Section 11

Summer Meals

Section 11, Summer Meals

Update Guide

| August 4, 2023 | Clarified guidance on short and long week calculations. |
| May 19, 2023 | Clarified guidance on the following topics: |

May 19, 2023   Clarified guidance on the following topics:

- Reimbursement during transition from one fiscal year to another
- Unanticipated school closure

Created new *Definitions* and *Contact Information* sections, located at the beginning of the *Administrator's Reference Manual (ARM)*. Removed definitions and contact information from this section.

January 4, 2022   Updated Administrator's Reference Manual (ARM), *Section 11, Summary Meals* to correct links and minor typos.

Clarified information on the following topics:

- Open sites
- Onsite monitoring

Table of Contents

Summer Meals

Seamless Summer Option (SSO) & Summer Food Service Program (SFSP)

The United States Department of Agriculture (USDA) provides funding for summer meal programs through two programs that the Texas Department of Agriculture (TDA) administers:

- Seamless Summer Option (SSO) operated under the National School Lunch Program (NSLP)

- Summer Food Service Program (SFSP)

The guidance provided in this section applies to

1. Contracting entities (CEs) operating SSO and

2. NSLP CEs operating SFSP. SFSP guidance in this section is limited to USDA flexibilities for NSLP operators.

Unless USDA has provided flexibility, NSLP CEs operating SFSP must follow the regulatory guidance for SFSP operators.[1]

By implementing an SSO program,[2] the CE may

- reduce paperwork and the administrative burden that is normally associated with operating multiple programs and

- operate under many of the same regulations, procedures, and policies that it currently operates under during the regular fiscal year.

Summer Meal Participants
Meals are available for all children or students who meet the following criteria:

- Children ages 18 years and younger, and

- Students enrolled in a school of high school grade and under as determined by the Texas Education Agency (TEA),[3] including students past the age of 18 but under the age of 21 who continue to be enrolled at the school and are identified as mentally or physically disabled through a special education program or the 29 U.S.C § 70, Section 504, Rehabilitation Act of 1973. If this is the case, the student is eligible through age 21.

Time Period When Summer Programs Can Operate
Summer feeding programs ensure that students in low-income areas continue to receive meals during school vacations longer than 10 school days when students do not have access to school lunch or breakfast. For these programs, summer **means the** period of time the state education agency does not count toward meeting the required instructional time for the school year.

---

[1] NSLP and SBP CEs operating SFSP will find additional guidance in *USDA Summer Food Service Program (SFSP) Administrative Guidance for Sponsors* and TDA's *Summer Food Service Program (SFSP) Supplemental Handbook*. Both of these resources are available at *www.SquareMeals.org*.

[2] See the *Comparison of SSO and SFSP Chart* in this section for more information on the similarities and differences among these programs.

[3] See *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination* for more detailed guidance on enrolled students who are eligible to participate in

State Mandated Summer Feeding Program Participation

Texas law mandates that public school districts in which 50% or more of the enrolled students are eligible to receive NSLP free or reduced-price meal benefits must take one of the following actions:

1. Operate a summer feeding program by offering SSO or SFSP.[4]

2. Arrange for another NSLP CE to operate a summer feeding program in the district.

3. Work with another entity to arrange for the operation of SFSP in the district.

4. Request and receive a waiver from TDA from participating in a summer feeding program by completing the waiver section of the Texas Summer Mandate screen in TX-UNPS.[5]

Any CE requesting a waiver must assist TDA in identifying an alternate provider for the summer feeding program that will provide meals to the students the CE typically serves.

Decrease in Percentage of Students Qualifying for Free and Reduced-Price Meals

A CE's identification for mandatory participation in SSO or SFSP during one school year does not carry over to the next year. If a CE's overall free and reduced-price eligibility percentage falls below 50 percent in the school year following the mandated school year, it is not mandated to continue to offer a summer feeding program. However, the CE may continue to offer a summer feeding program at any site or within any attendance zone that meets the requirement of 50 percent or more of the children eligible to receive free or reduced-price meals because individual site eligibility remains in effect for five years.[6]

Notice of Eligibility to Participate in SSO or SFSP

In the fall of each year, TDA will notify CEs with 50 percent or greater free or reduced-price eligibility by letter about summer feeding program requirements and waiver options. This information is based on enrollment information entered by the CE into Texas Unified Nutrition Programs System (TX-UNPS).

CEs should also use the information provided in TX-UNPS to assist them in identifying the most appropriate location(s) for summer feeding.

