Subject: Summer Food Service Program (SFSP) Materials

To: STATE AGENCY DIRECTORS (Special Nutrition Directors) - Colorado ED, Iowa, Kansas, Montana OPI, Nebraska ED, North Dakota, South Dakota, Utah, and Wyoming DHSS

This memorandum is in response to the concerns expressed at the Regional Consultants meeting held in Salt Lake City, Utah, for additional guidance on new provisions in the Regulations. We are providing the following informational materials which we have developed concerning these provisions:

1. National Youth Sports Program - Academic Year
2. Homeless Feeding Sites
3. Private, Nonprofit Organizational Sponsors

If you have any questions regarding this material, please contact my staff at (303) 844-0359.

ANN C. HECTOR
Regional Director
Special Nutrition Programs

Attachments
National Youth Sports Program (NYSP) - Academic Year

Definition [225.2]

A NYSP operating during the academic year months of October through April to support anti-drug efforts.

Provisions [225.3(b), 225.6(b)(1) and 225.6(c)(2)(v)]

- The State Agency that administers the NYSP-academic year must be the same agency that administers the SFSP during the months of May through September.

- Sponsor application will not be required if the NYSP operated the SFSP during the summer months of May through September.

- Eligibility applications for children will not be required if the sponsor operated the SFSP during the months of May through September since applications would have been taken at that time.

Limitations [225.6(c)(2)(v), 225.9(d)(9-10) and 225.16(b)(3)]

- The NYSP-academic year may claim SFSP meals for no more than 30 days during October through April.

- The NYSP-academic year may serve up to two meals services daily, either a meal and a supplement or two meals.

- Only meals served to NYSP participants may be claimed.

Meal Patterns [225.16(d)(1) and (3) and 225.16(e)]

- The National School Lunch Program (NSLP) meal pattern must be used for lunches and suppers.

- The School Breakfast Program (SBP) meal pattern must be used for breakfasts and supplements.

- There can be no offer versus serve in the Program.
Reimbursement [225.9(d)(6),(7) and (10)]

- There will be a single per meal reimbursement (not separate operating and administrative ones).
- Lunches and suppers will be reimbursed at the free lunch rate under the NSLP.
- Breakfasts and supplements will be reimbursed at the free severe need rate under the SBP.
- NYSP-academic year will be exempt from basing claims on a comparison of costs to rates.

Monitoring [225.7(d)(2)]

- Effective FY 1991, one sponsor visit will be required and at least one of their sites must be reviewed.

Retroactive Reimbursement [225.18(i)]

- For NYSP-academic year sponsors that operated in FY 1990, retroactive reimbursement will be allowed.

- Documentation required for retroactive payments:
  - Site eligibility
  - Meal counts by type
  - Food service revenue and expenditure records that support claim for reimbursement
  - SFSP reimbursement does not duplicate other funding for the same meals
  - Meals claimed met the meal patterns in terms of items and quantities served.

- A Program agreement must be executed no later than 90 days after the date the Regulations were published (April 10, 1990).

- Submit a Claim for Reimbursement for each month within 30 days after the agreements was executed or no later than 60 days after the last day of the month covered by the claim, whichever is later.
SUMMER FOOD SERVICE PROGRAM  
Fiscal Year 1990  

Homeless Feeding Sites  

Definition [225.2]  
A facility whose primary purpose is to provide shelter and one or more meal services per day to homeless families and which is not a residential child care institution as defined in the National School Lunch Program regulations.  

Eligibility [225.14(d)(5) and 225.16(b)(2)]  
- Homeless children are the majority of children being served.  
- The site does not have to meet the requirement of at least 50 percent eligible children, or proving they serve areas in which poor economic conditions exist.  
- The sponsor of this type of site must be able to qualify as an eligible sponsor.  

Meal Service [225.16(c)(1-2)]  
- Eligible for up to two meal services a day.  
- All meals served to children, whether homeless or non-homeless, are eligible to be claimed for reimbursement.  
- Time restrictions for length of meal service or time between meals do not apply.  

