



Unit 1: Participating in the Summer Food Service Program

2024

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Introduction

SFSP is a Federal program overseen by USDA's FNS, administered by States, and operated by community organizations. State agencies recruit organizations that already provide services to the community, have capable staff, and have good management practices to become Program sponsors. Some organizations may not have the capacity to sponsor the Program, but they can still participate in the SFSP by supervising a meal service along with recreational or enrichment activities at a site. Unit 1 explains how SFSP works, identifies the types of organizations that may sponsor the Program, and describes the various types of sites that can provide congregate and non-congregate meals to children. For term and acronym definitions in this unit, see *Introduction to the Summer Food Service Administration Guide* and *Appendix 1*, respectively.

How to Participate in the Summer Food Service Program

Role of the State Agency

7 CFR 225.3, 225.6(a)

State agencies enter into a written agreement with FNS to administer SFSP according to the regulations described in 7 CFR Part 225. The State education agency or another State agency may be designated to administer the Program. States may also elect to participate in other Child Nutrition Programs, including SSO and S-EBT.

State agencies:

- Implement Program outreach;
- Approve sponsor applications;
- Sign agreements with sponsors;
- Conduct training of sponsors;
- Monitor Program operations; and
- Process Program payments.

Outreach efforts must include identifying areas in which poor economic conditions exist, seeking eligible applicant sponsors, identifying rural areas with no congregate meal service, and targeting outreach efforts to priority areas. State agencies must employ qualified staff to effectively carry out Program responsibilities.

The State agency enters into a permanent written agreement with each approved sponsor to operate the Program. SFSP reimburses approved sponsors for serving meals that meet Federal nutritional guidelines. The State agency receives payments from FNS to provide reimbursement to sponsors. All meals are served free to eligible children.

Role of a Sponsor

7 CFR 225.2, 225.6(h)(1)(iv)

Sponsors must be organizations that are fully capable of managing a meal service program, follow regulations, and be responsible, financially and administratively, for operating the Program. For additional information on who can be a sponsor, see the *Sponsor Eligibility* section in this unit.

An organization that becomes a sponsor will:

- Attend State agency training;
- Locate and recruit eligible sites;
- Hire, train, and supervise staff and volunteers;
- Arrange for meals to be prepared or delivered;
- Monitor sites;
- Prepare claims for reimbursement; and
- Comply with civil rights requirements.

Sponsors may operate during the summer months when school is not in session, or during an unanticipated school closure, meaning any period from October through April, or any time of the year in an area with a continuous school calendar, during which children are not in school due to an emergency or unexpected incident that disrupts school meal programs.

Sponsors may operate SFSP at one or more sites for which they assume responsibility for the administration of SFSP. A sponsor may choose to operate a congregate meal service, in which meals are provided to children for onsite consumption in a supervised setting, a non-congregate meal service in which children consume all of the meal components off-site, or a combination of both. A site means the place where a child receives a Program meal. A site may be:

- A congregate indoor or outdoor location;
- A stop on a delivery route of a congregate mobile meal service;
- The distribution location for a non-congregate meal service, or
- The home delivery or mobile meal route for a non-congregate meal service.

For sponsors operating during an unanticipated school closure, the meal service must take place at non-school sites. A sponsor may prepare its own meals, purchase meals through an agreement with a local school, or contract to obtain meals through a food vendor.

Role of a Site

Sometimes organizations do not have the financial or administrative capability to manage the Program, but they can participate in SFSP by hosting a site. By hosting a site, an organization is responsible for supervising a meal service for children, along with any recreational or enrichment activities at that site.

An organization hosting a site will:

- Attend a sponsor training;
- Supervise activities and the meal service;
- Distribute meals by following SFSP guidelines;
- Keep daily records of meals served;
- Store food properly; and
- Keep the site clean and sanitary.

Participating as a Vendor

Organizations with existing kitchens and food service staff such as schools, food service companies, and public or private nonprofit institutions may participate in the SFSP as food vendors. A food vendor signs an agreement or a contract with a sponsor to provide prepared meals for SFSP sites. The vendor has no responsibility for administering the Program or operating the meal service at the site. A vendor will:

- Register with the state agency, if required;
- Meet appropriate health and sanitation standards;
- Prepare meals meeting Federal nutritional guidelines;
- Deliver meals on schedule;
- Keep delivery records; and
- Fulfill the terms of the agreement or contract.

Volunteer Opportunities

If an organization is unable to serve as a sponsor or food vendor, there are still ways to participate in SFSP. Volunteers provide a great support system for the Program. For additional information on opportunities for volunteers, see *Volunteer Opportunities* in Unit 3: Administering the SFSP.

Sponsor Identification and Eligibility

Potential sponsors should talk with the SFSP coordinator at the State agency to learn more about the Program and express their interest, find out if the community already participates in SFSP, talk with current or former sponsors to learn about the benefits and challenges of running the Program, and inquire about potential mentorship opportunities. Attending the annual training provided by the State agency will help an organization decide whether sponsoring SFSP is the right decision. For additional information about the State agency training, see *State Agency Training Requirements*, in Unit 2: Applying to the SFSP.

Potential sponsors are encouraged to talk with people in the community to help identify potential sites and partners. With the support of community organizations, sponsors can pick out potential areas where the organization could run a successful meal service program for children, then work closely with the State agency to determine if the potential sites are located in eligible areas. Once appropriate sites are selected, the organization should complete a sponsor application. For additional information about the application process, see *Application Requirements for New and Experienced Sponsors and Sites*, in Unit 2.

Sponsor Eligibility

7 CFR 225.2, 225.14(b)

A sponsor must be a public or private non-profit SFA; a public or private non-profit college or university that is currently participating in the NYSP; a public or private non-profit residential summer camp; a unit of local, municipal, county, Tribal or State government; or any other type of private non-profit organization.

Requirements for Sponsor Participation

7 CFR 225.2, 225.6(b)(4) and (9), 225.14(c) and (d), and 225.15(d)(2)

General Requirements

Conduct a Non-Profit Food Service

Sponsors must operate food services through SFSP that are not for-profit. A sponsor is operating a non-profit food service if the food service operations are principally for the benefit of participating children and all of the Program reimbursement funds are used solely for the operation or improvement of such food service.