Requirement to Declare Intention

Each year CEs that are mandated to participate in a summer feeding program must indicate their intention to operate or not to operate a summer feeding program in the Summer Program Intention section on Texas Summer Mandate screen in TX-UNPS[7] by January 31.

Dates of Operation

CEs mandated to operate a summer program must operate the program for at

---

[4] If an NSLP or SBP CE chooses to participate in SFSP, the program application process has been streamlined. However, SFSP operational requirements and SSO operation requirements are not the same. Unless stipulated, a CE operating SFSP must operate the program in compliance with SFSP requirements.

[5] Access to the summer mandate screen is located in TX-UNPS, Applications screen, Texas Summer Mandate hyperlink.

[6] If a CE has established site area eligibility and then does not operate SSO or SFSP for one or more summers, the CE must reestablish area eligibility for all previously approved sites when it restarts operation of a summer meal program. This requirement does not apply when a CE switches from SSO operation to SFSP operation or the reverse.

[7] Access to the summer mandate screen is located in TX-UNPS, Applications screen, Texas Summer Mandate hyperlink.

least 30 calendar days during the summer recess.

> For Example: A CE provides meals 4 days a week from June 1 through June 30.   June 1 through June 30 meets the 30-calendar day requirement even though the CE only serves meals four days per week.

Waiver to Not Participate

CEs under this mandate may be granted a one-year waiver for the following reasons:

- Fewer than 100 students in the CE are eligible for free or reduced-price meals.

- Transportation is an insurmountable obstacle.

- School buildings or cafeterias are under renovation or construction.

- Projected operational expenses are cost prohibitive.

- The CE has other extenuating circumstances and has worked with TDA to determine if an alternate provider is available.

CEs that choose to submit a waiver must send TDA verifiable documentation demonstrating that the CE is unable to provide or arrange for program meal services in order for the waiver to be considered. Waivers are valid for one year only.

In all cases, documentation must demonstrate that the CE has worked with TDA to identify another possible summer feeding provider in the area.

Verifiable Waiver Documentation Requirement

The CE must submit the following information with the waiver request:

- Fewer than 100 students
  Documentation must show...
  that there are fewer than 100 students in the CE currently eligible to receive free or reduced-price meals under the NSLP.

- Transportation
  Documentation must show...
  that (1) providing the transportation services needed to enable the CE's students to participate in the program is an insurmountable obstacle to delivering meal services and (2) despite consultation with local public transit providers, the CE is unable to provide the needed transportation services that will enable the CE's students to participate in the program.

- Renovation or construction
  Documentation must show...
  that (1) the CE is unable to provide or arrange for delivering meals services because of renovation or construction of CE facilities and (2) is unable to make arrangements with an appropriate alternate provider or site to deliver meal services.

- Other extenuating circumstances
  Documentation must show...
  that (1) the CE is unable to provide the meal services because of extenuating circumstances, and (2) there is not an appropriate alternate site or provider available.

- Projected operational expenses

  Documentation must show...

  the cost of operating a summer feeding program is greater than the sum of expected federal reimbursements plus one month of the food service program's three months operating expenses on hand. The following formula may be used to determine if the operation of summer feeding program will be cost prohibitive:

Cost Prohibitive Formula Chart			
Projected Operational Food Service Expenses	**>** Greater Than	Expected Federal Reimbursements	**+** One Month of Allowable Operating Expenses for the Food Service Fund on Hand[8]

To demonstrate that operation of a summer feeding program is cost prohibitive, a CE must provide a financial statement that includes the following information:

- Projected Summer Nutrition Program budget for program year
  - based on number of expected participants
  - including specific cost items to support possible determination of cost-prohibitive nature of program operation
- Expected federal reimbursement amount based on the previous year's program participation or interest survey data taken since start of current school year
- Calculation of the food service department's three months operating food service fund expense balance including the following:
  - Current fund balance
  - Current year's total operating expense
  - Available cash on hand
- Financial statements which indicate that the child nutrition program's net cash resources are below two month's net cash reserves
- Written explanation of efforts made to attempt partnership with another CE to operate a summer feeding program or arrange for another entity for SFSP operation including the following actions:
  - Contacting TDA
  - Discussing potential partnerships with two or more other entities

Requirements for SSO Site Applications

Applications for SSO programs are due to TDA by May 31 of each year and are submitted through TX-UNPS. The *SSO Timeline and Deadline Chart* provides a complete list of date-related requirements.

---

[8]   CEs are allowed to keep three (3) months of operating food service expenses on hand.

