specific information. Specific guidance related to monitoring is provided below.

7 CFR 225.6(h) Monitoring of food service management company procurements.

(1) *The State agency shall ensure that sponsors' food service management company procurements are carried out in accordance with 7 CFR 225.15(h) and 7 CFR 225.17 of this part.*

(7) *Failure by a sponsor to comply with the provisions of this paragraph or 7 CFR 225.15(h)(1) shall be sufficient grounds for the State agency to terminate participation by the sponsor in accordance with 7 CFR 225.18(b).*

Sponsors that contract with a FSMC for meals are referred to as "vended sponsors" and they must meet additional 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 must use the contract developed by the State agency. The only exceptions to this rule are if the sponsor is 1) a public entity) has an exclusive year-round contract, or 3) has a contract that does not exceed $10,000. In these specific cases, the sponsor may use the format that has been submitted to and approved by the State agency [7 CFR 225.6(h)(2)].

State agencies are required to identify all sponsors who are planning to contract with an FSMC for SFSP meals and provide guidance on SFSP regulations and procurement requirements.

- When the contract is $150,000 or over (or another amount, less than $150,000, as dictated by the State or local government), the sponsor must use formal procurement procedures (sealed bids or competitive proposals).
- For contracts less than $150,000, the sponsor may use small purchase procedures by directly contacting eligible firms and obtaining at least three quotes.
- In rare cases, after engaging in competitive purchasing procedures, and only with prior approval of the State agency, the sponsor may document "sole source" procurement or use competitive negotiation.
- If a sponsor's total contracts with FSMCs exceed $150,000, the State agency is required to attend the opening. Therefore, the State agency must find out date, time and location of the bid opening and then make arrangements for State a representative to attend.

In SFSP, the duration of an agreement with an FSMC generally is limited to a single year. However, SFAs administering SFSP in addition to NSLP may include the SFSP in the NSLP FSMC contract, which has a duration of one year, with an option for renewal of up to four one-year renewals. This contract duration streamlines the procurement process with FSMC contracts but should 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, *Food Service Management Company Contracts*, July 27, 2007, http://www.fns.usda.gov/food-service-management-company-contracts). State agencies must ensure that sponsor's FSMC procurements are conducted in compliance with Federal regulations.

There are two procurement methods that may be utilized when sponsors solicit bids/proposals for a contract with an FSMC: Invitation for Bid (IFB) and Request for Proposal (RFP). State agencies need to ensure that contracts are competitively procured and require that the sponsor uses the standard contract developed by the State agency.

The only exceptions to this rule are if the sponsor is 1) a public entity, or 2) has an exclusive year-round contract, or 3) has a contract that does not exceed $10,000. In these specific cases, the sponsor may use the format that has been submitted to and approved by the State agency [7 CFR 225.6(h)(2)]. These standard contracts may vary according to different State and local requirements. SFAs in exclusive year-round contracts with FSMCs are not required to use the standard contract developed by the State agency for SFSP. Such SFAs also are not required to use separate competitive bidding procedures in procuring SFSP meals, provided all SFSP-related requirements are included in the solicitation and resultant contract. Generally, sponsors may not contract with a school using an FSMC unless the school's Request for Proposal, Invitation for Bid, and/or the contract with the FSMC included the provision of SFSP meals. If SFSP is added to an existing contract, it should be noted that this may represent a material change to the contract (SFSP 04-2013 - *Summer Feeding Options for School Food Authorities,* November 23, 2012, http://www.fns.usda.gov/sites/default/files/SP07_SFSP04-2013.pdf).

Some State agencies maintain lists of registered FSMCs; however maintaining this list is not a Federal requirement. In situations where a sponsor has repeated problems with the FSMC (e.g., late deliveries, food not held at safe temperatures, etc.), the sponsor must document the deficiencies in order to justify either terminating the contract or not accepting a bid response from the FSMC in the future, even when the FSMC has the lowest bid. If the sponsor documents the FSMC as not a "responsible bidder," and the State agency concurs, the sponsor is not required to contract with that FSMC.

The State agency must respond promptly to complaints concerning FSMC facilities. Complaints must then be followed-up with an inspection of FSMC facilities. Complaints are then documented and reported to local health inspection officials. If an FSMC fails to correct any violations noted by the State agency, the State agency must notify the sponsor and the FSMC that reimbursement must not be paid for meals prepared by the FSMC after a date specified in the notification.

NOTE:

For Questions and Answers relating to procurement, refer to the *Administrative Guidance for Sponsors*, available at :

https://www.fns.usda.gov/sfsp/handbooks

The following questions may assist in ensuring that procurement procedures are being conducted properly.

STATE AGENCY MONITORS NEED TO REVIEW PROCUREMENT DOCUMENTATION TO ENSURE THE FOLLOWING:

- Did the sponsor contract out management responsibilities of the Program?
- Does the sponsor have a written procedure containing standards and specifications for procuring goods and services applicable to the SFSP? Do those standards comply with Federal and State procurement standards and procedures?
- Does the sponsor clearly identify scope of need, evaluation factors, contract type, contract duration and other provisions as required? Refer to Policy Memorandum SP 04, CACFP 04, and SFSP 04 - 2016 *Local Agency Procurement Reviews, School Year* 2015-2016, http://www.fns.usda.gov/local-agency-procurement-reviews-sy2015-2016, and 2 CFR 200.319(c)(a)).
- When findings of non-compliance are identified, how is technical assistance and corrective action for repeated violations ensured?

AREAS OF COMMON CONCERNS IN PROCUREMENT & OPPORTUNITIES FOR TECHNICAL ASSISTANCE

- **Lack of standard contracts or prototype FSMC contracts for sponsors that contract with non-School Food Authorities or FSMCs which comply with procurement standards in 7 CFR Part 225.17 and 2 CFR Part 200.318-326 and that exceed the small purchase dollar threshold in 7 CFR 225.6(h)(2). In addition, contracts also tend to miss the following provisions.**
  - All required provisions outlined in 7 CFR Part 225.6(h)(2) and Appendix II to 2 CFR Part 200
  - Language related to periodic testing of meals for bacterial levels as required in 7 CFR Part 225.5(f)
  - Compliance with health inspections, cycle menu, and meals meeting Program regulations
  - Bond requirements (bid guarantee and performance guarantee) as required in 7 CFR Part 225.6(h)(2)(xvi) and 2 CFR Part 200.325, or another amount as designated by the State agency
  - Assure affirmative steps for small, minority, and women's business and labor surplus area firms are used when possible as required in 2 CFR Part 200.321 and 7 CFR Part 225.17(d)
  - Technical assistance: Ensure the State agency standard/prototype contract for FSMCs that exceed small purchase dollar threshold include all provisions, as noted herein

- **State agencies fail to have a representative present at FSMC bid openings for bids exceeding $150,000**
  - Technical assistance: Consider developing a tracking system of sponsors with FSMC contracts to ensure a State agency representative attends the bid opening, when required.

- **Lack of training and guidance to sponsors regarding the procurement standards, bid requirements and commercial meal vendor contract requirements regarding minimum food specifications and model meal quality standards (as required by 7 CFR 225.7(c)).**
  - Technical assistance: Make sure that procurement guidance/trainings cover all Program regulations and requirements outlined in the nutrition guidance for sponsors.

Civil Rights

State agencies and sponsors must comply with all applicable Federal civil rights law and USDA civil rights regulations and policies.

"And Justice for All" Poster Requirement

The sponsor must prominently display the USDA nondiscrimination poster "And Justice for All," or an FNS approved substitute [FNS Instruction 113-1 Civil Rights Guidance and Enforcement – Nutrition Programs and Activities, IX, B.1].

Racial/Ethnic Data Collection

The State agency must ensure that racial/ethnic data has been collected and consolidated onto a form which reports the categories of participating children at each site. A sample form for sponsors' use (see Part 12 – Civil Rights Data Form) is included in this guidance manual.

It is not necessary for the State agency to personally collect racial/ethnic data while completing an onsite review. The State agency should ensure that the sponsor has collected actual beneficiary data by racial or ethnic category for each site under the sponsor's jurisdiction as required by the FNS 113-1, XII, *Data Collection and Reporting*.

IN REVIEWING CIVIL RIGHTS DOCUMENTATION, THE STATE AGENCY MONITOR NEEDS TO ENSURE THAT THE FOLLOWING ITEMS ARE ADDRESSED:

- Is the "And Justice for All" poster publicly displayed?
- Does the sponsor provide the nondiscrimination statement and procedure for filing a complaint on information concerning the Program and Program activities?
- Has a public announcement been made stating that admission is open to all regardless of race, color, national origin, age, sex, or disability?
- Has the sponsor collected beneficiary data by the racial/ethnic category for each site or camp session? (Sample form at the end of this guidance manual.)
- Are there any requirements or procedures which restrict or deny enrollment on the basis of race, color, national origin, age, sex, or disability?
- Does the sponsor have a need to provide materials on the availability and nutritional benefits of the Program in other languages? If YES, do they have the capability to translate the materials?
- Based on the information obtained by personal observations, in the opinion of the reviewer, does the sponsor appear to be in compliance with the Title VI of the Civil Rights Act of 1964?

Exit Conference

State agencies and sponsors must comply with all applicable Federal civil rights law and USDA civil rights regulations and policies.

The purpose of the exit conference is to discuss the preliminary findings and corrective actions, observations, suggestions, and any Program strengths identified. The exit conference includes staff who conducted the review, State agency review staff and sponsor staff involved in the review to discuss findings and what is required for compliance. During the exit conference, sponsors should be encouraged to ask questions and discuss findings or observations, correct misunderstandings or misinterpretations, and receive technical assistance.

Review findings and corrective actions may be provided in writing to the sponsor during the exit conference. However, a final written report may be mailed to the sponsor after the conference, depending on the number and complexity of findings identified during the review. Combining the review report with the exit conference and discussion increases the review's effectiveness.

PART 6
SITE REVIEW

- CIVIL RIGHTS
- MEAL ORDERING
- MENUS
- MEAL SERVICE
- MEAL PATTERN EXCEPTIONS
- MEAL COUNTS
- FIELD TRIPS

While the majority of site reviews are conducted by sponsors, State agency staff are responsible for conducting reviews at least 10 percent of each sponsor's sites or one site, whichever is greater (7 CFR 225.7(d)(2)(ii)(E)). The State agency monitor is expected to review records and observe meal service at sites to ensure compliance. A sample site review form is provided in the Resources section of this guidance.