Demonstrate Financial and Administrative Capability

Potential and returning sponsors must demonstrate that they have the necessary financial and administrative capability to comply with Program requirements. They must accept final financial and administrative responsibility for all their sites, in accordance with 7 CFR 225.6(d). For additional information on demonstrating financial and administrative capability, see *Viability, Capability, and Accountability* in Unit 2.

Serve Low-Income Children

Sponsors must agree to provide regularly scheduled meal service for children in designated low-income areas (called “areas in which poor economic conditions exist”), or for sites that qualify as a camp or a conditional non-congregate site. For more information on camps and conditional non-congregate sites see the section *Site Types and Eligibility* of this unit.

Not Be Seriously Deficient

No applicant can be approved if it has been declared seriously deficient or terminated from the SFSP or any other Child Nutrition Program in previous years. However, an applicant may be approved if the State agency determines that it has taken appropriate corrective actions to prevent recurrence of the deficiencies and has repaid any outstanding debts.

Exercise Management Control Over Sites

In general, sponsors must demonstrate that they have adequate supervisory and operational personnel for overall monitoring and management of each site, including a site supervisor, and adequate personnel to conduct the required visits and reviews.

Provide Year-Round Service

Sponsors must provide a year-round public service to the area in which they intend to provide the SFSP. However, the State agency may grant an exception if the sponsor:

- Operates a residential camp site.
- Operates a site that primarily serves children of migrant workers.
- Operates a site in an eligible area where children otherwise would not have Program access if not for this site.
- Operates a site in a lower-income area where a significant number of children will not have reasonable access to the Program.
- Proposes to serve an area affected by an unanticipated school closure.

Conduct Pre-Operational Visits

Before approving a site's application, sponsors must complete pre-operational visits for new sites, sites that experienced operational problems the previous year, and existing sites that are new to serving non-congregate meals. Sponsors must certify that the required pre-operational site visits have been conducted and that sites have the capability and the facilities to provide meal service for the number of children as planned.

Sign Written Agreements with the State Agency

An approved sponsor must sign a written, permanent agreement with the State agency, as required in 7 CFR 225.6(i). For additional information, see *State-Sponsor Agreement* in Unit 2.

Requirements for Certain Types of Sponsors

In addition to the general eligibility requirements for sponsors outlined above, there may be additional requirements depending on the type of sponsor that is operating the Program.

- If the sponsor administers the Program at sites that provide summer school sessions, it must ensure that these sites are open to children enrolled in summer school and to all children residing in the area served by the site.
- Sponsors which are units of local, municipal, county, or State government, and sponsors which are private non-profit organizations, must administer the Program at sites where they have administrative oversight.
- If the sponsor administers NYSP sites, it must ensure that all children at these sites are enrolled participants in the NYSP.
- If the sponsor is a private non-profit organization, it must certify that it:
 - Exercises full control and authority over the operation of the Program at all sites under the sponsorship of the organization.
 - Provides ongoing year-round activities for children or families.
 - Has adequate management and the fiscal capacity to operate the Program.
 - Is an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code.
 - Meets applicable State and local health, safety, and sanitation standards.
- If the sponsor operates a non-congregate meal service that will deliver meals directly to a child's residence, it must obtain written parent or guardian consent prior to providing meals to children in that household.
- If the sponsor is a camp or operates a conditional non-congregate site, it must certify that it will collect information to determine children's Program eligibility to support its claim for reimbursement.
- If the sponsor is not an SFA, it must enter into a written agreement or MOU with the State agency or SFA if it chooses to receive school data to determine children's Program eligibility, as required under 225.15(k).

All non-profit sponsors must also be tax-exempt and must demonstrate the administrative and financial capability to manage a food service effectively. To ensure eligibility, sponsors should check their tax-exempt status prior to applying to participate in SFSP. The State agency must annually review the IRS Automatic Revocation of Exemption List to determine whether any SFSP sponsors or applicants are listed. Any applicant sponsor appearing on the IRS list cannot be approved to operate SFSP.

Private non-profit organizations apply for and receive documentation of tax-exempt status through IRS Form 1023. However, churches are not required to verify that they have Federal tax-exempt status through Form 1023. All other types of private non-profit organizations must provide IRS Form 1023 to the State agency as documentation of tax-exempt status.

For more information on tax-exempt status and its automatic revocation, see SFSP 04-2017, *Automatic Revocation of Tax-Exempt Status – Revised*, December 1, 2016, <https://www.fns.usda.gov/sfsp/automatic-revocation-tax-exempt-status%E2%80%93revised>. For more information on the tax-exempt requirements for private non-profit sponsors electing to operate SFSP sites, see SFSP 09-2013, *Tax Exempt Status for Private Nonprofit Organizations and Churches in the Child and Adult Care Food Program and Summer Food Service Program*, January 24, 2013, <https://www.fns.usda.gov/cn/tax-exempt-status-private-nonprofit-organizations-cacfp-and-sfsp>.

A Tribal government that is recognized as a public entity under law may sponsor SFSP sites as a unit of local government, as long as other eligibility requirements are met. However, a Tribal government that is granted non-profit status would be considered a private non-profit organization for Program purposes. Tribal governments and authorities are encouraged to work with the State agency in their State in order to participate as an SFSP sponsor. State agencies are encouraged to work with Tribes to ensure that any additional barriers to participation within the States are also addressed (SFSP 14-2012, *Tribal Participation in the Child and Adult Care Food Program and Summer Food Service Program*, July 24, 2012, <https://www.fns.usda.gov/cn/tribal-participation-cacfp-and-sfsp>).

New Versus Experienced Sponsors

Some requirements may vary depending on whether the sponsor is new or experienced. New sponsors did not participate in the Program in the prior year, or, as determined by the State agency, experienced significant staff turnover from the prior year. Experienced sponsors have successfully participated in the Program in the prior year, as determined by the State agency. For additional information, see *Applying to the SFSP* in Unit 2.

