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MEMORANDUM

TO: ALL 2022 SFSP PARTICIPANTS

FROM: DCCECE/ HNU

DATE: MAY 4, 2022

SUBJECT: 2022 SFSP APPLICATION CHANGES FOR MEAL SERVICE FLEXABILITY - Waiver under 7 CFR 225.16(c)

The purpose of this memorandum is to provide guidance on the meal service times and duration of summer meals and snacks. The link below will explain the guidance concerning the SFSP meal service. This memorandum will be in abbreviated form.

<http://www.fns.usda.gov/sites/default/files/SFSP-11-2011.pdf>

What's new? All new or significantly revised paragraphs/Q and A's are noted with [*New/Revised*] at the beginning of the paragraph/question.

This revision:

- Provides guidance on the updated CACFP meal patterns and the impacts on the SFSP and SSO.
- Provides guidance on the order in which meals must be served to be eligible for reimbursement.
- Extends flexibilities on the timing of meal service when extenuating circumstances occur.

I [*Revised*] GENERAL MEAL SERVICE REQUIREMENTS

Meal Service Times

In an effort to simplify Program management, in October, 2011, the Food and Nutrition Service (FNS) issued a waiver of meal service time requirements under 7 CFR 225.16(c) (<http://www.fns.usda.gov/sites/default/files/SFSP-11-2011.pdf>). Therefore, there are currently no Federal time limits placed on the duration of a meal service and no Federal requirements pertaining to the amount of time that must elapse between the beginning of one meal service and the beginning of the next. In practice, this has provided sponsors greater flexibility to meet local needs.

However, as clarified in the memorandum, sponsors must continue to establish meal times for each site and provide this information to the State agency to allow for effective oversight [7 CFR 225.6(c)(2)(B) and (3)(A)]. In addition, those provisions require that applicant sponsors must provide the State agency with information regarding the time of meal service at each site. However, sponsors are not required to ensure that a specific time period will elapse between the meal services. Meals must be served within the State-approved meal service times in order to be claimed for reimbursement and for the cost associated with such meals to be covered by Program funds.

We note that occasionally, in the case of an unanticipated event outside of the sponsor’s control, a State agency may determine that meals served outside of the approved meal service time may still be claimed for reimbursement. Such unanticipated events have included, but are not limited to: extremely late deliveries, buses breaking down, and delays due to traffic issues and other circumstances. State agencies have the discretion to require supporting documentation to approve meals claimed when unanticipated events occur.

FNS encourages sponsors to establish meal service times that best accommodate operational requirements and the needs of participating children. Additionally, FNS encourages State agencies to approve meal times that give sponsors flexibility to accommodate operational challenges, such as children arriving early or late for meal service, while fulfilling Program requirements. One best practice that FNS encourages is for sponsors and State agencies to implement approving a longer meal service time, for example from 10:30 a.m. to 12:30 p.m., but advertising a shorter meal time, such as 11:00 a.m. to 12:00 p.m. This allows sponsors to serve children who may arrive early or late for the advertised meal time, but still operate within the approved meal service time.

While State agencies may establish meal time restrictions, this would be considered an additional State requirement and subject to Regional office (RO) notice and approval as required by 7 CFR 225.18(f). However, the State agency has the discretion to impose restrictions on specific sponsors based on review findings on a case-by-case basis.

This memorandum in its entirety, is listed under the USDA Policy MEMOS For 2016, located in the Resource Library in the archived documents. To access the archived documents: At the top of the page look for “***Click here to view archived documents.***” Sponsors may change the meal service times to accommodate this memo. Please contact your Application Coordinator to help facilitate your changes.

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It is highly recommended that you keep a copy of this MEMORANDUM on file for quick and easy reference. A copy is also available in the resource library under 2022 Mass Alerts.