Civil Rights

The State agency monitor needs to ensure that:

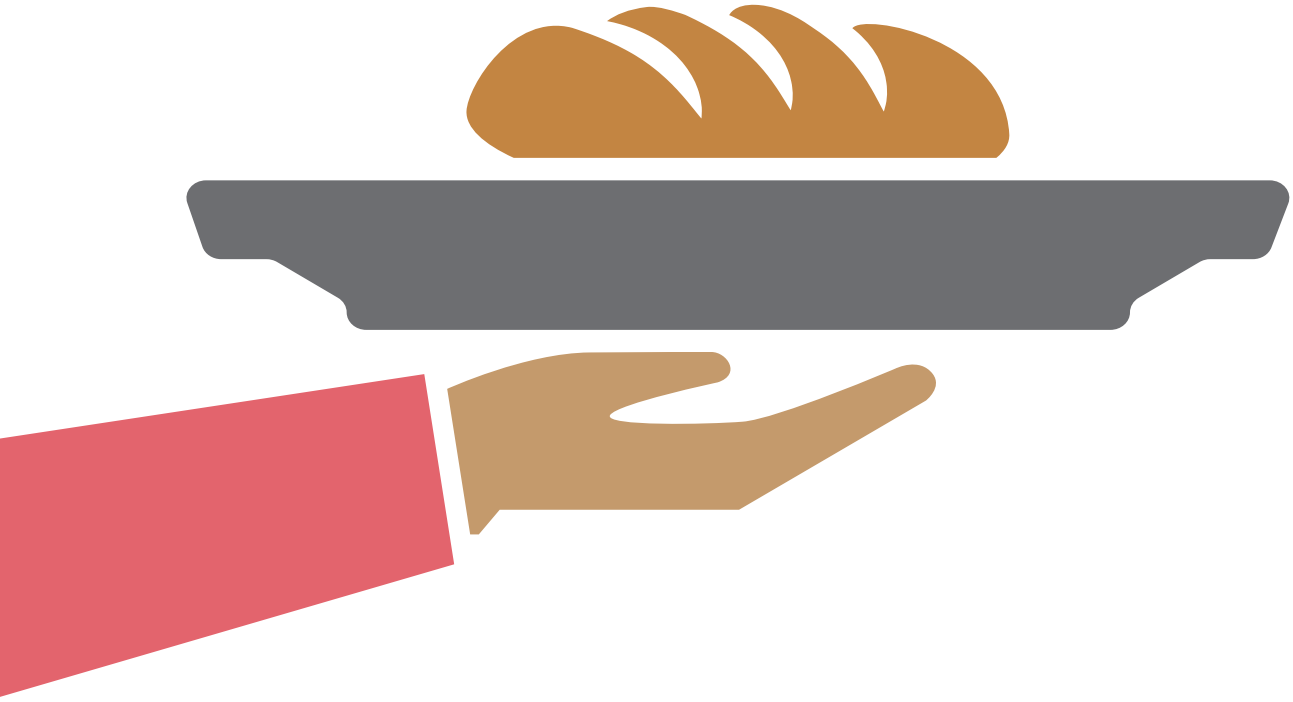
- The "And Justice for All" poster publicly displayed
- The site is collecting beneficiary data by the racial/ethnic category at least once during program operations

Meal Ordering

All sponsors must plan, prepare, and order meals with the objective of providing one meal per child at each meal service, and must ensure that entire meal and food components are not leftover and unusable on a frequent basis. Sponsors should regularly monitor and compare site reports on the number of attending children and the number of delivered meals to reduce waste and cost. When sites have leftover food, sponsors should promptly adjust orders to more accurately reflect the actual number of meal service participants. FNS encourages State agencies to support efforts by sponsors to minimize food waste.

Menus

Daily records of menus must be reviewed to ensure that meal pattern requirements were met. The SFSP meal pattern chart is included in the Resources section of this guidance. Menu substitutions must be recorded to reflect actual foods served to Program participants. SFAs may use SBP/NSLP meal patterns. For infants and small children, CACFP meal patterns may be used with State agency approval.



Meal Service

The review of meal service should include the following elements:

Before the meal service begins:

- Obtain approved meal service times.
- Arrive at the site before food is delivered or meals are prepared. Record arrival time.
- Verify that the site's nondiscrimination poster is displayed in a prominent place. If not, provide the site with the poster and document it as a finding.
- Determine if meals are served to all attending children, regardless of the child's race, color, national origin, sex, age, or disability.
- Make sure that all children have equal access to services and facilities at the site regardless of race, color, national origin, sex, age, or disability.
- For open sites, ensure that there are no barriers preventing all children from receiving meals offered at the site (e.g., locked doors, fees for meal service etc.).
- Verify that the assigned site supervisor or at least one alternate supervisory person who has been trained in Program requirements is on-site. **Failure to have a trained site supervisor at each site during the meal service is a Program violation.**
- Observe food delivery or meal preparation. Are meals handled according to local health requirements? For example, are temperatures taken and recorded to ensure food safety? If the sponsor prepares the meals, are the facility and equipment adequate for the number of meals needed? If health or safety of participating children is imminently threatened, State agency is required to immediately terminate the participation of sponsor's site. **This is a serious Program violation.**
- **Transport hot and cold foods to the site at proper temperatures.**
- For sites with delivered meals, observe if the meals are unitized (all vended meals must be unitized, unless the State agency has approved the use of an FSMC contract for non-unitized meals) and if the site supervisor is counting the number of meals delivered. Does the number delivered equal the number ordered? Does the delivery receipt show what meal is being delivered and the delivery date and time? Were the meals delivered on time? Verify that the site supervisor and designated site personnel know that meals must be delivered within one hour before meal service if proper facilities do not exist on-site for storing the food.
- Compare the number of meals delivered or prepared on-site with the daily participation records; observe trends and, if appropriate, advise the sponsor and site supervisor to adjust the meal order to prevent excessive leftovers or excessive service of second meals.
- Observe whether the site supervisor signs only for delivered meals that are complete and wholesome and does not accept poor or incomplete meals or meals that are wholly or partially spoiled.
- Make sure the site supervisor signs only accurate delivery receipts, making corrections as necessary on the slip before signing or refusing to sign if an entire delivery is rejected.

Observe meal preparation or meal delivery (if possible):

- Compare a meal delivered or prepared with the planned menu. Did the meal delivered or prepared that day include the items in the planned menu? Were substitutions recorded?
- Are the portion sizes correct? Are all components included?
- Verify if any problems found by health officials have been corrected. Observe food handling during preparation. Are raw fruits and vegetables thoroughly washed before cooking and serving? Are hot and cold foods kept at the proper temperatures?

Observe meal service:

- Observe as much of the meal service as possible, from delivery/preparing meals to clean up after the meal service.
- Does the meal service occur within the approved time frame?
- Are children served complete meals?
- Is only one meal served to each child?
- Are non-Program adults served?
- Are all meals consumed at the site?
- Is a site worker counting and recording the meals as they are being served?
- Does the site comply with sponsor and local health department procedures for handling and storing extra food?
- Does the site use the offer versus serve (OVS) option? If so, is OVS being implemented correctly?

Are all food components in the required minimum serving sizes served/offered? (Refer to SP 10-2017, SFSP 06-2017, *Meal Service Requirements in the Summer Meal Programs, with Questions and Answers - Revised*, December 5, 2016, https://www.fns.usda.gov/meal-service-requirements-summer-meal-programs-questions-and-answers-%E2%80%93-revised, for OVS requirements, meal service timings, meals served to adults, leftover meals, and guidance on taking meal components offsite.)

- Do the meals meet meal pattern requirements (refer to SFSP Meal Pattern in attachments)? Note that SFAs may use school programs meal patterns.
- Is there variety in menu? Is the sponsor using a cycle menu that is greater than one week? Does the sponsor have capability to serve hot and cold items? Has the sponsor incorporated nutrition education or related activities with meal service such as taste testing? Are any items on menu locally sourced? In addition to meeting meal pattern requirements, make a note of quality of meals being served.
- Count the number of first meals served to children.
- Count the number of second meals (if any) served to children. When seconds are served, verify that they are only served after all children present have received their first meal. Determine if the number of seconds being served appears excessive.
- Count the number of ineligible meals served and document the reason (such as "incomplete meals served" or "meals served to adults").
- Do the reviewer's counts and the site's counts match?
- Were the meals served within the established and approved site cap? If not, was there a reasonable reason as to why the cap was exceeded?
- If the site has been approved to serve a maximum number of meals at each meal service, verify that the site is not claiming meals in excess of the maximum number approved for each meal service. If this happens frequently ask more questions and provide technical assistance. Sometimes an increase in the site cap may need to be considered.
- Review daily records kept by the site supervisor. Determine whether they are complete and accurate and not recorded in advance.
- Check records to see if the same number of meals has been claimed for three or more days (block counting), and if this number is inconsistent with the number of meals served the day of the review.
- If meals were served outside the approved time frame, were they disallowed?
- Are there many leftover meals? Are seconds recorded? If adjustments are not being made, instruct the site supervisor to make adjustments in the meal order as necessary.
- Compare all counts and calculations with the site supervisor's corresponding records and resolve any discrepancies.
- If any additional foods were served, were they foods creditable under the meal pattern requirements?
- Complete the monitor's review form. Record arrival and departure times. Record all violations and any corrective action taken and provide technical assistance as needed.

Sometimes participation at sites drops during the summer and the sponsor is not notified. The site supervisor should be aware of not ordering or preparing too many meals. Failure to adjust meal orders to conform to changes in site attendance is a Program violation. **If a site is receiving or preparing too many meals, the sponsor should be informed that the meal order must be adjusted.** It is a good practice to ask the site supervisor how they adjust their orders.

Meal Pattern Exceptions

Substitutions or modifications to the meal patterns must be given to participants with disabilities who are unable to consume the regular Program meals. These substitutions must be supported by a statement from a recognized medical authority that includes the recommended alternate foods and a statement declaring that the child has a disability [7 CFR 225.16(f)(4)] (SFSP 15-2015, *Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs*, March 30, 2015, http://www.fns.usda.gov/sites/default/files/cn/SP32_CACFP13_SFSP15-2015os.pdf.)

For sponsors operating other CNPs, such as schools, the sponsor may be approved to serve meals that meet the meal pattern requirements of other CNPs, such as NSLP instead of SFSP.

Meal Counts

The State agency monitor must verify that meal counts are recorded at the time of service. Meal counts may not be pre-recorded (recorded prior to actual meal service). The monitor should compare the observed meal count to the meal count recorded by site personnel. Meal counts for "Program adults" working in the site's food service must be recorded and any non-Program adult meals must also be recorded. Non-Program adults must pay for their meals or the cost of their meals must be paid with non-Program funds.

Daily meal count records must 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 also should support this information with a signed delivery receipt. 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. The maximum approved level (site cap) needs to be noted.

Review the daily records (past 5 days) kept by the site supervisor to identify any red flags or claiming errors. Verify that records are complete and signed. If meals are not prepared on site, the information on the delivery receipts should match the information on the records. Site supervisors should have a signed delivery receipt available to show the deliveries for all meals served. The delivery receipt should at a minimum indicate what meal has been delivered, the number of meals delivered and the delivery date and time. If the number of meals delivered is the same as the number served each day, or the same number of meals is recorded each day, this may indicate that no one is actually counting the number of meals received and served. Pay close attention to this during the site review to observe whether accurate counts are being recorded.