Application Review by the State Agency

Sponsor applications are thoroughly reviewed by State agencies. To learn more about the application process, and additional considerations State agencies must take when approving sponsor applications, see *Review of Applications by the State Agency* in Unit 2.

Site Identification and Eligibility

Sponsor Site Selection

When selecting a site, sponsors must determine which type of site they are eligible to operate, and what kind of meal service they will provide. A new site is a site which did not participate in the Program in the prior year, an experienced site that is proposing to operate a non-congregate meal service for the first time, or, as determined by the State agency, a site which has experienced significant staff turnover from the prior year. An experienced site is a site which, as determined by the State agency, has successfully participated in the Program in the prior year.

Some sponsors have a legal affiliation with their sites, such as a Parks and Recreation Department sponsoring SFSP at one of its recreation centers, while other sponsors may have no legal affiliation with their sites other than an agreement to conduct a meal service. Affiliated sites are part of the same legal entity as the sponsor. An unaffiliated site is not generally part of the same legal entity as its sponsor.

It is important for sponsors and State agencies to evaluate the needs and resources of the communities they hope to serve. Mapping and other data tools and community partnerships can help sponsors locate areas of high-need and potential site locations at schools, parks, recreation centers, public pools, libraries, museums, and other community facilities. A site may be the indoor or outdoor location where congregate meals are served, a stop on a delivery route of a mobile congregate meal service, or the distribution location or route for a non-congregate meal service.

Capacity Builder

The *Capacity Builder*, <https://www.fns.usda.gov/sfsp/capacitybuilder>, is a tool that allows users to see where SFSP sites are or have been in their communities, and add “layers” of information, such as poverty data, in absolute numbers and relative percentages. Potential site locations and partners can be added to the map, and previous site locations can also be highlighted, helping to prevent site overlap.

Community Partnerships

Partnering with community-based organizations can help State agencies and sponsors create a strong meal service program, build awareness of the Program, find additional financial support, coordinate site activities, and recruit volunteers to serve meals to children. What types of organizations are potential partners? Here are some examples:

- Parks and recreation centers;
- Youth organizations, such as YMCAs, Boys and Girls Clubs, 4-H programs, and Scout troops;
- Social service organizations, such as food pantries, WIC clinics, and donation centers;
- Community action agencies;
- Food hubs, farmers markets, and local food and gardening organizations;
- Cooperative Extension and SNAP-Ed;
- Faith-based organizations, such as churches, synagogues, or mosques; and
- National and affiliated anti-hunger organizations, such as Share Our Strength, Feeding America, and the Food Research and Action Center.

Sponsor Success

In addition to selecting the sites at which meals will be served, sponsors must decide how many sites to administer and how many children they will serve at each site. This decision will depend greatly on the need for a site in the area, the administrative capabilities of the sponsor, and the size of the site.

Sponsors should plan to operate Programs that are consistent with the size of their administrative staff and the extent of their expertise. A small sponsor with limited administrative capacity or experience should carefully consider the number of sites at which it can ensure a quality meal service will be provided.

The most successful sites:

- Are accessible for kids to safely reach by foot, car, or public transit, in places with no physical barriers that could prevent a child's access, such as busy streets without crosswalks or no wheelchair ramps.
- Have tables and chairs readily available; facilities for meal preparation, clean up, and storage; and restrooms including a place for kids and staff to wash their hands.
- Offer activities that provide education, enrichment, and recreation to attract children to the meal site.
- Have a strong volunteer base, such as a soup kitchen or local faith-based organization, that helps ensure that the site will be fully staffed and well-promoted in the community.

Site Types and Eligibility

7 CFR 225.2, 225.6(c)(2) and (3)

Eligible sites are the sites that qualify to participate in the Program. There are multiple types of sites that may provide SFSP meals. Requirements for determining and documenting eligibility are different depending on the site type. This section discusses how to determine eligibility for sites. For more information on documenting site eligibility see *Documenting Site Eligibility* in Unit 2.

- *Open sites* serve meals to children in low-income areas. Any child who comes to the site may receive a Program meal.
- *Restricted open sites* are meal sites in low-income areas that may limit attendance to address space, security, safety, or control issues.
- *Closed enrolled sites* are sites that serve groups of low-income children who sign up to receive Program meals.
- *Day camps and residential camps* are sites that offer a regularly scheduled food service as part of an organized program for enrolled children.
- *Migrant sites* are sites where the majority of children receiving meals are from families of migrant workers.
- *NYSP sites* serve meals to children enrolled in a program administered by the National Collegiate Athletic Association.

- *Conditional non-congregate sites* are rural sites with no congregate meal service that are not camps and are not located in areas in which poor economic conditions exist.

Open

An open site is a site that provides meals to all children in an area in which poor economic conditions exist, on a first-come, first-served basis.

The sponsor must publicize to the community that meal services are available and ensure that the meal service is accessible to all children requesting a meal at the site. Each child may receive up to two reimbursable meals each day.

An open site must be located in a school attendance area where 50 percent or more of the children residing in the area are eligible for free or reduced price school meals sources.

This percentage must be documented by data provided by public and non-profit private school officials, census data, welfare or education agencies, zoning commissions, or other appropriate sources approved by the State agency.

Restricted Open

A restricted open site provides meals in an area in which poor economic conditions exist to children on a first-come, first-served basis. However, the sponsor may limit attendance to address concerns about space, security, safety, or control.

The sponsor must make the community aware that the meal service site is open, but that attendance may be limited. Each child in attendance may receive up to two reimbursable meals each day.

A restricted open site must be located in a school attendance area where 50 percent or more of the children residing in the area are eligible for free or reduced price school meals sources.

This percentage must be documented by data provided by public and non-profit private school officials, census data, welfare or education agencies, zoning commissions, or other appropriate sources approved by the State agency.

Closed Enrolled

Closed enrolled sites are only open to enrolled children, as opposed to the community at large. Sponsors of closed enrolled sites must establish that at least 50 percent of the children enrolled at the site are eligible for free or reduced price school meals, or be in an area eligible location.

