



STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION



**TO:** Sponsors of the National School Lunch and Breakfast Programs

**FROM:** John Frassinelli, Chief   
Bureau of Health/Nutrition, Family Services and Adult Education

**DATE:** May 5, 2014

**SUBJECT:** **Operational Memorandum #33-14**  
Summer Feeding Options for School Food Authorities

The purpose of this memorandum is to present the options available to school food authorities (SFAs) for feeding children in the summer months through the Child Nutrition Programs (CNPs) administered by the Food and Nutrition Service. This memorandum also describes the simplified application and review procedures now available to SFAs participating in the National School Lunch Program (NSLP) or School Breakfast Program (SBP) that wish to apply for participation in the Summer Food Service Program (SFSP). This memorandum does not change the requirements related to the application of participating SFSP sponsors interested in applying to participate in the NSLP.

#### **Academic Summer School Programs**

Schools offering academic summer school programs may be reimbursed for serving meals during the summer in three ways, through the NSLP and SBP, the SFSP, or the NSLP Seamless Summer Option (SSO). Schools wishing to serve meals only to children enrolled in summer school programs may only receive reimbursement through the NSLP and SBP.

If, in addition to serving children enrolled in summer school, the school plans to serve children in the community at large, it may operate an open site through the SFSP or the SSO as described below. However, the SFA must ensure that these sites are open not only to children enrolled in summer school, but to any children residing in the area served by the site [7 CFR §225.14(d)(2)].

Please note, State agencies are not permitted to allow schools that provide summer school programs to enroll in the SFSP as a restricted open site instead of an open site, so that meals may be served only to summer school participants. This is not the intent of the restricted open site option and is an unauthorized use of this site designation. The purpose of the restricted open site designation in the SFSP is to allow sponsors that want to operate an open site to restrict or limit site participation due to reasons of space, security, safety, or control [7 CFR §225.2].

#### **Schools Serving Community Children**

If an SFA plans to offer summer meals to the community, the SFA may participate in either the SFSP or SSO as a sponsor. Both programs allow SFAs to feed children in low-income areas during the traditional summer vacation periods and, for year-round schools, school vacation periods longer than 15 school days. Only SFAs administering the NSLP or SBP may participate in the SSO. However, all SFAs may apply to participate in the SFSP. Under both programs, SFAs may sponsor school and non-school sites.

Site eligibility determinations in the SFSP and SSO are identical. Open sites must be located within the attendance area of a school where at least 50 percent of the children are eligible for free or

reduced price school meals, based on NSLP school meal data or census data, in order to qualify as area eligible. Sites that are not area eligible may operate as closed enrolled sites if at least 50 percent of the children enrolled at the site are approved for free or reduced price school meals [7 CFR §225.2].

### **Application Requirements**

Under both the SSO and SFSP, sponsors must be able to demonstrate financial and administrative capability for program operations [7 CFR §225.14(c) (1)]. Typically, SFAs participating in the NSLP and/or SBP have already demonstrated that they have the financial and administrative capability necessary to operate the NSLP. Therefore, SFAs currently in good standing in the NSLP or SBP are not required to submit further evidence of financial and administrative capability. An SFA is considered to be in good standing if it has been reviewed during the previous 12 months and had no significant deficiencies. However, the State agency has the discretion and is encouraged to, deny the applications or, at a minimum, require additional evidence of financial and administrative capability from SFAs that have had significant problems operating either the NSLP or SBP.

In addition, SFAs applying to operate the SFSP at the same sites where they provide meal services through the NSLP may follow the application requirements for experienced SFSP sponsors and sites instead of the application requirements for new sponsors and sites [7 CFR §225.6(c)]. However, these SFAs also will need to provide the following information:

- whether the site is rural or non-rural;
- whether the site's food service will be self-prepared or vended;
- if a migrant site, certification from a migrant organization that the site serves children of migrant worker families and that it primarily serves migrant children if it also serves non-migrant children; and
- if a homeless site, information demonstrating the site is not a residential child care institution, description of the method used to ensure that no cash payments or other in-kind services are used for meal service, and certification that the site only claims meals served to children.