THE DAILY MEAL COUNT RECORD MUST INCLUDE THE NUMBER OF:

- **Complete first meals served to children, by type.**
- **Complete second meals served to children, by type.**
- **Extra meals or meals left-over.**
- **Non-reimbursable meals.**
- **Meals served to Program adults, if any.**
- **Meals served to non-Program adults, if any.**

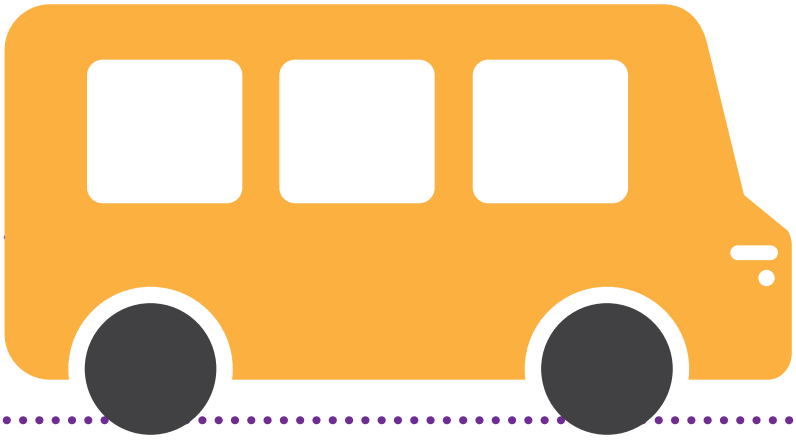
Field Trips

If the site is planning a field trip that will affect the time or location of meal service, the sponsor should adjust the meal counts and should inform the State agency. Please note that it is not a Federal requirement to notify the State agency of the field trip (refer to SFSP Memo: *Field Trips in the Summer Food Service Program*, dated February 3, 2003, http://www.fns.usda.gov/sites/default/files/2003-2-3.pdf).

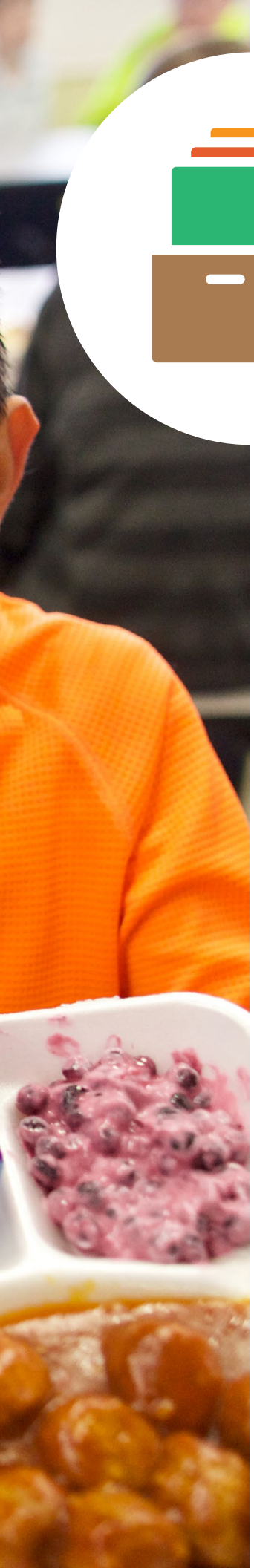
Additional care must be taken to ensure the safety of the meals during field trips by using proper storage equipment for transport.

NOTE:

There is no formal exit conference for site reviews. However, site review forms contain a section on operational weaknesses and recommendations which can be discussed with the sponsor during the exit conference. If site reviews are conducted a significant amount of time prior to the sponsor review, the State agency should issue a written report to the sponsor notifying them of site level deficiencies and require the sponsor to implement immediate corrective action.



Dairy Pure
Fat Free Milk



PART 7
WRITING A SPONSOR REVIEW REPORT

- PROGRAM VIOLATIONS
- FISCAL ACTION

Once the on-site review is completed for sponsor reviews, the State agency is responsible for preparing a comprehensive written report detailing the areas covered during the review. The report must identify all program violations and indicate if any program violations could result in over claim/fiscal action. The review report should also describe observations about the sponsor/site problems and offer specific corrective steps for the organization to follow.

7 CFR 225.7(d)(4)

(4) *Monitoring system. Each State agency shall develop and implement a monitoring system to ensure that sponsors, including site personnel, and the sponsor's food service management company, if applicable, immediately receive a copy of any review reports which indicate Program violations and which could result in a Program disallowance.*

As required by Program regulations, the State agency must issue the report as soon as possible and, if possible, leave the written report with the sponsor at the exit conference. If there is any fiscal action, appeal procedures must be included with report. The correspondence must be sent by certified mail, return receipt requested, by fax, or by email (proof of delivery required) if any actions are appealable [7 CFR 225.13(b)(1)].

PROGRAM VIOLATIONS

All program violations and deficiencies found during the review and discussed during the exit conference must be listed as findings in the written report. Findings are documented as areas of noncompliance with Federal regulations, FNS Instructions, and SFSP policy memoranda, and require immediate action.

Here are common program violations as indicated in administrative guidance:

PROGRAM VIOLATIONS MAY 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 or grain component off-site.)
- Claiming meals that were not served to eligible children.
- Serving (or offering for OVS sites) 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 vendors that violate health codes.
- Submission of false information to the State agency.
- Use of program funds for unallowable costs.
- Failure to return excess start-up or advance payments to the State agency.
- Not adhering to competitive bid procedures.
- Noncompliance with civil rights laws and regulations.
- Meal count consolidation errors.
- Failure to meet training or monitoring requirements.

FISCAL ACTION

Once the site review portion of the review is complete, the State agency is responsible for incorporating the review results into a report. The report must include the review findings, a corrective action plan that summarizes the agreed-upon corrective actions and associated timeframes for corrective action, and any potential fiscal action.

The report must also include:

- A statement indicating that the sponsor may submit a written appeal of the denial of all or part of a claim for reimbursement or withholding of payment.
- Instructions on how to submit the written appeal, including any required timeframes of which the sponsor should be aware and the name and address of the office to which the sponsor must send the appeal as disallowed meals/claims is an appealable action (7 CFR 225.13(a)).

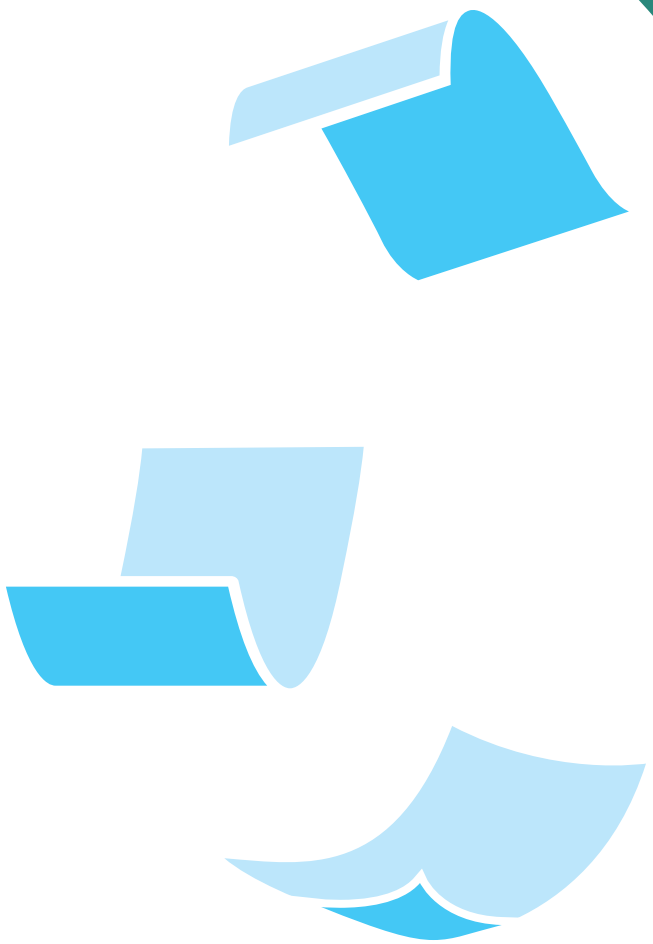
7 CFR 225.7(d)(4)

(a) *The State agency shall disallow any portion of a claim for reimbursement and recover any payment to a sponsor not properly payable except as provided for in §225.10(c). State agencies may consider claims for reimbursement not properly payable if a sponsor's records do not justify all costs and meals claimed. However, the State agency shall notify the sponsor of the reasons for any disallowance or demand for repayment.*

Fiscal action must be assessed when violations include:

- Inaccurate meal counting and claiming for the day of review or review period occurring at the site or sponsor-level.
- Meals that were counted as reimbursable meals, but were ineligible for reimbursement, such as second meals exceeding 2 percent limit and adult meals.
- Meals served that were counted as reimbursable meals but were observed to be missing meal components.
- Meals that were not supported by meal documentation (i.e., no meal documentation, documentation missing meal components, etc.).
- Meals served at unapproved sites.

When a State agency observes Program violations during a site review leading to meals being disallowed, the State agency may advise the sponsor of the number of meals served ineligible for claiming. However, the State agency must follow up by including the finding of disallowed meals in the review report and obtaining supporting documentation to ensure that the meals were not claimed for reimbursement.



Collection Procedures

SFSP reviews are occasionally conducted prior to submission of claims for reimbursement; therefore, corrective action involving disallowed meals often requires supporting documentation to ensure that the disallowed meals were not claimed for reimbursement.

When a sponsor fails to return money as a part of unearned or improper payments or excess advances, collection procedures 7 CFR 225.12(b) must be used.

7 CFR 225.12(b)

(b) *Minimum State agency collection procedures for unearned payments shall include:*

(1) *Written demand to the sponsor for the return of improper payments;*

(2) *If after 30 calendar days the sponsor fails to remit full payment or agree to a satisfactory repayment schedule, a second written demand for the return of improper payments, sent by certified mail, return receipt requested;*

(3) *If after 60 calendar days following the original written demand, the sponsor fails to remit full payment or agree to a satisfactory repayment schedule, a third written demand for the return of improper payments, sent by certified mail, return receipt requested;*

(4) *If after 90 calendar days following the original written demand, the sponsor fails to remit full payment or agree to a satisfactory repayment schedule, the State agency shall refer the claim against the sponsor to the appropriate State or Federal authorities for pursuit of legal remedies.*

7 CFR 225.12(d)

(d) *The amounts recovered by the State agency from sponsors may be utilized to make Program payments to sponsors for the period for which the funds were initially available and/or to repay the State for any of its own funds used to make payments on claims for reimbursement. Any amounts recovered which are not so utilized shall be returned to FNS in accordance with the requirements of this part.*

7 CFR 225.12(c)

(c) *If FNS does not concur with the State agency's action in paying a sponsor or in failing to collect an overpayment, FNS shall notify the State agency of its intention to assert a claim against the State agency. In all such cases, the State agency shall have full opportunity to submit evidence concerning the action taken. The State agency shall be liable to FNS for failure to collect an overpayment unless FNS determines that the State agency has conformed with this part in issuing the payment and has exerted reasonable efforts in accordance with paragraph (b) of this section to recover the improper payment.*

PART 8

CORRECTIVE ACTION, SERIOUS DEFICIENCY, AND TERMINATION

- CORRECTIVE ACTION
- SERIOUS DEFICIENCY
- TERMINATION
- APPEALS

CORRECTIVE ACTION

Sponsors are required to respond to the review report and provide a written corrective action response to each review finding. Corrective action must be taken within the timeframe designated by the State agency. The written response should indicate that the sponsor understands what violation occurred and what corrective action needs to be taken to fully and permanently correct the deficiency.

