Reply to
Attn. of: SFSP-175

Subject: Summer Food Service Program (SFSP) Policy Memoranda

To: STATE AGENCY DIRECTORS
(Special Nutrition Programs) Colorado ED, Iowa, Kansas, Missouri DH,
Montana OFI, Nebraska ED, North Dakota,
South Dakota, Utah, and Wyoming DHSS

Attached are questions and answers that have been received from State Agencies
and Field Offices since our memorandum, SFSP-171, dated July 2, 1992. Please
contact my staff at (303) 844-0359 if you need further clarification.

Mary Nelson
ANN C. HECTOR
Regional Director
Special Nutrition Programs

Attachment
1. Q. An SFSP sponsor is considering closing a site because of a crime related incident. If a police report is written on the child, can the child be forbidden "entry" in the future and would there be a civil rights problem with forbidding an individual on the premises of an open site?

A. Yes, the child can be forbidden on the premises, and no, this would not be a civil rights violation. We suggest, however, that the sponsor issue an announcement covering all sites. It should inform participants that if they cause problems that jeopardize the safety of others, they will be denied access to the premises.

2. Q. How much time does a sponsor have to document 50 percent eligibility of its enrolled site?

A. The sponsor can continue to accept free and reduced price (F/RP) applications from children enrolled at the site throughout the month. If by the time the sponsor submits a Claim for Reimbursement, 50 percent of the F/RP applications on file are eligible, then the site can claim all meals served during the report month, as long as the State Agency (SA) has given the sponsor prior approval to operate, contingent upon achieving 50 percent eligibility. The sponsor should be made aware that it is taking a chance of not being able to claim all meals served during this period if they do not receive eligible applications from at least 50 percent of its enrollees.

3. Q. Does the 2 percent second meal limit apply to a month or the entire SFSP?

A. The two percent limit applies to the claiming period [225.15 (b) (4)], not against the entire length of the SFSP.

4. Q. Because some of the SFSP participants leave the site before breakfast is served to attend a university program, the sponsor wants to serve breakfast on the school bus. The children are given a sack breakfast as they board the bus. Is this allowable?

A. This is allowable if the service of milk at an acceptable temperature is not a problem and there is adequate monitoring to ensure that meal counts are taken.

5. Q. A sponsor of a school site, which has less than 50 percent of the neighborhood children meeting the F/RP guidelines, wants to combine the migrant children with the year-round school children to bring the percentage above 50 percent. Would there be a problem with the school using this procedure to determine eligibility of the site?
A. Mixing school applications with migrant data, census tract data, etc., would not be an acceptable procedure. The sponsor should instead operate two sites. The neighborhood/year round children would attend an enrolled site while the second site would be a migrant site, with each using its own applicable data to document eligibility.

6. Q. A sponsor decided to shut down SFSP operations because of low participation; however, a review had been conducted prior to closure which revealed problems that required corrective action and resulted in disallowed meals. Must the SA pursue corrective action?

A. Since the site has already closed, it would not be necessary for the SA to continue to pursue corrective action; however, if the sponsor decided to submit a Claim for Reimbursement for the meals served prior to closure, the disallowed meals must be deducted. If the sponsor applies for participation in the future, before the SA can grant approval, the SA must ensure that necessary actions have been taken to correct all problems found the prior year.

7. Q. A sponsor is experiencing very low participation; therefore, it is considering moving the site outside to a lawn area next to the swimming pool. Is there a problem with the sponsor moving the site?

A. No, as long as prior approval is granted by the SA and the sponsor has a satisfactory method of meeting local health department standards for transporting the meals out to the site. It must ensure that meals will be served to the kids at the correct temperature.

8. Q. A residential camp site sponsored by a private nonprofit (PNP) organization wants to obtain meals from another PNP entity. Is this an allowable arrangement?

A. This arrangement is allowable in this situation. A PNP organization can provide meals obtained from another PNP organization to its residential camp sites but it cannot for its regular/non-camp sites.

9. Q. Is frozen juice bars and milk a creditable snack?

A. No. Although the juice is in a frozen form, "juice is juice" and it is still considered or treated the same as serving only liquid items. Juice cannot be served as the only other component with milk for the snack/supplement meal service.

10. Q. Are pop tarts creditable in the SFSP for snacks?

A. Yes, if enriched flour, etc., is listed as the first ingredient, it would be a creditable bread alternate.
11. Q. Can a family style meal service site claim second meals?

A. No. It would be too difficult for the sponsor to document that a full and complete meal with all components was served in the second meal(s) in a family style setting.