Reply to
Attn. Of: SFSP-382

Subject: Summer Food Service Program (SFSP) Questions and Answers

To: STATE AGENCY DIRECTORS - (Child Nutrition Programs)

Colorado ED, Iowa, Kansas, Missouri DH, Montana OPI, Nebraska ED, North Dakota, South Dakota, Utah

Attached are questions and answers that have been received from State Agencies since our memorandum, SFSP-348, dated August 14, 1998.

Please contact my staff at (303) 844-0359 if you need further clarification.

Ann C. DeGroat
Regional Director
Child Nutrition Programs

Attachment
SUMMER FOOD SERVICE PROGRAM (SFSP)
QUESTIONS AND ANSWERS
JUNE 1999

1. Q. Is a faxed signature okay for an agreement renewal?
   
   A. No. Although allowable for reimbursement claims, our position would be that original signatures are necessary for agreements. This is an official 'contract' between the State Agency (SA) and sponsor. Both the sponsor and the SA should have a copy with both original signatures on them and be retrievable for the required number of years.

2. Q. A new sponsor will operate in an area that was 50 percent eligible based on school data last year; however, the area is less than 50 percent this year. Since school data is good for two years, can the sponsor use last year's data?

   A. No. This is a new sponsor, and cannot use last year's school data.

3. Q. In the above situation census data is at 49 percent. Can individual Block Numbering Area (BNA) percentages be added then divided by the number of BNAs being used to establish eligibility?

   A. No. Adding and dividing percentages is not accurate. Gross numbers must be used.

4. Q. Can a School Food Authority (SFA) use Offer-vs-Serve (OVS) if it used an alternate meal pattern for the National School Lunch Program (NSLP) and will be using the SFSP meal pattern for the SFSP?

   A. Yes. The SFSP-360 eludes to the fact that Food Nutrition Service (FNS) is more comfortable with OVS by schools which are using the meal pattern that was used during the year, but does not directly speak to that issue. However, the 1999 SFSP Administrative Handbook specifically allows an SFA to implement OVS at lunch using the SFSP or alternate NSLP meal pattern.
5. Q. A private non-profit (PNP) sponsor vends meals from a SFA which uses OVS. Can the PNP sponsor use OVS?

A. No. SFSP-360 states: "In particular, non-school sponsors are not authorized to implement OVS at their sites.

6. Q. A school district has year-round school and operates a year-round SFSP. Normally, half of the students are in school and half are off. However, during Christmas-New Years break all students are off at the same time. Can meals be served and claimed to all students during this period?

A. No. Memorandum SFSP-361 states: "The primary purpose in permitting year-round SFSP...{is} to provide meal service to children...when a portion of the student body is on a non-traditional vacation break." We do not believe that an entire student body on a "traditional" break such as winter or spring break should be able to participate in a year-round SFSP during those days. Short periods such as teacher workdays or one/two day holidays would be allowable, but not winter or spring breaks. This situation is consistent with Section 13(c) of the National School Lunch Act which limits SFSP to the months of May through September, except in the case of service in institutions that operate food service programs for children on school vacation at any time under a continuous school calendar. SFSP-361 reflected this statutory intent in clarifying that it is permissible for an eligible open site serving off-track students to continue serving meals on days when on-track students were on school break. It also stated that such a site would not have to attempt to keep the normally on-track students from coming to the site. On the other hand, a closed enrolled site serving off-track students would NOT be eligible to serve on-track students who happened to be on school vacation.
7. A. An Upward Bound camp serves meals cafeteria style. Seconds are allowed, but not all children take a complete second meal. The director wants to just claim an extra 2 percent meals each month without taking a point of service.

Q. There is currently no policy that prohibits Upward Bound sponsors from claiming second meals. However, because it is a camp situation where only eligible children's meals can be claimed, the sponsor cannot automatically add 2 percent. The reason for allowing the claiming of second meals was to provide an avenue for sponsors to handle extra meals when they had attempted to produce one meal per child per day, but still had leftover meals. This is not necessarily the situation with most college cafeterias. The vendors normally prepare plenty of extra food so that children can go back for additional servings. Sponsors serving second meals must maintain accurate meal counts, insuring that complete second meals are served, and only eligible children's meals are claimed.

8. Q. Can an adult who reads to the participants prior to the meal be counted as a program adult?

A. No. Program adults are those involved in the purchasing, preparation, serving, clean-up, supervision, etc. of the food service. Reading to participants cannot be considered as necessary to the meal service.

9. Q. What is the responsibility for sponsors that may receive photocopies of Income Eligibility Forms (IEFs) from a school as allowed in SFSP-368?

A. The sponsor would need to be held responsible for IEF determinations for the SFSP if the sponsor receives a photocopy of the IEF. It would be in the best interests of the sponsor to re-evaluate the IEF for F/RP eligibility. If the sponsor notes that an IEF was incorrectly determined by the school and the child was not F/RP eligible, that IEF could not be used to count toward the F/RP part of the percentage. That IEF would have to count toward the paid part of the percentage.
10. Q. What is the sponsor's responsibility if the school provides a list of children and their classifications?

A. The sponsor would need to take that information at face value. If reviewers go to the school to look at the original IEFs and any were found to be incorrectly determined by the school, the sponsor would not be held liable if school errors dropped the sponsor below 50 percent eligibility at the site.

11. Q. A SFA sponsor wants to have separate feeding times for summer school children and area children. Their reasoning is to be able to get the summer school children back to class easier and to help make sure they don't lose children who decide they want to play with neighborhood children. Is this allowable?

A. No. If there is a capacity issue then shift feeding would be allowable. However, the school could not manipulate feeding times by letting the summer school children go to lunch first and call that the first shift. Meals must be on a first come, first serve basis.