The State agency must evaluate the corrective action submitted by the sponsor and either accept the corrective action or request additional information or clarification. The corrective action must provide sufficient detail regarding steps to be taken to correct the deficiency and ensure that it does not reoccur so that any subsequent or follow-up review can clearly determine whether the deficiencies were fully and permanently corrected. The response will need to indicate when the problem was corrected and who will be responsible for ensuring that the corrections were taken and will be maintained. For programs operating a short period of time, a corrective action plan may be received after program operations have ended. The corrective action plan (CAP) may need to be reevaluated before program operations begin in the following year. If corrective action plans have not been implemented, the State agency may deny the sponsor application and provide appeal rights.

The SFSP regulations specify corrective action procedures as follows:

7 CFR 225.11(f)(1)

(1) *Whenever the State agency observes violations during the course of a site review, it shall require the sponsor to take corrective action. If the State agency finds a high level of meal service violations, the State agency shall require a specific immediate corrective action plan to be followed by the sponsor and shall either conduct a follow-up visit or in some other manner verify that the specified corrective action has been taken.*

SERIOUS DEFICIENCY

The serious deficiency process of SFSP was established to ensure compliance with USDA FNS regulations and guidance and to protect Program integrity. It protects Program integrity by allowing State agencies a process in which sponsors that have not corrected non-compliance issues may be terminated for cause in accordance with Federal regulations.

SFSP regulations define some serious deficiencies as follows:

7 CFR 225.11(c)

(c) *Serious deficiencies which are grounds for disapproval of applications and for termination include, but are not limited to, any of the following:*

(1) *Noncompliance with the applicable bid procedures and contract requirements of Federal child nutrition program regulations;*

(2) *The submission of false information to the State agency;*

(3) *Failure to return to the State agency any start-up or advance payments which exceeded the amount earned for serving meals in accordance with this part, or failure to submit all claims for reimbursement in any prior year, provided that failure to return any advance payments for months for which claims for reimbursement are under dispute from any prior year shall not be grounds for disapproval in accordance with this paragraph; and*

(4) *Program violations at a significant proportion of the sponsor's sites. Such violations include, but are not limited to, the following:*

(i) *Noncompliance with the meal service time restrictions set forth at §225.16(c);*

(ii) *Failure to maintain adequate records;*

(iii) *Failure to adjust meal orders to conform to variations in the number of participating children;*

(iv) *The simultaneous service of more than one meal to any child;*

(v) *The claiming of Program payments for meals not served to participating children;*

(vi) *Service of a significant number of meals which did not include required quantities of all meal components;*

(vii) *Excessive instances of off-site meal consumption;*

(viii) *Continued use of food service management companies that are in violation of health codes.*

As indicated above, grounds for declaring a sponsor seriously deficient are not limited to the above list. For example, a State agency may declare a sponsor seriously deficient for "failure to provide adequate documentation for meals purchased" after requests have been made to provide the State agency with the documentation.

Once a State agency has determined that a serious deficiency has occurred, it must begin the serious deficiency process. The State agency must issue a notice to the sponsor that the sponsor has been determined to be seriously deficient in the operation of SFSP. This notice is intended to communicate to the Program sponsor the action proposed by the State agency with regard to a sponsor's Program participation. **The determination that a sponsor has been determined to be seriously deficient is not appealable.** Seriously deficient sponsors (in any Child Nutrition Program) are not eligible to participate in SFSP.

A WELL-WRITTEN SERIOUS DEFICIENCY NOTICE WILL:

- **Explain each serious deficiency in sufficient detail.**
- **Identify the SFSP regulatory citations to support each serious deficiency identified.**
- **Describe the corrective actions required to correct each serious deficiency.**
- **Identify the time limit for correcting each serous deficiency.**
- **Alert the sponsor that failure to correct the serious deficiencies within the allotted time will result in the State agency's termination of the sponsor's agreement (which is appealable).**

AN ACCEPTABLE CORRECTIVE ACTION PLAN SHOULD INCLUDE THE FOLLOWING:

- **What are the procedures that were implemented to address the serious deficiencies?**
- **Who is responsible for addressing the serious deficiencies?**
- **When was the procedure implemented for addressing the serious deficiencies?**
- **Where is the corrective action plan documentation retained?**
- **How was staff informed of the policies and procedures?**

TERMINATION

When the sponsor fails to implement timely corrective action to correct the serious deficiencies cited, the State agency must proceed with termination of the sponsor's Program agreement as specified in SFSP regulations. Currently there are no existing procedures for disqualification in SFSP.

7 CFR 225.11(c) ... termination of sponsors.

*(c) **The State agency shall terminate the Program agreement with any sponsor which it determines to be seriously deficient. However, the State agency shall afford a sponsor reasonable opportunity to correct problems before terminating the sponsor for being seriously deficient.** The State agency **may** approve the application of a sponsor which has been disapproved or terminated in prior years in accordance with this paragraph **if** the sponsor demonstrates to the satisfaction of the State agency that the sponsor has taken appropriate corrective actions to prevent recurrence of the deficiencies.*

7 CFR 225.11(f) ... termination of sites.

*(2) **The State agency shall terminate the participation of a sponsor's site if the sponsor fails to take action to correct the Program violations noted in a State agency review report within the timeframes established by the corrective action plan.***

(3) *The State agency shall **immediately terminate** the participation of a sponsor's site **if during a review it determines that the health or safety of the participating children is imminently threatened.***

(4) *If the site is vended, **the State agency shall within 48 hours notify the food service management company providing meals to the site of the site's termination.***

APPEALS

When a sponsor is denied participation in the Program or a Program payment is denied, the sponsor has the right to obtain a hearing by an official other than the staff directly responsible for the original determination. The State agency needs to ensure that their appeal procedures include all the language required in 7 CFR 225.13, and they need to ensure that the following actions listed in 225.13 (a) are appealable.

§225.13 Appeal procedures.

(a) *Each State agency shall establish a procedure to be followed by an applicant appealing: ….*

- *a denial of an application for participation;*
- *a denial of a sponsor's request for an advance payment;*
- *a denial of a sponsor's claim for reimbursement (except for late submission under 7 CFR 225.9(d)(6));*
- *a State agency's refusal 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;*
- *a claim against a sponsor for remittance of a payment;*
- *the termination of the sponsor or a site;*
- *a denial of a sponsor's application for a site;*
- *a denial of a food service management company's application for registration, if applicable; or the revocation of a food service management company's registration, if applicable.*

Appeals shall not be allowed on decisions made by FNS with respect to late claims or upward adjustments under 7 CFR 225.9(d)(6).

(b) *At a minimum, appeal procedures shall provide that:*

(1) *The sponsor or food service management company be advised in writing of the grounds upon which the State agency based the action. The notice of action, which shall be sent by certified mail, return receipt requested, shall also state that the sponsor or food service management company has the right to appeal the State's action;*

(2) *The sponsor or food service management company be advised in writing that the appeal must be made within a specified time and must meet the requirements of paragraph (b)(4) of this section. The State agency shall establish this period of time at not less than one week nor more than two weeks from the date on which the notice of action is received;*

(3) *The appellant be allowed the opportunity to review any information upon which the action was based;*

(4) *The appellant be allowed to refute the charges contained in the notice of action either in person or by filing written documentation with the review official. To be considered, written documentation must be submitted by the appellant within seven days of submitting the appeal, must clearly identify the State agency action being appealed, and must include a photocopy of the notice of action issued by the State agency;*

(5) *A hearing be held by the review official in addition to, or in lieu of, a review of written information submitted by the appellant only if the appellant so specifies in the letter appealing the action. The appellant may retain legal counsel or may be represented by another person. Failure of the appellant's representative to appear at a scheduled hearing shall constitute the appellant's waiver of the right to a personal appearance before the review official, unless the review official agrees to reschedule the hearing. A representative of the State agency shall be allowed to attend the hearing to respond to the appellant's testimony and written information and to answer questions from the review official;*

(6) *If the appellant has requested a hearing, the appellant and the State agency shall be provided with at least 5 days advance written notice, sent by certified mail, return receipt requested, of the time and place of the hearing;*

(7) *The hearing be held within 14 days of the date of the receipt of the request for review, but, where applicable, not before the appellant's written documentation is received in accordance with paragraphs (b) (4) and (5) of this section;*

(8) *The review official be independent of the original decision-making process;*

(9) *The review official make a determination based on information provided by the State agency and the appellant, and on Program regulations;*

(10) *Within 5 working days after the appellant's hearing, or within 5 working days after receipt of written documentation if no hearing is held, the reviewing official make a determination based on a full review of the administrative record and inform the appellant of the determination of the review by certified mail, return receipt requested;*

(11) *The State agency's action remain in effect during the appeal process. However, participating sponsors and sites may continue to operate the Program during an appeal of termination, and if the appeal results in overturning the State agency's decision, reimbursement shall be paid for meals served during the appeal process. However, such continued Program operation shall not be allowed if the State agency's action is based on imminent dangers to the health or welfare of children. If the sponsor or site has been terminated for this reason, the State agency shall so specify in its notice of action; and*

(12) *The determination by the State review official is the final administrative determination to be afforded to the appellant.*

(c) *The State agency shall send written notification of the complete appeal procedures and of the actions which are appealable, as specified in paragraph (a) of this section, to each potential sponsor applying to participate and to each food service management company applying to register in accordance with 7 CFR 225.6(g).*

(d) *A record regarding each review shall be kept by the State agency, as required under 7 CFR 225.8(a). The record shall document the State agency's compliance with these regulations and shall include the basis for its decision.*

SFSP regulations require appeal procedures to be given at the time of the adverse action (as indicated in the list of appealable actions in 7 CFR 225.13(a)). FNS encourages State agencies to also provide appeal procedures at the time of application and training.

FARMS
I TRIED IT!
I TRIED IT!
I TRIED IT!
I TRIED IT!

PART 9
FOLLOW-UP REVIEWS

The SFSP regulations require follow-up visits as follows:

7 CFR 225.11(f) Corrective action.

(f) *If the State agency finds a high level of meal service violations, the State agency shall require a specific immediate corrective action plan to be followed by the sponsor and shall either conduct a follow-up visit or in some other manner verify that the specified corrective action has been taken.*

Follow-up reviews can be conducted on-site, or, in some cases, by reviewing SFSP records that have been mailed, faxed, or delivered to the State agency (desk review). These reviews can be conducted beyond summer based on staffing availability in State agency.