If establishing area eligibility through the children enrolled, the sponsor must monitor actual participation during early program visits to ensure that the 50 percent level is reached. This percentage must be documented by collecting free or reduced price meal household applications, using area eligibility data, or requesting a list of children approved for free or reduced price meals from an LEA.

The projected number of children eligible for free or reduced price school meals and the projected total enrollment for each site must be documented in the sponsor's application.

A closed enrolled site may be established where:

- An identified group of needy children live in a pocket of poverty; or
- Identified low-income children are brought to a congregate meal site located in an area with less than 50 percent eligible children; or
- A program provides recreational, cultural, religious, or other types of organized activities for an identified group of children.

Meals are served to all children in attendance. A closed enrolled site may be approved to serve up to two reimbursable meals to each child each.

Day Camp

A nonresidential day camp is a meal site that offers a regularly scheduled meal service as part of an organized program for enrolled children. The camp must provide a continuous schedule of organized cultural or recreational programs for enrolled children between meal services.

With State agency approval, a day camp may claim reimbursement for serving up to three meals to eligible children each day. Camps are reimbursed only for meals served to children who are determined to be eligible for free or reduced price meals. A day camp may charge non-eligible children a separate fee for meals.

A day camp cannot use area eligibility data to establish site eligibility. The sponsor must establish each individual child's eligibility for free or reduced price meals.

The sponsor must document the number of enrolled children in each session who are eligible for free or reduced price meals and certify that it will collect information to determine each child's eligibility to support its claim for reimbursement. Documentation that demonstrates the eligibility of each child whose meal is claimed for reimbursement must be kept and made available for review by the State agency.

Residential Camp

In residential camps, children spend the duration of the organized program in a 24-hour supervised care setting and receive regularly scheduled meal services. A residential camp site provides meals as part of an organized program for enrolled children.

With State agency approval, a residential camp may claim reimbursement for serving up to three meals to eligible children each day. Camps are reimbursed only for meals served to children who are determined to be eligible for free or reduced price meals. Residential camps may charge non-eligible children a separate fee for meals.

Residential camps cannot use area eligibility data to establish site eligibility. The sponsor must establish each individual child's eligibility for free or reduced price meals.

The sponsor must document the number of enrolled children in each session who are eligible for free or reduced price meals and certify that it will collect information to determine each child's eligibility to support its claim for reimbursement. Documentation that demonstrates the eligibility of each child whose meal is claimed for reimbursement must be kept and made available for review by the State agency.

Migrant

A migrant site provides meals to children of migrant workers. A migrant site operates like an area-eligible open or restricted open site and receives reimbursement for meals served to all children attending the site.

With State agency approval, a migrant site may claim reimbursement for serving up to three meals to each participating child each day.

The sponsor establishes the site's eligibility based upon a determination that the site predominantly serves children of migrant workers. To confirm migrant status, the sponsor must submit information obtained from a migrant organization that certifies that a majority of the children attending the site are children of migrant workers. See SFSP 04-2007, *Migrant Site Eligibility Determinations*, February 23, 2007, <https://www.fns.usda.gov/sfsp/migrant-site-eligibility-determinations>.

National Youth Sports Program

An NYSP site provides meals as part of a national program that gives children, ages 9 through 16, the opportunity to receive daily sports and educational instruction at universities and colleges.

An NYSP site may be approved to serve up to two reimbursable meals to each child each day. The sponsor must certify that all of the children who will receive SFSP meals are enrolled in NYSP.

Children are automatically eligible for free SFSP meals at colleges and universities that offer NYSP with individual eligibility requirements that are as strict or stricter than the SFSP income guidelines.

The sponsor establishes the site's eligibility by certifying that the children are enrolled in NYSP and meet the NYSP income requirements. The sponsor must review the site's records to verify that the eligibility information is correct. The sponsor must also certify that all of the children who will receive SFSP meals are enrolled in NYSP.

Conditional Non-Congregate

A conditional non-congregate site qualifies for participation because it conducts a non-congregate meal service for children in rural areas who are eligible for free or reduced price meals, but it is not located in an area in which poor economic conditions exist and it is not eligible as a camp.

The sponsor must document that the site is rural. The sponsor must also document the number of enrolled children who are eligible for free or reduced price meals and certify that it will collect information to determine each child's eligibility to support its claim for reimbursement.

The sponsor must obtain a parent or guardian's prior written consent, if meals are to be delivered to a child's home.

A conditional non-congregate site may receive reimbursement only for meals served to enrolled children who meet the eligibility standards for free or reduced price meals. Non-congregate meals may be served to children who are not eligible for free or reduced price meals in rural areas, but they may not be claimed for reimbursement. In these cases, the conditional non-congregate site may charge for meals served to those children who do not meet the eligibility standards for free or reduced price meals.

A conditional non-congregate site may distribute up to the allowable number of reimbursable meals that would be provided to each enrolled child over a 10-calendar day period, depending on site type and with State agency approval.

To establish eligibility, the sponsor must provide information to allow the State agency to determine that the proposed conditional non-congregate site is in a rural area that will not be served by a congregate meal site and that the sponsor has safeguards to ensure that children will not receive more than the maximum allowance of SFSP meals per day.

Meal Service Options for Sites

Sites with Non-Congregate Meal Service

Non-congregate meal service may be provided at any site that is in a rural community with no congregate meal service. Children receive food at a distribution location or along a route where the food can be consumed anywhere, without adult supervision. Sponsors that offer non-congregate meal services must also comply with the specific requirements that are applicable for the type of site they operate.

Sites can select the model that best fits their operations. For instance, non-congregate meals may be delivered directly to homes, or picked up for consumption at a later time through “grab and go,” curbside service, or take-home backpacks. The sponsor must obtain a parent or guardian’s prior written consent if meals are to be delivered to a child's home.

The sponsor must document that the non-congregate meal site will serve a rural area. The non-congregate site cannot be located in an area where children could receive the same meal at a congregate site unless the sponsor can demonstrate that the non-congregate site will serve a different group of children who may not be otherwise served.

A non-congregate meal service may distribute up to the allowable number of reimbursable meals that would be provided to each enrolled child over a 10-calendar day period based on site type. For example, a non-congregate migrant site could serve up to 30 meals at a time, since migrant sites can serve up to 3 meals per day, and non-congregate sites can provide up to 10 days' worth of meals at a time.