SFAs wishing to participate in the SSO should refer to the [2014 Edition of Questions and Answers for the National School Lunch Program's Seamless Summer Option](#) for application requirements and detailed information regarding site eligibility. Please note, that previous participation in the SFSP is not a requirement for participating in the SSO.

### **Agreements**

State agencies that administer more than one CNP are required to enter into a single agreement with SFAs with respect to the operation of any combination of the CNPs [7 CFR §225.6(e)]. Therefore, if the same State agency administers both a SFSP and NSLP, SFAs interested in offering summer meals through the SFSP are required only to sign an addendum to the existing NSLP agreement.

### **Training**

SFAs participating in the NSLP are familiar with operating a federal CNP and 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 the necessary training. SFSP State agencies are encouraged to offer targeted training on the SFSP during NSLP trainings to eliminate the need for SFA administrative staff to attend a separate SFSP training.

### **Meal Reimbursement**

Meals provided under the SFSP and that comply with the SFSP meal patterns are reimbursed at the applicable SFSP rates. Eligible meals provided under the SSO, including those offered at non-school sites, are reimbursed at the NSLP and SBP free rates and must comply with the NSLP and SBP meal pattern requirements in place during the immediately preceding school year. This is an important distinction for SFAs to consider.

### **Procurement and Contracting Requirements**

SFAs may comply with the NSLP procurement standards found in 7 CFR §210.21 in lieu of SFSP procurement standards at 7 CFR §225.17. The NSLP has comprehensive requirements in these areas and compliance with the NSLP requirements satisfies the intent of the corresponding SFSP requirements and will simplify participation for SFAs.

Additionally, SFAs may comply with the NSLP requirements for contracting with Food Service Management Companies (FSMCs) outlined in 7 CFR §210.16 in lieu of the SFSP requirements at 7 CFR §225.15(h)(4)(i)-(xii). SFAs in exclusive year-round contracts with FSMCs are not required to use the standard contract developed by the State agency for the SFSP [7 CFR §225.6(h)]. 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 procurement document before the contract is awarded [7 CFR §225.15(h)(4)]. If the SFSP is added to an existing contract, it should be noted that this may represent a material change to the contract. For guidance regarding a material change, State agencies and SFAs are encouraged to refer to *Procurement Questions and Answers to Assist in the Implementation of the Final Rule titled Nutrition Standards in the National School Lunch and School Breakfast Programs*. SFAs that contract with FSMCs for some or all aspects of the management of the food service program may allow the FSMC to conduct the same activities for the SFSP that are performed for the NSLP. **SFAs should be reminded, however, that the SFA maintains responsibility for submitting claims and remains accountable for ensuring that all SFSP requirements are met.**

Please note that there is no Federal requirement that food inventories used for the various CNPs be stored separately. Additionally, SFAs are not required to allocate expenses to the separate CNPs. CNP reimbursements may be used to pay expenses related to any of the CNP. Indirect costs must be charged appropriately to the nonprofit school food service account. Please see the [indirect cost guidance](#) for more information.

### **Monitoring Requirements**

SFSP sponsors are required to visit each of their sites at least once during the first week of operation under the program. State agencies may waive the first week of operation visit requirement for SFA sponsors in good standing as described on the previous page. Although SFAs must ensure that each sponsored site is monitored as otherwise required during the period of operation, monitoring requirements of the SFSP sites may be aligned with those of the NSLP [7 CFR §225.15(d)].

Program regulations do not require State agencies to conduct pre-approval visits of SFA sponsors and school sites participating in the NSLP and that are in good standing as described above. However, State agencies may conduct pre-approval visits of such sponsors and sites at the agencies discretion [7 CFR §225.7(d)].

Operational Memorandum #33-14

May 5, 2014

Page 4

Where the same State agency administers both the SFSP and the school meal programs, monitoring of the financial management portion of the CNPs must be combined to ease the burden on SFAs and ensure that the complete nonprofit food service is reviewed.

Questions may be directed to Fionnuala Brown at 860-807-2129 or [fionnuala.brown@ct.gov](mailto:fionnuala.brown@ct.gov).

JF:fb

Important: This is a numbered Operational Memorandum that contains important program information. Please read carefully and retain in a binder for your future reference. Operational Memoranda are posted on the [Child Nutrition website](#).