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

To: STATE AGENCY DIRECTORS - (Child Nutrition Programs)

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

For your information, attached is a list of policy Q&As on the SFSP that we have compiled based on questions raised by state agencies since our last Q&A memorandum SFSP-424, issued May 5, 2001.

As you know, we periodically review questions asked by state agencies and issue a Q&A policy memorandum such as this. We will continue to transmit any National policies as the need arises.

If you have any questions, please contact our office.

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Child Nutrition Programs

Attachment
Summer Food Service Program (SFSP)
Questions and Answers
September 2001

Safety:

1. Q. A child has caused recurring disciplinary problems at a site. Is a police report necessary for the child to be banned from the site?

   A. The sponsor does not need to file a police report to ban a child from the site, but it must maintain documentation that explains why the child is not allowed to return to the site. The sponsor may not withhold a meal or milk as a means of punishment. However, disciplinary measures that indirectly result in the participant not receiving a meal are allowable.

Age and Categorical Eligibility:

2. Q. Upward Bound officials have allowed children to participate in their program when children are older than age 18. Can Upward Bound sponsors claim reimbursement for SFSP meals served to children who are older than 18?

   A. No, SFSP Regulations allow a child to participate through age 18 unless the participant is physically or mentally disabled.

Summer School Sites:

3. Q. Children attending a summer school attend other schools during the academic year. The school where summer sessions are provided in town is located in an income eligible area using academic year data. Will the school food authority (SFA) be able to operate an open site at the summer school?

   A. No. Open site eligibility is based on the area where children are drawn from. In this case, the children are not only neighborhood children, but children from all over town.
4. Q. A magnet school has over 50 percent free or reduced price (F/RP) eligibility during the academic year. Can a sponsor use that eligibility to operate an open site for neighborhood children in the SFSP?

A. No. A magnet school typically attracts children from a large area, perhaps the whole town. An open site located in a magnet school would need to submit eligibility documentation from a source other than the academic year F/RP data.

**Monitoring:**

5. Q. Does the SA need to request a waiver if it does not complete an administrative review of a SFA that received a satisfactory National School Lunch Program (NSLP) review?

A. The SA does not need to request a waiver to forgo a review for a SFA that received a satisfactory NSLP review in the same year. This discretion is provided to SAs in Section 225.7(d)(2). The SA must still review this SFA at least once every 3 years.

**Civil Rights:**

6. Q. Is it necessary for residential camp sponsors to gather racial/ethnic data for their campers in addition to the racial/ethnic data collected on the enrollment application?

A. No, the racial/ethnic data gathered on the application is sufficient for a camp sponsor.

**Site Eligibility:**

7. Q. A sponsor application is not approvable because a required piece of information is missing. The first day of meal service occurs before the application is approved. Can those meals be reimbursed when the application is approved?

A. No. The Regulations require in Section 225.9(d) that the sponsor must receive written confirmation that the site has been approved before meals are reimbursable at that site. The SA may not approve an application retroactively in the SFSP.
Procurement:

8. Q. If a SFA using a food service management company (FSMC) serves an alternate meal pattern during the academic year through the NSLP, can that same menu pattern be provided in the SFSP?

A. Section 225.16(f)(1) allows SAs discretion to approve or deny a SFA request to prepare a NSLP alternate meal pattern in the SFSP.

9. Q. In the above situation where the SFA is vending meals from a FSMC during the academic year, must the meals be unitized in the SFSP if the SFA has practiced offer-versus-serve (OVS) serve during the academic year?

A. If the SA allows the SFA to provide meals in the same manner as provided during the academic year, the NSLP meal pattern may be served, including OVS. It would not be possible to unitize meals in an OVS situation.

10. Q. What is the small purchase threshold?

A. SFSP-420 explains that $100,000 is the small purchase threshold for public, SFA and private nonprofit sponsors. If state or local laws establish a lower threshold, the lower threshold must be honored. Likewise, if a private nonprofit sponsor has a lower small purchase threshold noted in its by-laws, that lower threshold must be honored. Formal procurement practices must be implemented for any purchases over $100,000 or the lower small purchase threshold as established by individual state, local or private nonprofit rules.

Outreach:

11. Q. What information needs to be included in a media release?

A. Section 225.15(e) provides information about what should be included for different types of sites. In addition, FNS Instruction 113-8 VI B 1 and 2, describes civil rights information that should be included when SFSP information is provided to the public.
Reimbursement:

12. Q. If a sponsor receives income to the program, is that subtracted from the meal rates and a combination of operating and administrating costs? The sponsor would then receive the lesser of either one of those calculations?

A. Income is subtracted from a combination of operating and administrative costs. Any money donated specifically for food is to be considered income to the program, not just payments collected for meals not eligible for reimbursement. If a lump sum of money is earmarked for room and board, but the percentage or amount to be contributed to food is not identified, the whole amount would be considered income to the Program.

13. Q. Is it allowable for SA staff to correct a claim if the sponsor gives approval over the telephone? Or, may SA staff correct a claim if edits indicate what changes must be made to correct the error without contacting the sponsor?

A. The sponsor should correct the claim if it affects the level of reimbursement, not SA staff. Or, SA staff may make the correction and notify the sponsor it has the right to appeal the change(s) made to the claim by the SA.

14. Q. A sponsor wants to require background checks and drug tests for SFSP staff. Is this an allowable cost?

A. Costs must be necessary and reasonable for proper and efficient administration of the Program. Additional factors to be considered are provided in FNS Instruction 796-4, Revision 4 IX (A). Drug tests and background tests would not seem necessary and reasonable to the administration of the Program. The sponsor could require these tests, but they would not be funded through the SFSP.
Policy Statement:

15. Q. How often must the free and reduced price policy statement be collected in the SFSP? Policy Memorandum SFSP-306 prohibits SAs from requiring that sponsors submit a policy statement annually. However, Section 225.6(c)(4) requires non-school sponsors to provide a policy statement annually.

A. The Regulation citation was issued after Policy Memorandum SFSP-306. Section 225.6(c)(4) is the guidance that must be followed. A policy statement must be collected annually from non-school sponsors in the SFSP.