Accountability [225.6(c)(2)(iv), 225.9(d) and 225.15(a)(2)]  
- Income accruing to the Program from any source for support of food service must be deducted from Program costs.  
- Sponsor must ensure that no cash payments, food stamps, or in-kind services are received for any Program meal served to the children.  
- Sponsor must ensure that meals claimed on the Program are not claimed under other Programs.
SUMMER FOOD SERVICE PROGRAM
Fiscal Year 1990

Private, Nonprofit Organization Sponsors

Definition [225.2]

An organization other than private nonprofit residential camps, school food authorities, or colleges or universities participating in the National Youth Sports Program, which is tax exempt under the Internal Revenue Code of 1986, as amended.

Limitations [225.6(b)(6), 225.6(c)(2)(X), 225.15(g)(3) and 225.14(d)(7)]

- Serves a total of not more than 2500 children per day.
- Administers the Program at no more than 5 sites in any urban area or 20 sites in any rural area.
- If operating both urban and rural the sponsor may serve a maximum of 20 sites total, of which no more than 5 may be urban.
- No more than 300 children can be served at any approved meal service at any one site without a waiver by the State Agency (SA) to serve up to 500 children at one site.
- Meals must be self-prepared or must be obtained from a public facility (such as school district, public hospital, or State university) or a school participating in the National School Lunch Program. A private Food Service Management Company may not be contracted.
- Operates in an area where no other type of sponsor wanted to operate a site.
- If site was sponsored by another type of sponsor in the prior year's Program, the SA must issue a waiver to private nonprofit organizations after analysis of situation indicated that prior year's sponsor would not have sponsored the site regardless of availability of a private nonprofit organization to sponsor the site.
- Must exercise full control and authority over the SFSP operation at all sites.
- Must provide an on-going year-round activity for children and families.
State Agency Outreach [225.6(a)(2-3)]

- SAs must contact previous year's sponsors by February 1 to determine interest in participating in current fiscal year.
- Previous year's sponsor should indicate their interest in participating by March 1, in writing.
- After responses from previous year sponsors are received, the SA must target any specific areas for outreach to private nonprofit organizations.
- Private nonprofit organizations should be formally contacted by the SA to determine interest in sponsoring Program.
- By April 25, private nonprofit organizations should provide to the SA in writing their interest to participate.
- By May 1 the private nonprofit organization should be notified of any sites or area which they had proposed to serve but would not be allowed to include in their application for sponsorship.

Priority System [225.6(b)(5)]

- If a public sponsor drops their sponsorship from SFSP then a private nonprofit organization must wait one year to sponsor that area which was covered by the public sponsor.
- In an extenuating circumstance the SA may waive the one year rule.
- The priority system, as outlined in the regulations must be applied if there is more than one sponsor requesting a site.

Management and Administration Plan (MAP) Requirements [225.4(d)(2) and (3)]

- In Fiscal Year 1991 private nonprofit organizations must be included in the MAP estimates.
- Include specific outreach efforts.
- Describe plans to inform private nonprofit organizations of their eligibility for Program sponsorship.

Applications and Program Forms [225.6(a)(5)]

- Department and SAs are required to develop application forms and other pre-application material which explain in bold lettering the criminal penalties for improper use of Program funds and the provisions for termination.
Training and Monitoring [225.7(a) and 225.7(d)(1)]

- Each SA is required to establish an ongoing training and technical assistance program which emphasizes Program regulations and accountability issues.

- Department will provide guidance to SAs on training needs.

- Pre-approval site visits are required for organizations who propose to serve a site which did not operate last year and sites with expected attendance of over 100 participants.

- Pre-approval visits will provide additional pre-operational training.

- Federal monitoring will supplement state monitoring.

- By May 1 the SA must send a list of potential private nonprofit organizations who responded to the state’s solicitation to the RO.

- Within 5 working days of approving a private nonprofit sponsor the SA will inform the RO and provide updated information regarding the approved sites.

- SA must visit sponsor which administers 10 or more sites and did not participate during the prior year. The visit must be during the first four weeks of program operation. At least 15 percent or at least one of the sites must be reviewed in this time frame.