SSO Timeline and Deadline Chart		
Fall	–	Receive notice of eligibility to participate in SSO or SFSP from TDA
January 31	–	Declare intention in TX-UNPS for SSO (or SFSP) if mandated to operate a summer feeding program
January 31	–	Submit waiver request in TX-UNPS and verifiable documentation to TDA by email or fax
April 1	–	Submit verifiable documentation outlining the CEs agreement to partner or collaborate with another CE or entity to provide a summer feeding program to TDA by email or fax
May 31	–	Submit application in TX-UNPS
	–	Designate intention to request non-congregate feeding for approved outdoor summer feeding sites experiencing excessive heat[9] in the CE and site application in TX-UNPS
	–	Submit age/grade group exemption if staff are unable to determine the age/grade groups of the children being served[10]

Budget for SSO

CEs are not required to submit a budget as part of the SSO application, but they are expected to establish a system for tracking income and expenses for the program.[11] The CE must be able to report income and expenses for the SSO program separately from other child nutrition programs.

Budget for SFSP

NSLP or SBP CEs that operate SFSP must submit an annual budget for SFSP program costs in the TX-UNPS application screen. A CE cannot enter zeros for the budget fields; the CE must enter actual budget amounts in the budget fields in TX-UNPS. The CE must be able to report income and expenses for the SFSP program separately from other child nutrition programs.

Non-Congregate Feeding Waiver

CEs that intend to participate in Demonstration Project for Non-Congregate Feeding for Outdoor Summer Feeding Sites Experiencing Excessive Heat must ensure that their intent to participate is indicated in the *SNP Application Packet* in TX-UNPS at the CE level—*Contracting Entity Application Screen*—and at the site level—*SSO Site Application Screen* or *SFSP Site Application Screen*.[12]

---

[9]   For more information on the Demonstration Project for Non-Congregate Feeding for Outdoor Summer Feeding Sites Experiencing Excessive Heat, see the *Requirements for SSO Site Application, Non-Congregate Feeding Waiver* and *Non-Congregate Feeding Sites* subsection in this section. USDA has allowed participation in the demonstration project to continue for SY 2014-2015; it is not a permanent option at this time.

[10]   See the *Age/Grade Exemption for SSO* subsection in this section for additional information on this topic.

[11]   NSLP CEs operating SFSP must submit a budget.

[12]12   See the *Non-Congregate Outdoor Feeding Sites* subsection in this section for additional information on this topic.

Encouraging Program Participation, Raising Awareness for SSO

Before the end of the school year, whether a CE participates in SSO, SFSP,[13] or does not participate in a summer feeding program, a CE must promote the availability of meal services and notify households in its geographical area of the availability and locations of summer feeding sites. This notification or outreach must include the following information:

- Location of all nearby summer feeding program meal sites

- Days and times of summer meal service sites

- CE or organization contact information, if available at that time, for meal service sites

- Notice of summer feeding website (*www.SquareMeals.org/Programs/SummerFeedingPrograms.aspx*) and Texas 2-1-1 phone number

CEs must indicate its outreach strategies in its summer program application in TX-UNPS.

Academic Summer School
A CE operating academic summer school and SSO simultaneously should ensure that staff make a concerted effort to increase the participation of children who are not attending summer school in the summer feeding program.

Outreach Expenses
The cost of developing and distributing the outreach materials should be covered by summer feeding program funds rather than NSLP funds.

TDA Support for Outreach
Each year TDA develops outreach materials for CEs to download and distribute. These materials will be available at *www.SquareMeals.org* and *www.summerfood.org* prior to the end of the school year. TDA recommends that these outreach materials be included in each child's report card or other end-of-year materials distributed on the last day of school as well as posted on the CE's website.

Restrictions on Participation in the SSO

Before TDA approves a CE for SSO, the CE must be able to demonstrate its financial viability, administrative capability, and accountability (VCA) processes and procedures that will allow it to properly operate the program.

[NOTE: Because SSO is under NSLP, the CE is considered to have already provided sufficient information about the CE's VCA as part of its NSLP or SBP application. This information along with information from NSLP or SBP offsite and onsite reviews will be considered by TDA in determining a CE's eligibility for participation in the SSO.]

TDA will not approve applications for CEs if the following actions have been taken as a result of fiscal, administrative review (AR), or serious deficiency findings:

- CE has been placed on financial hold status.

- CE has sites that have been determined to be seriously deficient in the administration of Child and Adult Care Food Program (CACFP) or the SFSP.

---

[13] TDA provides a statewide media release on behalf of all SFSP sponsors. However, schools operating NSLP or SBP must still provide notification regarding summer feeding programs at the end of the school year.