To establish eligibility, the non-congregate sponsor must also provide information to allow the State agency to determine that the proposed non-congregate site is in a rural area that will not be served by a congregate meal site and that the sponsor has safeguards to ensure that children will not receive more than the maximum allowance of SFSP meals per day.

For additional information, see *Approval of Sites* in Unit 2 and *Non-Congregate Meal Service in Rural Areas* in Unit 4: Operating the Meal Service for the SFSP.

Sites Offering Congregate and Non-Congregate Meal Services

7 CFR 225.6(h)(4)

The State agency may approve a site to operate as a hybrid site that will provide a combination of congregate and non-congregate meals. The proposed site must meet applicable site approval requirements at 7 CFR 225.6(h)(1), (h)(2), and (h)(3), and ensure that a non-congregate meal service will be conducted only when the site is not providing a congregate meal service.

The sponsor must have the administrative capability and capacity to operate a hybrid meal service with integrity at all of its proposed sites. The State agency should carefully consider meal service times, operational days, and the sponsor's procedures to prevent overlap between meal services and ensure that the numbers and types of meals served daily to children, as described in 7 CFR 225.16(b)(3), are not exceeded.

Here are examples of how a site may offer a combination of congregate and non-congregate meals:

- A site that only offers breakfast through a congregate meal service may be approved to provide a lunch through non-congregate meal service.

- A congregate meal site that serves lunch and breakfast 3 days a week may be approved to provide non-congregate meals on days, including weekends, when there is no congregate meal service.
- A congregate meal site that operates for part of a month may be approved to provide non-congregate meals for the 10-day period following their last congregate meal service day.

Sites Offering Congregate and Non-Congregate Meal Services

7 CFR 225.6(h)(4)

The State agency may approve a site to operate as a hybrid site that will provide a combination of congregate and non-congregate meals. The proposed site must meet applicable site approval requirements at 7 CFR 225.6(h)(1), (h)(2), and (h)(3), and ensure that a non-congregate meal service will be conducted only when the site is not providing a congregate meal service.

The sponsor must have the administrative capability and capacity to operate a hybrid meal service with integrity at all of its proposed sites. The State agency should carefully consider meal service times, operational days, and the sponsor's procedures to prevent overlap between meal services and ensure that the numbers and types of meals served daily to children, as described in 7 CFR 225.16(b)(3), are not exceeded.

Here are examples of how a site may offer a combination of congregate and non-congregate meals:

- A site that only offers breakfast through a congregate meal service may be approved to provide a lunch through non-congregate meal service.
- A congregate meal site that serves lunch and breakfast 3 days a week may be approved to provide non-congregate meals on days, including weekends, when there is no congregate meal service.
- A congregate meal site that operates for part of a month may be approved to provide non-congregate meals for the 10-day period following their last congregate meal service day.

Identifying Sites in Rural Areas

7 CFR 225.2

SFSP regulations include a comprehensive set of measures for classifying rural populations and territories. A rural area includes:

- Any area in a county which is not a part of a Metropolitan Statistical Area based on OMB's Delineations of Metropolitan Statistical Areas;
- Any area in a county classified as a non-metropolitan area based on USDA Economic Research Service's Rural-Urban Continuum Codes and Urban Influence Codes;
- Any census tract classified as a non-metropolitan area based on USDA Economic Research Service's Rural-Urban Commuting Area codes;
- Any area of a Metropolitan Statistical Area which is not part of a Census Bureau-defined urban area;
or
- Any area of a State which is not part of an urban area as determined by USDA.

Sponsors may use the FNS *Rural Designation* map, <https://www.fns.usda.gov/rural-designation>, to determine that a site is rural.

FNS recognizes that any one objective measure cannot capture all rural pockets. The State agency may identify rural pockets within a Metropolitan Statistical Area based on other data sources with FNSRO approval.

FNS is also aware that classification measures may change in the future. A rural site may be established based on future Federal actions to update these measures. For more information on Metropolitan Statistical Areas and rural designations in SFSP, see:

- OMB Bulletin No. 18-04, *Revised Delineations of Metropolitan Statistical Areas, Micropolitan Statistical Areas, and Combined Statistical Areas, and Guidance on Uses of the Delineations of These Areas*, September 14, 2018, <https://www.whitehouse.gov/omb/information-for-agencies/bulletins/>.
- OMB Bulletin No. 15-01, *Revised Delineations of Metropolitan Statistical Areas, Micropolitan Statistical Areas, and Combined Statistical Areas, and Guidance on Uses of the Delineations of These Areas*, July 15, 2015, <https://www.whitehouse.gov/omb/information-for-agencies/bulletins/>.

- SFSP 04-2024, *Rural Designations in the Summer Meal Programs – Revised*, January 19, 2024, <https://www.fns.usda.gov/sfsp/rural-designations-memo>.

Sites with a Mobile Meal Service

Traditionally, SFSP sites are located in schools, playgrounds, parks, faith-based organizations, community buildings, or similar places. Mobile meals may provide the flexibility sponsors need to reach children who do not have access to traditional sites.

With mobile meals, the sponsor delivers meals to an area using a route with a series of stops at locations in the community. The State agency must approve each of these locations as a meal service site. Just like other sites, the meal service must take place on approved days and the sponsor must serve reimbursable meals during approved service times.

Sponsors operating sites with mobile meal service must follow these requirements:

- Each location where a vehicle stops to serve congregate meals must be area eligible, the meal service must be supervised, meals must be consumed on the bus or near the drop-off location, times of meal service must be established, and the sponsor must have the ability to adjust meal deliveries based on changes in attendance.
- Each site along a non-congregate mobile meals route must be rural, have designated meal service times, and either meet area eligibility requirements or be designated as a conditional non-congregate site.
- Sponsors of mobile sites must take extra precautions to ensure that food is safe for children to eat. State and local health and safety standards must be met at all times. Food must be maintained at proper temperatures along the entire delivery, route temperatures must be monitored with a food thermometer, and staff serving meals must follow appropriate hand washing procedures.
- A site supervisor must be present at each congregate meal service. Some mobile sites operate as a full service route, where the site supervisor travels with the vehicle along the route and supervises the site at each stop. Other mobile sites operate by delivering meals to each stop where an on-site supervisor is waiting to receive them. Site supervisors must remain on site during the entire approved meal service time, regardless of site attendance levels.