Desk reviews may be conducted for deficiencies involving paperwork, such as:

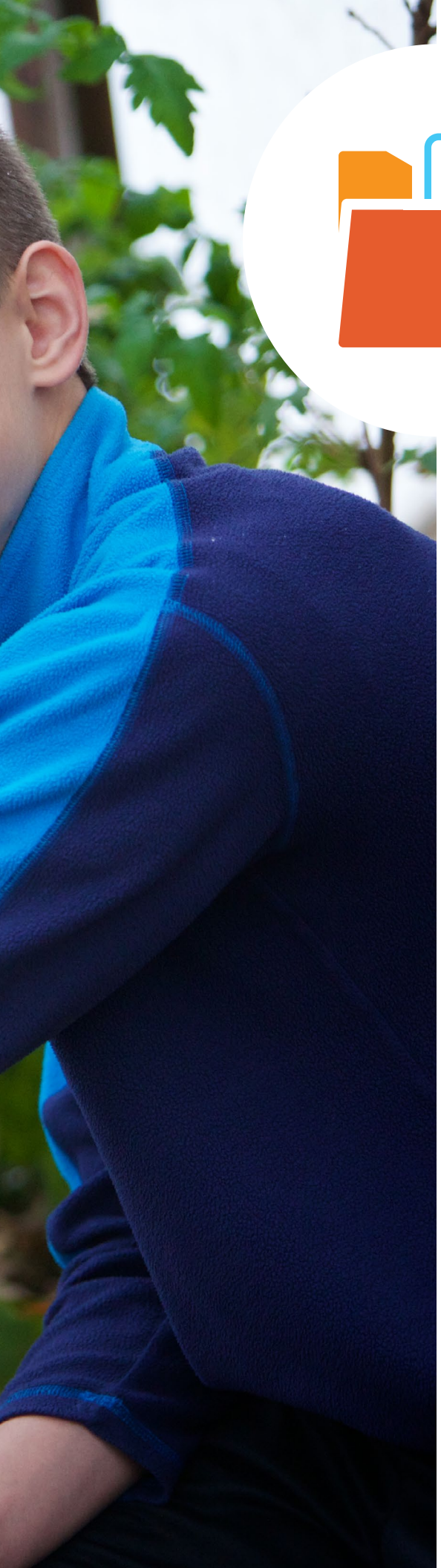
- Free and reduced price meal applications
- Enrollment rosters
- Audits
- Receipts (cost documentation including staff time and attendance records, pay roll records, mileage records, etc.)
- Menus
- Claim review, or
- Meal counts

On-site reviews need to be conducted for deficiencies where there is a need to directly observe whether or not the corrective action has been implemented, such as:

- Meal preparation
- Meal service (components); and
- Food safety issues, or
- Verification of meal counts at point of service

Best Practice

A follow-up review may be conducted any time corrective action is required. The purpose of the follow-up review is to ensure the sponsor has completely corrected the review findings, according to their approved corrective action response.



PART 10
REVIEW CLOSURE

When the corrective action response is received from the sponsor, the State agency evaluates the submission to ensure that it is complete and that each finding has been adequately addressed. If the State agency determines the sponsor's response is satisfactory, the State agency will issue a letter to the sponsor indicating that its response was acceptable, and the review is closed.

If the corrective action response is incomplete, the State agency will inform the sponsor of all outstanding items and allow additional time for the sponsor to submit the remaining documentation.

If the corrective action response is not submitted and/or the additional documentation is inadequate (this is completely per State agency discretion), the State agency must proceed to declare the sponsor seriously deficient.

PART 11
QUESTIONS AND ANSWERS

1 THE PROGRAM MONITORING REQUIREMENT IN 7 CFR 225.7(d)(2)(II)(B) INCREASES NUMBER AND FREQUENCY OF REVIEWS AND PUTS UNDUE BURDEN ON SPONSORS. IS IT POSSIBLE TO ONLY REVIEW SFSP SPONSORS ON A THREE-YEAR CYCLE?

There is no current policy guidance that gives State agencies the ability to only review all SFSP sponsors on a three-year cycle. As per 7 CFR 225.7 (d)(2)(i), when the same school food authority personnel administer SFSP and NSLP, the State agency is not required to conduct a review of the Program in the same year in which NSLP operations have been reviewed and determined to be satisfactory. In addition, SP 07-2013, SFSP 04-2013 - REVISED, *Summer Feeding Options for School Food Authorities*, November 23, 2012, http://www.fns.usda.gov/summer-feeding-options-school-food-authorities, offers additional monitoring flexibilities for the financial management portion of program reviews. In spite of monitoring flexibilities already built into regulations and policy regarding SFSP review requirements, non-profit large sponsors who operate SFSP may indeed need to be reviewed more frequently. Finally, results of reviews may vary across State agencies and regions and hence, to ensure program integrity, providing additional flexibilities for the review requirements to be limited to a three-year cycle only is not possible. For specific questions, FNS regional offices should be contacted.

2 IF THE SA DISCOVERS A COMPETITIVE PROCUREMENT PROCESS THAT WAS NOT PROPERLY CONDUCTED (I.E., THE SPONSOR DID NOT CONDUCT AN IFB OR RFP FOR PROCUREMENTS OVER $150,000), WHAT IS FNS'S EXPECTATION FOR THIS FINDING?

All precautions must be taken to ensure procurements are conducted in accordance with Federal procurement standards. During a review, if a State agency discovers that procurements were not properly conducted, the State must follow SP 04 -2016, CACFP 04 -2016, SFSP 04 -2016, *Local Agency Procurement Reviews for SY2015-2016,* November 9, 2015, http://www.fns.usda.gov/local-agency-procurement-reviews-sy2015-2016, which states, "if findings of noncompliance are identified, these must be documented, technical assistance provided, and corrective action required. Corrective action can take various forms, to include:

a. Amending contracts to remove unallowable provisions.
b. Re-soliciting contracts to ensure contracts are awarded to the responsive and responsible bidder.
c. Attending State agency-provided procurement training to increase knowledge of procurement standards.
d. Assessing the need for fiscal recovery.

3 DOES FNS PROVIDE A PROTOTYPE OF AN FSMC CONTRACT SPECIFICALLY FOR SFSP SPONSORS?

FNS does not provide a standard contract template at this time. These standard contracts may vary according to different State and local requirements. Per 7 CFR 225.6(h)(2), State agencies must require sponsors to use a standard contract for meals provided by an FSMC if the contract exceeds $10,000 unless the sponsor is a public entity or has an exclusive year-round contract.

4 WILL FNS DEVELOP STANDARD SFSP REVIEW FORMS THAT ALL STATES MAY UTILIZE? AN FNS DEVELOPED FORM WOULD ELIMINATE MISSING QUESTIONS.

Currently FNS does not have standard SFSP review forms. However, this manual includes examples of State Agency sponsor and site review forms. State agencies must develop their own review forms. FNS Regional Offices can assist in the finalization of these forms to ensure that all required elements are included on the forms.

PART 12

RESOURCE SECTION

- SFSP MEAL PATTERN FOR CHILDREN
- SFSP LEGISLATIVE HISTORY
- SPONSOR ADMINISTRATIVE REVIEW REPORT
- SITE OPERATIONAL REVIEW REPORT
- CIVIL RIGHTS DATA COLLECTION FORM FOR SITE REVIEW REPORT
- FOOD AND NUTRITION SERVICE REGIONAL OFFICES
- STATE AGENCY CONTACT INFORMATION

SUMMER FOOD SERVICE PROGRAM

Resources

SFSP WEBSITE

This is a great starting point to find all web-based Program resources

http://www.fns.usda.gov/sfsp/summer-food-service-program-sfsp

SFSP GUIDES

Includes links for Program and nutrition guidance for sponsors, monitors, and site supervisors

http://www.fns.usda.gov/sfsp/handbooks

FNS POLICY MEMOS

This webpage includes up-to-date information about important Program changes

http://www.fns.usda.gov/sfsp/policy

LEGISLATION

This webpage provides an overview of government legislation impacting the Program

http://www.fns.usda.gov/sfsp/legislation

SUMMER TOOLKIT

Tips and resources to help sponsors prepare for and improve the Program

http://www.fns.usda.gov/cnd/summer/library/toolkit.pdf

MAPPING TOOLS

Utilize this page to find underserved areas and potential partners

http://www.fns.usda.gov/sfsp/mapping-tools-summer-meal-programs

SUMMER MEALS BEST PRACTICES

Filled with inspiring SFSP success stories from across the country

http://www.fns.usda.gov/sfsp/best-practices

FARM TO SUMMER

Includes tips on how to improve Summer Meal Programs through the integration of local foods and related enrichment activities

http://www.fns.usda.gov/farmtoschool/farm-summer

FNS MONTHLY SUMMER MEALS NEWSLETTERS

Offers timely tips to improve Program administration, outreach, and expansion for State agencies and sponsors

http://www.fns.usda.gov/sfsp/summer-meal-newsletters

SHARE OUR STRENGTH- COLLABORATIVE PLANNING TOOLKIT

bestpractices.nokidhungry.org/no-kid-hungry-summer-collaborative-planning-toolkit

PURCHASING HIGH-QUALITY SUMMER MEALS

A how-to guide for summer food sponsors on purchasing high-quality summer meals (FRAC)

http://frac.org/wp-content/uploads/2009/09/summer_meals_vendor_guide.pdf

SUMMER FOOD SERVICE PROGRAM

Meal Pattern For Children

Select the appropriate components for a reimbursable meal

FOOD COMPONENTS AND FOOD ITEMS	BREAKFAST Serve all three	LUNCH OR SUPPER Serve all four	SNACK Serve two of the four
Milk	**Required**	**Required**	
Fluid milk (whole, low-fat, or fat-free)	1 cup[1] (½ pint, 8 fluid ounces)[2]	1 cup (½ pint, 8 fluid ounces)[3]	1 cup (½ pint, 8 fluid ounces)[2]
Vegetables and Fruits - Equivalent quantity of any combination of...	**Required**	**Required**	
Vegetable or fruit or	½ cup	¾ cup total[4]	¾ cup
Full-strength vegetable or fruit juice	½ cup (4 fluid ounces)=50%[5]		¾ cup (6 fluid ounces)[5]
Grains/Breads[6] - Equivalent quantity of any combination of...	**Required**	**Required**	
Bread or	1 slice	1 slice	1 slice
Cornbread, biscuits, rolls, muffins, etc. or	1 serving[7]	1 serving[7]	1 serving[7]
Cold dry cereal or	¾ cup or 1 ounce[8]		¾ cup or 1 ounce[8]
Cooked cereal or cereal grains or	½ cup	½ cup	½ cup
Cooked pasta or noodle products	½ cup	½ cup	½ cup
Meat and Meat Alternates - Equivalent quantity of any combination of...	**Optional**	**Required**	
Lean meat or poultry or fish or	1 ounce	2 ounces	1 ounce
Alternate protein products[10] or	1 ounce	2 ounces	1 ounce
Cheese or	1 ounce	2 ounces	1 ounce
Egg (large) or	½	1	½
Cooked dry beans or peas or	¼ cup	½ cup[1]	¼ cup[1]
Peanut or other nut or seed butters or	2 tablespoons	4 tablespoons	2 tablespoons
Nuts or seeds[10] or		1 ounce=50%[11]	1 ounce
Yogurt[12]	4 ounces or ½ cup	8 ounces or 1 cup	4 ounce or ½ cup

[1] For the purposes of the requirement outlined in this table, a cup means a standard measuring cup
[2] Served as a beverage or on cereal or used in part for each purpose
[3] Served as a beverage
[4] Serve two or more kinds of vegetable or fruits or a combination of both
[5] Juice may not be served when milk is served as the only other component
[6] Bread, pasta or noodle products, and cereal grains (such as rice, bulgur, or corn grits) shall be whole-grain or enriched. Cornbread, biscuits, rolls, muffins, etc, shall be made with whole-grain or enriched meal or flour. Cereal shall be whole-grain, enriched or fortified
[7] Serving sizes and equivalents will be in guidance materials to be distributed by FNS to State agencies
[8] Either volume (cup) or weight (ounces), whichever is less
[9] Must meet the requirements of 7 CFR 225 Appendix A
[10] Tree nuts and seeds that may be used as meat alternate are listed in program guidance
[11] 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. For purposes of determining combinations, one ounce of nuts or seeds is equal to one ounce of cookedlean meat, poultry or fish
[12] Plain or flavored, unsweetened or sweetened

SFSP Legislative History

USDA's FNS administers the SFSP at the national level. The Program is administered within each State by the State education agency, or by an alternate State agency, or the appropriate FNS Regional Office (FNSRO). These administrative agencies are required to monitor Program operations and the use of Program funds by sponsors and facilities to ensure that SFSP requirements are met. Reviews and audits have also been conducted periodically by FNS and the USDA Office of Inspector General (OIG). The following information provides brief legislative history for the Summer Food Service Program.