- State and sponsor monitors must conduct visits and reviews at mobile sites under the same requirements as traditional SFSP sites. A child’s residence is not considered a site for monitoring purposes.

SFSP 02-2014, *Mobile Feeding Options in Summer Feeding Programs*, November 8, 2013,

<https://www.fns.usda.gov/cn/mobile-feeding-options-summer-feeding-programs-0>, has more information about the requirements for operating a mobile meal service and sources of additional funding.

Mobile Route Maker

FNS has a routing tool, *Mobile Route Maker*, <https://www.fns.usda.gov/mobile-route-maker>, for sponsors, vendors, and State agencies that work with the Capacity Builder. The map includes various layers which can be added by users, including a layer of rural areas to assist planning non-congregate delivery routes. Sponsors can use this tool to identify areas of need, locate potential sites, plan routes for conducting monitoring, and find the best routes to deliver meals to each summer meal site. State agencies can also use this tool to plan the most efficient monitoring routes.

Home Delivery

7 CFR 225.14(d)(6) and 225.16(b)(5)(i)

Under home delivery, meals are delivered directly to homes in eligible areas with eligible children. If the sponsor operates a non-congregate meal service that will deliver meals directly to a child’s residence, parent or guardian consent must be obtained prior to providing meals to children in that household.

The *Offering Multiple Meals as Part of Summer Non-Congregate Meal Service* webpage,

<https://www.fns.usda.gov/tn/offering-multiple-meals-part-summer-non-congregate-meal-service>, has tips to help sponsors package multiple meals for pick-up or delivery with foods that are easy to serve and safe to eat.

Year-Round Sites on a Continuous School Calendar

7 CFR 225.2

When schools operate on a year-round or continuous school calendar, SFSP offers meals to students in low-income areas who are on vacation at times other than the summer. The vacation periods must be at least 15 continuous school days during the months of October through April. A continuous school calendar must also have students attending regularly scheduled classes during most of the months of May through September.

Some school districts use a calendar that provides less than 15 days for periods of vacation. In these situations, the State agency may waive the 15-continuous-school-day requirement for schools that are operating regular class sessions—not summer school or remedial classes for a portion of the student body—on a year-round basis.

When schools operate on a year-round or continuous school calendar, the SFSP may offer meals throughout the year to preschool children and students on vacation. Meals may be served at open or closed enrolled sites at the school or at other locations.

The meal service at an open site that operates at a location other than the school must be area eligible and open to all children in the community.

While the SFSP meal service is intended to serve students on vacation, it is possible that a student who is not on vacation may show up at the site. In these situations, sponsors are not expected to identify or exclude any students. Sponsors should plan for or prepare additional meals and consider adding more site staff to supervise the meal service.

If the site is operating as closed enrolled, meals may be served only to enrolled preschool children and students who are on vacation.

If a year-round site is located in the school, sponsors must be careful not to “double claim” meals or claim SFSP rates for meals served to students participating in NSLP or SBP. FNS encourages SFAs that operate year-round SFSP and school meal programs to establish different meal services for students in school and

students on vacation, keep separate meal counts, and develop cost allocation plans for proper proration of overhead and administrative costs.

SFSP 9-99, *Meal Service to On-Track Students at Year-Round Sites*, December 4, 1998,

<https://www.fns.usda.gov/sfsp/120498b>, provides additional guidance, on serving meals to children on a continuous school calendar.

Ensuring Site Access Through Promotion

7 CFR 225.15(e)

Sponsors are required to annually announce the availability of free meals in the media serving the area from which the sponsor draws its attendance. Sponsors of camps, closed enrolled sites, and conditional non-congregate sites must notify participants of the availability of free meals and if a free meal household application is needed. Once sites are identified, it is important that families are aware of open site locations and the availability of meals. Sponsors may make use of FNS communication resources, like the *Summer Meals Toolkit*, <https://www.fns.usda.gov/sfsp/summer-meals-toolkit>, to promote summer meals. Sponsors may also work with traditional and social media outlets to spread the word about SFSP. For sample media releases, see Appendix 2.

Participation in Other Child Nutrition Programs

Sponsors participating in additional Federal Child Nutrition Programs must meet the requirements for participation in each of these Programs. Sponsors participating in multiple Child Nutrition Programs may also be eligible for specific flexibilities, as outlined below.

Additional Requirements for Sponsors Participating in Multiple Child Nutrition Programs

National School Lunch Program

7 CFR 225.2, 225.14(d)(2)

Schools offering accredited summer school programs may be reimbursed for serving meals during the summer in one of three ways: through SFSP, NSLP and SBP, or NSLP SSO. Schools that intend to serve meals only to children enrolled in academic summer school programs may receive reimbursement only through NSLP and SBP (SFSP 04-2013-REVISED, *Summer Feeding Options for School Food Authorities*, November 23, 2012, <https://www.fns.usda.gov/cn/summer-feeding-options-school-food-authorities>).

SFAs that plan to serve children in the community at large, in addition to children enrolled in their accredited summer school program, may operate an open site through SFSP or SSO. However, the SFA must ensure that these sites are open to all children in the area served by the site, not just to children enrolled in summer school.

Schools operating an accredited summer school program may not enroll in SFSP as a restricted open site and only serve meals to summer school participants. This is not the intent of the restricted open site designation. The purpose of the restricted open site designation is to allow sponsors that operate an open site to limit site participation due to reasons of space, security, safety, or control. For more information on the different types of sites, see the *Site Identification and Eligibility* section of this unit.