The SFSP was implemented in 1975 under Public Law 94-105. At this time, the P.L authorized a separate Child Care Food Program and SFSP and the regulations which implemented it promoted significant Program growth. More than 1.75 million children were served at 12,000 sites. However, several provisions led to some abuse and administrative problems in operating the Program, such as the requirements (1) that any eligible service sponsor shall be able to participate in the Program upon its request and (2) that sponsors could not be prohibited from serving all the different meal types unless the service period of the different meals coincided or overlapped. Bidding and contracting concerns and alleged collusion between sponsors and vendors surfaced. It became apparent that the responsibilities of administering agencies should be more precisely defined and that the administrative funding formula should be adjusted accordingly.

Public Law 95-166, enacted November 10, 1977, addressed the issues and concerns at all levels of government about the problems occurring with the SFSP. Major changes mandated by the law included requirements that:

- Sponsors demonstrate that they had adequate administrative and financial responsibility to manage an effective food service, and that they had not been seriously deficient in operating under the Program in the past.
- Sponsors provide an ongoing year-round service to the community, such as recreational activities or food services for children, in order to participate. The State agency granted exceptions to this year-round service requirement to those sponsors who met the other eligibility criteria and whose exclusion from the Program would result in an area in which poor economic conditions exist not being served or in a significant number of needy children not having reasonable access to the SFSP.
- States be given a priority system for approving sponsors where overlapping of sites occurred.
- Residential camps be allowed to claim only meals served to children qualifying for free and reduced price meals.
- Sponsors submit a complete budget for administrative costs to the State agency for approval.
- The release of advance funds to sponsors be restricted and limited.
- A new formula be provided for State administrative funding.
- USDA develops State staffing standards and effective dates, to ensure sufficient administrative staff time for planning.
- Penalties be specified for fraud.

SFSP Legislative History, Continued

- Publishing deadlines for USDA regulations and guidance handbooks be adjusted to allow States more time for pre-program planning and training.
- Food service management companies be registered in the State in which they planned to operate. Furthermore, if a company lacked the administrative and financial capability to perform or had been seriously deficient in the past, Program participation could be denied.

Public Law 96-38, enacted in July 1979, prohibited State agencies from paying any Fiscal Year (FY) claims for reimbursement submitted to them after January 1 of the following FY. The only exception to this prohibition was for amended claims submitted after that date due to audits and/or investigations.

Public Law 96-108, enacted in November 1979, limited the eligibility of some private nonprofit sponsors which sponsored large programs and purchased meals from food service management companies. Implementing regulations further emphasized the State agencies' responsibility of attempting to locate high priority sponsors to administer the Program for sites in areas where poor economic conditions exist. These changes were intended to reduce mismanagement, waste, and abuse in the Program by more thoroughly screening applicant sponsors of large, vended Programs and to intensify the effort to locate the most capable sponsors to administer sites.

Public Law 96-499, enacted December 5, 1980, reauthorized the SFSP through FY 1984.

Public Law 97-35, enacted August 13, 1981, limited the types of organizations eligible to sponsor the SFSP (only public entities, private nonprofit schools and camps); changed eligibility criteria based on income; changed eligibility criteria for areas of economic need (50 percent of the children in the area must qualify for free or reduced price meals instead of one third); limited the ability of the Department to administer the Program previously administered by State agencies; affected claims settlement; eliminated dual participation in the SFSP and the Special Milk Program; and changed the free meal policy procedures at enrolled sites. This law changed the Program by:

- Requiring that open sites operate only in areas in which 50 percent of the children served were eligible for free or reduced price lunches.
- Restricting sponsorship to public or private nonprofit school food authorities, State, local, municipal, or county governments, and camps.
- Specifying that government sponsors must directly operate the Program at their sites.
- Prohibiting simultaneous participation in the Special Milk Program and the SFSP.

Public Law 97-365, enacted October 25, 1982, the Debt Collection Act of 1982, provided specific legislative authority in Section 10 for the head of an agency or his designee, after determining that a claim is valid and overdue, and had sent written notification informing the individual that the claim was overdue, may attempt to collect such a claim by means of administrative offset. However, if the claim had been outstanding for more than

SFSP Legislative History, Continued

10 years, it cannot be collected by means of administrative offset.

Public Law 97-370, enacted December 18, 1982, established that only final reimbursement claims for service of meals and supplements submitted to State agencies by eligible summer camps, and service sponsors within 60 days following the claiming month shall be eligible for reimbursement. Furthermore, States may receive Program funds for meals and supplements served during any month, only if the final Program operations report for such month was submitted to the Department within 90 days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary.

Public Laws 99-500, enacted October 18, 1986, and 99-591, enacted October 30, 1986, reauthorized the SFSP through FY 1989 and made several changes which included (1) authority for sponsors which were school food authorities to use facilities, equipment and personnel in support of a nonprofit nutrition program for the elderly; and (2) automatic (or "categorical") free meal eligibility to children from households receiving Food Stamps or Aid to Families with Dependent Children.

Public Law 100-435, enacted on September 19, 1988, expanded the definition of an eligible SFSP sponsor to include public and private colleges and universities which are participating in the National Youth Sports Program (NYSP). Previously, public colleges and universities in the NYSP were able to participate only if they qualified as a unit of State or local government.

Public Law 101-147, enacted November 10, 1989, reauthorized the SFSP through FY 1994 and included several significant provisions such as readmitting private nonprofit organizations (other than those currently eligible under the law) as eligible to participate in the Program under a number of specific conditions. It also required State agencies to implement expanded outreach, training and monitoring for these organizations and reserved one-half of one percent of Program funds for those monitoring and training functions. The law allowed SFSP sponsors participating in the NYSP to receive reimbursement for meals served to NYSP participants on a year-round basis, subject to certain conditions. It provided eligibility for providers who provide a regularly scheduled food service primarily for homeless children to participate as sites in the Program.

Public Law 103-448, enacted November 2, l994, reauthorized the SFSP through FY 1998 and:

- Revised the priority list used by States to approve sponsor applications.
- Removed the one year waiting period for a private nonprofit to sponsor the SFSP in an area previously served by a school or public entity.
- Allowed the SFSP to operate at non-school sites at times other than during summer vacation when there are school closures for specified causes.
- Reduced State requirements on collecting and reporting information on food service management companies.

SFSP Legislative History, Continued

- Reduced the information needed in State Management and Administration Plans.
- Removed requirements for certain warning penalties on sponsor applications.
- Established start-up and expansion grants for the SFSP.

Public Law l04-193, enacted August 22, l996, made offer versus serve available to SFA sponsors operating SFSP at school sites which implement that option during the school year.

Public Law 105-336, enacted October 31, 1998, reauthorized the SFSP through FY 2003 and:

- Amended conditions for private nonprofit organizations, such as modifying the limits on the numbers of sites and children served, allowing the purchase of meals from commercial vendors, and eliminating the March 1 indication of sponsor interest requirement.
- Expanded the availability of the offer versus serve option to all sites sponsored by a SFA.
- Required a single permanent State/local agreement for all CN Programs operated by the SFA.
- Removed the Federal requirement for registering food service management companies, however, States are allowed discretion to require it.
- Removed the requirement that USDA maintain a list of food service management companies that have been seriously deficient while participating in SFSP.
- Consolidated the administration and delivery of benefits to homeless children under a single program (i.e. moving homeless sites from SFSP into CACFP).
- Established upward adjustments to reimbursement rates for Alaska and Hawaii.

Public Law 106-554, enacted December 21, 2000, authorized SFSP pilot projects such as the "Simplified" Summer Food Program pilot project to increase the number of children participating in the SFSP in States with low participation rates, eliminating cost accounting required procedures. It enabled public and certain other sponsors in 13 States and Puerto Rico to be reimbursed based on the number of meals served without a monthly comparison of actual costs and the sponsors' approved budget to the "per meal rate". It also allowed these sponsors to use administrative funds to pay for program operational expenses and vice versa.

Public Law 108-265, enacted June 30, 2004, reauthorized the SFSP through FY2009 and:

- Added the Seamless Summer Option for school food authorities.
- Established the "Simplified Summer Food Program" (no longer a pilot project), expanding it to six more States and to private nonprofit sponsors.
- Streamlined the application process for both families and schools by requiring a single free and reduced price application for each household, and making each application or direct certification valid for 12 months.

Public Law 110-161, enacted December 26, 2007, extended the Simplified SFSP to all sponsors in all States nationwide, allowing all sponsors to receive the maximum "meals times rates" operating and administrative

SFSP Legislative History, Continued

reimbursements without regard to their actual costs. Sponsors may combine their reimbursements to pay for any allowable cost, whether operating or administrative.

Public Law 111-296, enacted December 13, 2010, the Healthy, Hunger-Free Kids Act (HHFKA), reauthorized the SFSP through FY 2015 and:

- Redefined the eligibility requirements for private nonprofit organizations to be eligible to participate in the SFSP according to the same terms and conditions as other service institutions.
- Required State agencies to ensure that school food authorities cooperate in the distribution of materials to families informing them of the availability and location of SFSP meals.
- Required permanent operating agreements between the institution and the State agency, being amended as necessary.

In addition, FNS Child Nutrition Division has issued policy memos to expand Program access by providing flexibilities (issued waivers related to meal time restrictions and site monitoring requirements) allowed within the confines of current law.

SUMMER FOOD SERVICE PROGRAM

Sponsor Administrative Review Report

Date of Review:	Agreement #:	Name of Address and Sponsor:
Names/Titles of Persons Interviewed:		
Names of Reviewer(s):		Period of Operation: Beginning Date: _____ Ending Date: _____
Number of Sites or Camp Sessions: Urban _____ Rural _____ Total _____		Type of Sponsor: ☐ School ☐ Government ☐ Res/Non-Res Camp ☐ Upward Bound ☐ Private Non-Profit ☐ Private Non-Profit (Faith-based)
Number of sites by type: Open _____ Enrolled/Area Eligible _____ Closed Enrolled _____ Migrant _____ Camp _____		
Type of Food Service - # sites each type: ☐ Vended _____ ☐ Self-prep/On-site _____ ☐ Self-prep/Satellite _____		

TRAINING	YES	NO
Does the sponsor have documentation of training, including topics, dates and names of personnel who attended?		
Does the documentation show that all site personnel were trained before they undertook site responsibilities?		

MONITORING	YES	NO
Were all required visits conducted and documented?		

	Number
Number of Sites or camp sessions	
Number of Pre Operational Visits	
Number of 1st-Week Visits*	
Number of Site Reviews (during 1st four weeks)	

Comments: If sponsor used waiver of 1st week visits for some sites (see SFSP Memo 12-2011), does it have documentation that visits and reviews from the previous year disclosed no significant findings. Do such sites have the same site supervisors?

Has the sponsor taken corrective action on problems identified?		

SAMPLE

Sponsor Administrative Review Report, Continued

SITE ELIGIBILITY	YES	NO	N/A
Does the sponsor have the required documentation to establish the eligibility of each ***open,*** and/or ***migrant*** site?			
Are all of the sites being operated by the sponsor approved? (if NO, complete the following chart)			

Unapproved Site Name or #	Meals Recorded as Served to Date			
	Breakfasts	Lunches	Suppers	Snacks

For enrolled sites, were all the applications approved correctly? (If NO, record the errors in Explanatory Comments section at the end of this form.)			
Did all of the enrolled sites meet the 50% eligibility requirement? (If NO, complete the chart below)			

Site Name or #	Total Enrolled	Total Elig Apps on File	Meals Recorded as Served to Date			
			Breakfasts	Lunches	Suppers	Snacks

For CAMPS - Complete the following chart:

Dates of Sessions		Total Enrolled Children	Total Apps on File	Total # of Eligible Children	
From	To			Sponsor	Reviewer

SAMPLE

Sponsor Administrative Review Report, Continued

FOOD SERVICE	YES	NO	N/A
Review menus, meal production records (if available), or food purchase receipts. Do these records show that all meals contained all components and that the serving sizes met the meal pattern requirements? Are non-creditable food items included on menus as additional foods (see SFSP Memo 06-2012)? (Note any discrepancies in Explanatory Comments section at the end of this form.)			
Do sponsors with vended sites have delivery receipts to support meal counts reported for each site? If NO, record Meal Type, # of Meals Delivered, # of Meals Recorded and the Difference in Explanatory Comments section at the end of this form.			
Does the sponsor's meal adjustment procedure meet the objective of serving only one meal to each child for each meal service?			
Did the sponsor implement offer vs. serve? Were problems noted on site reviews?			

VENDED SPONSORS	YES	NO	N/A
Was vendor contract competitively procured?			
Are unitized meals provided?			
Does the price per meal include delivery?			

SELF-PREPARATION SPONSORS	YES	NO	N/A
Does the sponsor receive USDA commodities?			
If YES, are records maintained that show the receipt?			

MEAL COUNT RECORDS	YES	NO	N/A
Does the sponsor have meal counts from individual sites/camp sessions?			
Do the meal counts show a different number of meals claimed each day?			
Comments:			
Do the sponsor's records show a consolidated count totaling daily meals served, at all sites or for all camp sessions, for all meal types, including:			
• First meals served to children			
• Second meals served to children			
• Meals served to program adults			

SAMPLE

Sponsor Administrative Review Report, Continued

MEAL COUNT RECORDS	YES	NO	N/A
• Meals served to non-program adults			
• Excess/leftover meals			
• Other non-reimbursable meals			
Are the sponsor's consolidated counts accurate; i.e., do the sponsor's consolidated counts reconcile with sites'/camp sessions' reported counts?			
Were all meal counts documented by FNS staff during site reviews correctly reported by the site and correctly claimed by the sponsor? If not, write a narrative and duplicate examples.			
Are all the meals claimed authorized by meal type for each site or camp session? If NO, complete the chart below)			

Site Name or #	Unauthorized Type Meals Recorded To Date			
	Breakfasts	Lunches	Suppers	Snacks

COSTS	YES	NO	N/A
Does the sponsor have documentation to support:			
• Food Costs			
• Employee time and salaries for program operation			
• Non-food costs			
• Employee time and salaries for program administration			
• Other approved administrative costs			
• Utility costs and the method for prorating them			
Are all costs allowable? Did costs include additional non-creditable foods items? See SFSP Memo 06-12, Serving Additional Foods in the Summer Food Service Program, http://www.fns.usda.gov/serving-additional-foods-summer-food-service-program			

SAMPLE

Sponsor Administrative Review Report, Continued

AUDIT	YES	NO	NA
Does the sponsor receive more than $750,000 in TOTAL Federal financial assistance?			
If YES, has the sponsor met the audit requirement?			
Were there any SFSP related audit recommendations that were not implemented? Describe in Explanatory Comments at the end of this form.			

CIVIL RIGHTS	YES	NO	NA
Is the "...And Justice for All" or FNS approved poster on display?			
Does the sponsor have a need for providing materials regarding the availability and nutritional benefits of the Program in other languages?			
If YES, do they have the capability to translate the materials?			
Does the sponsor provide a nondiscrimination statement and a procedure for filing a complaint concerning the Program?			
Does the sponsor retain a copy of their public announcement made regarding admission to the Program regardless of race, color, sex, age, disability or national origin?			
Has the sponsor collected racial/ethnic data for each site or camp session?			
Does the sponsor retain these data for the required three years?			
Are there any requirements or procedures which restrict or deny enrollment on the basis of any of the protected classes?			
Based on observation does the sponsor appear to be in compliance with Title VI of the Civil Rights Act of 1964? If NO, explain in Explanatory Comments at the end of this form.			

SAMPLE

Sponsor Administrative Review Report, Continued

EXPLANATORY COMMENTS

SAMPLE

Sponsor Administrative Review Report, Continued

ADMINISTRATIVE WEAKNESSES	RECOMMENDATIONS FOR CORRECTIVE ACTION

SAMPLE

State agency reviewer _____ Date _____

Sponsor Representative _____ Date _____

SUMMER FOOD SERVICE PROGRAM

Site Operational Review Report

Date: _____ Agreement No: _____ Site No: _____

Site Name and Address:

_____

Food Service Type: ☐ Commercially Vended ☐ Vended by School Food Service	☐ Self-Prep On-Site ☐ Self-Prep Satellite
Type of Site: ☐ Open ☐ Enrolled/Area Eligible ☐ Closed Enrolled	☐ Open Restricted ☐ Camp ☐ Migrant
Sponsor: _____	Reviewer: _____
Reviewer's Arrival Time : _____	Reviewer's Departure Time: _____

Meal Observed: _____ Approved Time: _____ Estimated ADP or CAP: _____

MEAL SERVICE OBSERVATIONS	YES	NO	N/A
1. Is the procedure used to determine the number of meals prepared or ordered adequate to meet the objective of serving only one meal to each child?			
2. Has the number of meals prepared (or ordered & delivered) been adjusted at this site/camp session?			
3. Were the meals delivered at correct temperature, in acceptable condition and within one hour of meal service (unless adequate refrigeration is available)?			
4. Are holding facilities adequate?			
5. Does the number of meals on the delivery receipt match the number received?			
6. Does the site supervisor check all deliveries for completeness and spoilage?			
7. Does the site supervisor sign, date, and maintain a record of delivery receipts?			
8. Are acceptable sanitary procedures followed in all aspects of meal preparation and service?			
9. Has the State/local health department visited the site? If YES, note any cited deficiencies which have not been corrected on back.			

SAMPLE

Site Operational Review Report, Continued

MEAL SERVICE OBSERVATIONS	YES	NO	N/A
10. Were all required items served and did serving sizes meet meal pattern requirements?			
11. Did sponsor request approval to implement offer vs. serve at this site?			
12. If yes, was offer vs. serve properly implemented? (See SFSP Memo 06-2017, *Meal Service Requirements in the Summer Meal Programs, with Questions and Answers - Revised*, December 05, 2016).			
13. Does the meal count procedure yield a reliable count of reimbursable meals? If NO, explain.			
14. Review meal documentation for the past five days. Are first meals on the day of review consistent with number of meals served on previous days? If NO, note on back the explanation for the inconsistency.			

Date						Average Total
# first served						

15. Does the site supervisor turn in meal count documentation to the sponsor at least once a week?			

MEAL COUNT FOR DAY OF REVIEW	REVIEWER'S COUNTS		Records Maintained YES	NO	N/A
Meals delievered of prepared					
Meals carried over from previous day					
	Total meals available				
First meals served					
Second meals served					
	Total reimbursable meals				
Program adult meals					
Non-program adult meals					
Other non-reimbursable meals					
Unserved/excess/leftoer meals					
	Total non-reimbursable meals				

SAMPLE

Site Operational Review Report, Continued

INELIGIBLE MEALS	YES	NO
Were any meals found to be ineligible? If YES, indicate the number of ineligible meals by reason below.		
Reason	# of ineligible meals	
Served outside approved meal service timeframe		
Missing and/or inadequate components		
Consumed off site		
Non-unitized		
Served to adults, but included in count of reimbursable meals		
Other disallowances (explain)		
Total meals disallowed		

MEAL COMPONENTS ACTUALLY SERVED

Meal Pattern Used: ☐ SFSP ☐ SBP/NSLP ☐ CACFP

MENU	FOOD USED	SERVING SIZE
Meat or meat alternate		
Vegetables & fruits		
Vegetables & fruits		
Bread or bread alternate		
Milk as a beverage		
Other foods		

EXPLANATORY COMMENTS

SAMPLE

SUMMER FOOD SERVICE PROGRAM

Site Operational Review Report, Continued

Site Name/Number

_____

VERIFIED NUMBER OF MEALS SERVED TO ELIGIBLE CHILDREN ON DAY OF REVIEW	
FIRSTS	**SECONDS**
OPERATIONAL WEAKNESSES	**RECOMMENDATIONS**

SAMPLE

_____ _____

State agency reviewer Date

_____ _____

Site Supervisor Date

SUMMER FOOD SERVICE PROGRAM

Civil Rights Data Collection Form for Site Review Report

FOR SPONSOR USE ONLY

Sponsor:_____Site:_____

Note: Any review of a site having only one race should include a statement indicating the general racial composition of the area the site serves.

Important: All line items on this page MUST be answered NUMERICALLY (No percentages) DO NOT use words "ALL" or "NONE"

The Racial Data Collection Form should be retained with the Site Operational Review Report.

1. Actual Current Attendance By Racial/Ethnic Group

Ethnic Categories	Number or Participating Children
Hispanic or Latino	
Non-Hispanic or Latino	

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."

Racial Categories	Number or Participating Children*
American Indian or Alaska Native	
Asian	
Black or African American	
Native Hawaiian or Other Pacific Islander	
White	

- **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" 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.