Seamless Summer Option

SFAs can choose to operate NSLP SSO instead of SFSP. SSO offers streamlined administrative requirements and combines features of NSLP, SBP, and SFSP to encourage more SFAs to provide meals during summer and other school vacation periods. This option allows SFAs to provide free summer meals in low-income areas during the traditional summer vacation and, for year-round schools, school vacation periods longer

than 10 school days, instead of the 15 day requirement for SFSP. For year-round schools that have breaks for shorter periods of time, the State agency may waive the 10-day requirement to allow for SSO participation.

Guidance and clarification on all summer meal options available to schools is provided through:

- SP 09-2017, *2017 Edition of Questions and Answers for the National School Lunch Program's Seamless Summer Option*, December 1, 2016, <https://www.fns.usda.gov/cn/2017-edition-questions-and-answers-national-school-lunch-programs-seamless-summer-option>.
- SFSP 04-2013-REVISED, *Summer Feeding Options for School Food Authorities*, November 23, 2012, <https://www.fns.usda.gov/cn/summer-feeding-options-school-food-authorities>.
- *Comparison of Programs SFSP/NSLP/Seamless Option Chart*, <https://www.fns.usda.gov/cn/comparison-programs-sfsp-nslp-seamless-option>.

The Special Milk Program

Sponsors may choose to operate SFSP at some of their sites while operating SMP at other sites. However, a single site cannot participate in SFSP and SMP at the same time.

Sponsors electing to administer SMP must enter into a separate agreement with the State agency to operate SMP at those sites or at those times when it is not participating in SFSP. For more information on SMP, see *Special Milk Program (SMP) Fact Sheet*, <https://www.fns.usda.gov/smp/smp-fact-sheet>.

Child and Adult Care Food Program

Since CACFP afterschool centers don't receive reimbursement during the summer months, these Programs may convert to the SFSP for the summer so they may serve the same children that they serve during the school year. Flexibilities are available to help State agencies simplify requirements that would encourage CACFP afterschool centers to continue to serve children after the school year ends through SFSP.

In other cases, CACFP institutions that propose to participate in SFSP must serve children who would not otherwise be served under CACFP. Institutions that propose to operate a separate meal service for children who are not enrolled in a CACFP child care center or day care home may be approved to participate in SFSP if they meet SFSP eligibility requirements. To participate in SFSP, an institution:

- Cannot establish separate entities using a separate tax identification number to serve the same children under different Programs, unless there is a need for a separate organization.
- Cannot switch back and forth between participation in CACFP and participation in SFSP to serve the same children during the same time period.
- Must ensure that the same children are not served meals in both Programs.
- Must keep separate records for each Program.

In general, the State agency may allow CACFP institutions that propose to operate SFSP at the same locations where they provide CACFP meal services to follow the application requirements for experienced SFSP sponsors and sites.

If the same State agency administers both programs, CACFP institutions are required only to sign an addendum to the existing agreement to allow them to participate in SFSP. In States where CACFP and SFSP are administered by different State agencies, the CACFP institution must enter into an agreement with both State agencies. However, the State agencies are encouraged to work together to share information and streamline the agreement process.

Additional guidance is found in:

- SFSP 10-2023, *Best Practices for Streamlining Applications for Year-Round Program Operations*, June 12, 2023, <https://www.fns.usda.gov/cn/cacfp-sfsp-best-practices-streamlining-applications>.
- SFSP 06-2014, *Available Flexibilities for CACFP At-Risk Sponsors and Centers Transitioning to Summer Food Service Program (SFSP)*, November 12, 2013, <https://www.fns.usda.gov/cn/available-flexibilities-cacfp-risk-sponsors-and-centers-transitioning-summer-food-service-program>.
- SFSP 05-2012, *Simplifying Application Procedures in the Summer Food Service Program*, October 31, 2011, <https://www.fns.usda.gov/cn/simplifying-application-procedures-sfsp>.
- FNS Instruction 782-4, Rev. 2, *Approval of Child Care Institutions for the Summer Food Service Program*, November 8, 1991, <https://www.fns.usda.gov/sfsp/child-care-institutions-summer-food-service-program>.
- *At-Risk Afterschool Care Handbook*, <https://www.fns.usda.gov/cacfp/risk-afterschool-care-handbook>.

Flexibilities for School Food Authorities and Child and Adult Care Food Program Institutions in Good Standing

7 CFR 225.6(c)(3), 225.6(c)(4), and 225.6(e)(4)

SFAs currently in good standing in NSLP or SBP and CACFP institutions in good standing are not required to submit further evidence of financial and administrative capability when applying for SFSP participation. Typically, SFAs and CACFP institutions participating in other Child Nutrition Programs have already demonstrated that they have the financial and administrative capability necessary to operate SFSP. However, the State agency has the discretion, and is encouraged to deny the applications or require additional evidence of financial and administrative capability from SFAs and CACFP institutions that have had significant problems operating NSLP, SBP, or CACFP.

The State agency may allow SFAs and CACFP institutions in good standing to use the streamlined application requirements for experienced sponsors, and has the discretion to require a management plan.

For more information on requirements and flexibilities for SFAs and CACFP institutions electing to operate SFSP sites, see:

- SFSP 04-2013-REVISED, *Summer Feeding Options for School Food Authorities*, November 23, 2012, <https://www.fns.usda.gov/cn/summer-feeding-options-school-food-authorities>.
- SFSP 05-2012, *Simplifying Application Procedures in the Summer Food Service Program*, October 31, 2011, <https://www.fns.usda.gov/cn/simplifying-application-procedures-sfsp>.

Questions and Answers

What does it mean to be in “good standing” in SFSP?

A sponsor or site is in good standing when it meets its Program responsibilities, is current with its financial obligations, and, if applicable, has fully implemented all corrective actions within the required period of time.

May a private, non-profit sponsor continue to participate in SFSP if its tax-exempt status has been revoked by the IRS?

No, non-profit sponsors that have had their tax-exempt status revoked by the IRS are not eligible for participation in SFSP. If an approved sponsor has had its tax-exempt status revoked, the State agency must inform the sponsor that it is seriously deficient, and its Program participation will be terminated. The State agency must provide the sponsor a reasonable opportunity to correct the serious deficiency. The only appropriate corrective action would be a sponsor’s submission of documentation from the IRS confirming that the sponsor’s organization continues to be tax-exempt under Section 501(a) of the Internal Revenue Code of 1986 or that the organization has submitted an application to the IRS for reinstatement of its tax-exempt status. For more information see SFSP 04-2017, *Automatic Revocation of Tax-Exempt Status - Revised*, December 1, 2016, <https://www.fns.usda.gov/sfsp/automatic-revocation-tax-exempt-status%E2%80%93revised>.