SAMPLE

SUMMER FOOD SERVICE PROGRAM

Civil Rights Data Collection Form for Site Review Report, Continued

2. Are admission and placement criteria and procedures nondiscriminatory?	☐ Yes ☐ No
3. Is "...And Justice For All" or FNS-approved poster displayed in a prominent location for all to see?	☐ Yes ☐ No
4. Is there any separation by race, age, sex, disability, color, or national origin? (if yes, explain in *Explanatory Comments* section of the **Site Operational Review Report**)	
A. In eating area?	☐ Yes ☐ No
B. In serving lines?	☐ Yes ☐ No
C. In seating arrangements?	☐ Yes ☐ No
D. In assignment of eating period?	☐ Yes ☐ No
5. Are all services and facilities used routinely by all persons without regard to age, sex, disability, race, color, or national origin? (E.g. social recreational areas, study areas, lavatories, waiting rooms, chapels, playgrounds, etc.?)	☐ Yes ☐ No
6. In the opinion of the reviewer based on information obtained by personal observation, does the site appear to be in compliance with Title VI of the Civil Rights Act of 1964? If No, indicate in *Explanatory Comments* section of the **Site Operational Review Report**: A. The areas of noncompliance, and B. Recommendations for corrective action and follow-up	☐ Yes ☐ No
7. If needed, is information provided in the appropriate translations concerning the availability and nutritional benefits of the SFSP, as required by FNS Instruction 113?	☐ Yes ☐ No
8. Is the nondiscrimination statement and the procedure for filing a complaint included in the SFSP information to parents of beneficiaries or potential beneficiaries, as required by FNS Instruction 113?	☐ Yes ☐ No

Remarks: Explain any special circumstances in Explanatory Comments section of the Site Operational Review Report.

SAMPLE

Civil Rights Data Collection Form for Site Review Report, Continued

INSTRUCTIONS

Visual observation may be used to determine a beneficiary's racial and ethnic category or the parents of a beneficiary may be asked to identify the racial and ethnic group of their child(ren). 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 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 minimum designations for collection are:

A. Ethnicity:

1. **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."
2. **Not Hispanic or Latino.**

B. Race:

1. **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.
2. **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.
3. **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" can be used in addition to 'Black or African American.'
4. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
5. **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

SUMMER FOOD SERVICE PROGRAM

Food and Nutrition Service Regional Offices

Mid-Atlantic Regional Office
Mercer Corporate Park
300 Corporate Boulevard
Robbinsville, NJ 08691-1518
(609) 259-5025

Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Puerto Rico, Virgin Islands, Virginia, West Virginia

Midwest Regional Office
77 West Jackson Boulevard
20th Floor
Chicago, IL 60604-3507
(312) 353-6664

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Mountain Plains Regional Office
1244 Speer Boulevard
Suite 903
Denver, CO 80204-3581
(303) 844-0354

Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming

Northeast Regional Office
10 Causeway Street
Room 501
Boston, MA 02222-1069
(617) 565-6370

Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont

Southeast Regional Office
61 Forsyth Street SW
Room 8T36
Atlanta, GA 30303-3427
(404) 562-1801/1802

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Southwest Regional Office
1100 Commerce Street
Room 522
Dallas, TX 75242-9800
(214) 290-9925

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Western Regional Office
90 Seventh Street
Suite 10-100
San Francisco, CA 94103
(415) 705-1310

Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Washington, Guam Trust Territories, Commonwealth of the Northern Mariana Islands, American Samoa

State Agency Contact Information

Alabama Department of Education
http://www.alsde.edu/
Phone: 334-242-1988
Fax: 334-353-5388

Alaska Department of Education & Early Development
http://www.eed.state.ak.us/tls/cnp/
Phone: 907-465-4788
Fax: 907-465-8910

Arizona Department of Education
http://www.azed.gov/health-nutrition/
Phone: 602-542-8700
Fax: 602-542-3818

Arkansas Department of Human Services
https://dhs.arkansas.gov/dccece/snp/WelcomeSNPM.aspx
Phone: 800-482-5850 ext 28869
Fax: 501-682-2334

California Department of Education
http://www.cde.ca.gov/fg/aa/nt/
Phone: 800-482-5850 ext 28869
Fax: 501-682-2334

Colorado Department of Education
http://www.cde.state.co.us/index_nutrition.htm
Phone: 303-866-6934
Fax: 303-866-6663

Connecticut Department of Education
http://www.sde.ct.gov/sde/site/default.asp
Phone: 860-807-2050
Fax: 860-807-2127

DC Office of the State Superintendent of Education
http://www.osse.dc.gov
Phone: 202-741-5252
Fax: 202-724-7656

Delaware Department of Education
http://www.doe.k12.de.us
Phone: 302-735-4060
Fax: 302-739-4654

Florida Department of Agriculture & Consumer Services
http://www.freshforfloridakids.com/
Phone: 800-504-6609
Fax: 850-617-7402

Georgia Department of Early Care and Learning
http://decal.ga.gov/
Phone: 404-656-5957
Fax: 404-651-7184

Hawaii Department of Education
http://ohcnp.k12.hi.us/programs/index.htm
Phone: 808-587-3600
Fax: 808-587-3606

Idaho Department of Education
http://www.sde.idaho.gov/site/cnp/
Phone: 800-432-4601
Fax: 208-334-2228

Illinois State Board of Education
http://www.isbe.state.il.us/nutrition/default.htm
Phone: 800-545-7892
Fax: 217-524-6124

Indiana Department of Education
http://www.doe.in.gov/student-services/nutrition
Phone: 317-232-0850
Fax: 317-232-0855

Iowa Department of Education
http://educateiowa.gov/
Phone: 515-281-4757
Fax: 515-281-6548

Kansas Department of Education
http://www.kn-eat.org/CNW/CNW_Menus/index.htm
Phone: 785-296-2276
Fax: 785-296-0232

Kentucky Department of Education
http://education.ky.gov/federal/SCN/Pages/Summer-Food-Service-Program-(SFSP).aspx
Phone: 502-564-5625
Fax: 502-564-5519

Louisiana Department of Education
http://www.louisianabelieves.com/
Phone: 225-342-3720
Fax: 225-342-3305

Maine Department of Education
http://www.maine.gov/doe/
Phone: 207-624-7909
Fax: 207-624-6841

Maryland Department of Education
http://marylandpublicschools.org/MSDE/programs/schoolnutrition/index.html
Phone: 410-767-0199
Fax: 410-333-2635

Massachusetts Department of Elementary & Secondary Education
http://www.doe.mass.edu/cnp/nprograms/sfsp/
Phone: 781-338-6480
Fax: 781-338-3399

Michigan Department of Education
http://www.michigan.gov/mde/0,4615,7-140-66254---,00.html
Phone: 517-373-4013
Fax: 517-373-4022

Minnesota Department of Education
http://education.state.mn.us/MDE/JustParent/SchSummerMeal/
Phone: 651-582-8543
Fax: 651-582-8501

Mississippi Department of Education
http://www.mde.k12.ms.us/OCN/SFSP
Phone: 601-576-5005
Fax: 601-576-1417

Missouri Department of Health & Senior Services
http://www.dhss.mo.gov
Phone: 573-751-6269
Fax: 573-526-3679

Montana Division of Health Enhancement and Safety
http://opi.mt.gov/Programs/SchoolPrograms/School_Nutrition/Summer.html
Phone: 406-444-2501
Fax: 406-444-2955

Nebraska Department of Education
http://www.education.ne.gov/NS/index.html
Phone: 402-471-3566
Fax: 402-471-4407

Nevada, Department of Agriculture
http://nutrition.nv.gov/Programs/Summer_Food_Program_(SFSP)/
Phone: 775-353-3600
Fax: 775-353-3661

New Hampshire Department of Education
http://education.nh.gov/program/nutrition/food_svc.htm
Phone: 603-271-3494
Fax: 603-271-1953

New Jersey Department of Agriculture
http://www.state.nj.us/agriculture/divisions/fn/
Phone: 609-984-0692
Fax: 609-984-0878

New Mexico Children Youth & Families Department
https://cyfd.org/family-nutrition
Phone: 505-827-9961
Fax: 505-827-9957

New York Department of Education
http://portal.nysed.gov/portal/page/portal/CNKC
Phone: 518-473-8781
Fax: 518-473-0018

North Carolina Department of Public Instruction
http://childnutrition.ncpublicschools.gov/programs/summer-nutrition-opportunities
Phone: 919-807-3507
Fax: 919-807-3516

North Dakota Department of Public Instruction
http://www.dpi.state.nd.us/child/programs.shtm
Phone: 701-328-4565
Fax: 701-328-2461

Ohio Department of Education
http://education.ohio.gov/Topics/Other-Resources/Food-and-Nutrition/Summer-Food-Service-Program/2015-Summer-Food-Service-Program
Phone: 877-644-6338
Fax: 614-752-7613

Oklahoma Department of Education
http://sde.ok.gov/sde/summer-food-service-program
Phone: 405-521-3327
Fax: 405-521-2239

Oregon Department of Education
http://www.ode.state.or.us/search/results/?id=208
Phone: 503-947-5600
Fax: 503-378-5156

Pennsylvania Department of Education
http://www.education.pa.gov/Teachers%20-%20Administrators/Food-Nutrition/Pages/Summer-Food-Service-Program.aspx#.VtmbRFVOmpo
Phone: 800-331-0129
Fax: 717-787-7698

Puerto Rico Child Nutrition Program
150 Federico Costa St.
Phone: 787-773-6273
Fax: 787-753-8155

Rhode Island Department of Education
http://www.ride.ri.gov/cnp/NutritionPrograms/SummerFoodServiceProgram.aspx
Phone: 401-222-4253
Fax: 401-222-6163

South Carolina Department of Education
http://ed.sc.gov/districts-schools/nutrition/summer-food-program/
Phone: 803-734-8194
Fax: 803-737-4148

South Dakota Department of Education
http://doe.sd.gov/cans/sfsp.aspx
Phone: 605-773-4746
Fax: 605-773-6846

Tennessee Department of Human Services
http://www.tn.gov/humanservices/article/css-summer-food-service-program
Phone: 615-313-4749
Fax: 615-741-4165

Texas Department of Agriculture
http://www.squaremeals.org
Phone: 877-839-6325
Fax: 888-203-6593

Utah State Office of Education
http://www.schools.utah.gov/cnp/
Phone: 801-538-7513
Fax: 801-538-7883

Vermont Department of Education
http://education.vermont.gov/nutrition/summer-food-programs
Phone: 802-479-1207
Fax: 804-479-1822

Virgin Islands Department of Education
http://www.vide.vi/
Phone: 340-774-0100, ext 2811
Fax: 340-774-9705

Virginia Department of Health
http://www.vdh.virginia.gov/livewell/programs/sfsp/
Phone: 804-864-7800
Fax: 804-864-7853

Washington Office of Superintendent of Public Instruction
http://www.k12.wa.us/childnutrition/
Phone: 360-725-6200
Fax: 360-664-9397

West Virginia Department of Education
http://wvde.state.wv.us/child-nutrition/
Phone: 304-558-2708
Fax: 304-558-1149

Wisconsin Department of Public Instruction
http://dpi.wi.gov/community-nutrition/sfsp
Phone: 608-266-7124
Phone: 608-267-9123

Wyoming Department of Education
https://edu.wyoming.gov/beyond-the-classroom/nutrition/summer-food/
Phone: 307-777-7168
Fax: 307-777-8924

USDA

United States Department of Agriculture