How can a sponsor provide SFSP meals during the school year when there is an unanticipated school closure?

A sponsor may be approved to operate meal sites during unanticipated school closures through an addendum to its Program agreement. Experienced sponsors and SFAs not already approved to operate a site during an unanticipated school closure may obtain expedited approval to serve SFSP meals if they have participated in the Program at any time during the current year or in either of the prior two calendar years. Sponsors submitting an application to serve meals during unanticipated school closures may also be exempt from the application submission deadline. FNS strongly recommends sponsors to plan ahead by including operation of emergency sites in their sponsor application, as pre-approval of sponsors enables a rapid response when an emergency arises.

How do you determine that a site is rural?

The definition of rural includes multiple measures of populations and territories. The FNS *Rural Designation* map, <https://www.fns.usda.gov/sfsp/rural-designation>, is a comprehensive mapping tool to assist State agencies and sponsors in determining rural designations. SFSP 04-2024, *Rural Designations in the Summer Meal Programs – Revised*, January 19, 2024, <https://www.fns.usda.gov/sfsp/rural-designations-memo>, provides a complete discussion of rural datasets and how to conduct rural site designations.

Do all sites have to be public or private non-profit or can a for-profit site participate in SFSP?

The State agency may approve meal services at a for-profit site that is operated by an eligible public or private non-profit sponsor and open to all children in an area in which poor economic conditions exist. However, for-profit closed enrolled sites, for-profit day camps, and for-profit residential camps are not eligible to participate in SFSP. If approved to operate the meal service at a for-profit site, the sponsor must maintain operational control over the meal service and ensure that no Program funds are provided to the site operator. Only the sponsor's trained staff, sponsor-trained site staff, and volunteers are permitted to distribute the meals. Employees of the for-profit site operator cannot prepare the meals or receive Program funds. SFSP 13-2011, *For-Profit Locations as Meal Sites in the Summer Food Service Program*, April 8, 2011, <https://www.fns.usda.gov/sfsp/profit-locations-meal-sites-summer-food-service-program>, provides additional guidance.

What Program requirements do churches have?

As private non-profit organizations, churches must fulfill all application requirements and demonstrate financial viability, administrative capability, and Program accountability for SFSP operations in order to participate in the Program. However, churches are not required to obtain documentation of Federal tax-exempt status.

How do sites that serve children attending Upward Bound, a Federal program that provides academic support to teens from low-income families preparing for college, establish Program eligibility?

Sites that only serve children in Upward Bound qualify as closed enrolled, because Upward Bound has a requirement that two-thirds of the participants be both low-income and potential first-generation college students. However, closed enrolled sites that serve both Upward Bound and non-Upward Bound children

must document that at least 50 percent of the children are eligible for free or reduced price meals. The sponsor may document this percentage by using Upward Bound applications, instead of collecting free or reduced price meal applications. SFSP 06-2015, *Categorical Eligibility in the Summer Food Service Program*, December 8, 2014, <https://www.fns.usda.gov/sfsp/categorical-eligibility-summer-food-service-program>, provides additional guidance.

How is eligibility established when the site is a stop on a mobile meal service route?

Each location where a bus, truck, or other vehicle stops to serve meals must meet site eligibility requirements. Congregate and non-congregate sites, with the exception of conditional non-congregate sites, along mobile meal service routes must be in area eligible locations. In addition, non-congregate sites along mobile meal service routes must be located in rural areas.

How is home delivery different from the mobile meals operated by some summer sponsors during the past several years?

Home delivery is a meal distribution method for sponsors operating a rural non-congregate meal service where households with eligible children have consented to receive meals delivered directly to their homes. A child's residence is not considered a non-congregate meal site for Program monitoring purposes. In mobile meals, the sponsor delivers meals to an area using a route with stops at approved locations in the community. A mobile meal service may be congregate or non-congregate. However, congregate mobile meal service is supervised, and all meals are consumed at the site, on the bus or near the drop-off location as outlined in policy memoranda SFSP 02-2014, *Mobile Feeding Options in Summer Feeding Programs*, November 8, 2013, <https://www.fns.usda.gov/cn/mobile-feeding-options-summer-feeding-programs-0>.

Are camps eligible to offer non-congregate meal service?

Yes, there are no restrictions on providing non-congregate meal service based on sponsor type. All service institutions listed under Program regulations at 7 CFR 225.14(b) are eligible to sponsor the Program and therefore eligible to operate non-congregate meal service, provided all other Program requirements are met. Note that camps are still required to provide a regularly scheduled food service as part of an organized program for enrolled children, and that such meal programming is generally congregate in nature. However, there may be situations where non-congregate meal service for enrolled children is sensible, such as service of the third meal if a congregate meal service is not provided, or meals provided to be consumed over the

weekend while an enrolled child is participating in an active camp session, but during which there are no congregate meals provided.

For sponsors proposing to provide both congregate and non-congregate meal services at the same site (hybrid), is it acceptable to offer a non-congregate meal during congregate meal service, if the non-congregate meal is intended for a different meal service time?

A non-congregate meal can be provided after a child receives and consumes their congregate meal. For instance, if a hybrid site plans to offer a congregate breakfast and a non-congregate lunch because they lack activities to keep children onsite for both meals, they could serve the congregate breakfast and then provide the non-congregate lunch as the children are leaving the site. However, it would not be acceptable to provide the non-congregate lunch and congregate breakfast simultaneously as outlined in Program regulations at 7 CFR 225.6(h)(4)(ii). Additionally, the sponsor must have a system in place to prevent meal service overlap, ensuring children do not receive more than the maximum daily meal allowance as required in 7 CFR 225.16(b)(3). In the above example, participants should be informed that the meal being provided is intended to be consumed for lunch that same day.