SSO Sites—Site Eligibility

For SSO, site eligibility is based on the following criteria:

SSO Site Eligibility Chart		
Site Eligibility Type[14]	Description Site Eligibility Determination Method	Duration
Site Area Eligibility for Open Sites	**School-based Data or Census Data** Fifty percent of the children in a geographic area qualify for free or reduced-price meals as demonstrated by NSLP and SBP school-based data or census data from a USDA approved source.	Remains in effect for five years*
Site Eligibility for Closed Enrolled Sites	**Standard Eligibility Determination** Fifty percent of the enrolled children qualify for free or reduced-price meals as demonstrated by standard income or categorical eligibility determinations.[15]	Remains in effect for one year
Site Eligibility for Camps	**Standard Eligibility Determination** Individual participant eligibility determination as demonstrated by standard income or categorical eligibility determinations.[16]	

> * If a CE has established site area eligibility and then does not operate SSO or SFSP for one or more summers, the CE must reestablish area eligibility for all previously approved sites when it restarts operation of a summer meal program. This requirement does not apply when a CE switches from SSO operation to SFSP operation or the reverse.

Data Used to Determine Site Eligibility for SSO

CEs may use the following methods to determine if a site[17] is eligible:

School-Based Data

A CE may use school data to establish site area eligibility. Regulations do not require the use of a specific month when using school data from the regular school year to establish area eligibility.

Special Guidance, Special Provision Programs

– Provision 2 CEs[18] may use (1) a site's base year data for enrolled eligible students or (2) census data from a USDA approved data source.

– Community Eligibility Provision (CEP) Sites may (1) use the current claiming percentage based on the identified student percentage for the site; (2) establish an identified student percentage (ISP) and claiming percentage for summer school operations; or (3) use census data from

---

[14] For more information on types of sites, see the *Types of SSO Sites* subsection under *SSO Site Location* in this section.

[15] For more information on standard eligibility determination, see the *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination.*

[16] For more information on standard eligibility determination, see the *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination.*

[17] For more information on types of sites, see the *Types of SSO Sites* subsection under *SSO Site Location* in this section.

[18] For more information on special provisions, see the *Administrator's Reference Manual (ARM), Section 5, Special Provision Options.*

a USDA approved data source.[19]

- When the site has been grouped with other sites to establish a group claiming percentage, the CE must calculate the individual site's claiming percentage to determine if 50% of the students at the site are eligible for free or reduced priced meals.[20]

  If a CEP school does not meet the area eligibility requirements, it cannot use data from alternate household meal applications that have been collected for other purposes to establish area eligibility.

- When a CEP site reestablished a summer operation ISP and claiming percentage, the site may continue to use the summer ISP and claiming percentage for the remainder of the CEP cycle.

Census Data to Determine Site Eligibility

A CE may qualify a site for participation by using data other than a site's percentage of free or reduced-price enrollment with the following sources:[21]

– **Current Census Block Group (CBG) Data**[22]—The American Community Survey (ACS) now provides yearly updates to current census block data for the next five–year cycle. CEs may use CBG to establish area eligibility if 50 percent of the children living in the CBG are eligible for free or reduced-price meals.

TDA provides directions for how to use census block group data at *https://squaremeals.org/FandNResources/CensusData.aspx*.

CEs that use this method must indicate the method used in the Application Packet screen in TX-UNPS and must retain documentation that demonstrates the site's eligibility.

- **Combined Current Census Block Group Data (CBG)**—With TDA and USDA approval, up to three adjacent census block groups (CBG) may be averaged, using a weighted average, to determine eligibility. One of the CBGs must be the CBG where the site is physically located.

  When the CBGs are averaged, the site is considered eligible if 50 percent or more of the students are approved for free or reduced-price meals. Each of the combined census bock groups must have at least 40 percent or more students approved for free or reduced-price meals for an SSO site to qualify using combined census block group data.

  TDA provides directions for how to calculate the combined census block group data at *www.SquareMeals.org/FandNResources/Toolsamp;Links/CensusData.aspx.*

  CEs that use this method must indicate the method used in the Application

---

[19] For additional information on how to calculate a site's identified student percentage (ISP), see *Administrator's Reference Manual (ARM), Section 5, Special Provisions.*

[20] See *Administrator's Reference Manual (ARM), Section 20, Counting & Claiming* for additional information on this topic.

[21] Area eligibility established for an afterschool meal program may be used to establish area eligibility for a summer meal program if the type of data used for this purpose meets the determination requirement for the program.

[22] Block group census data is available at *www.SquareMeals.org*. Block group census data is updated yearly.

Packet screen in TX-UNPS and must retain documentation that demonstrates the site's eligibility.

- **Current Census Track**—SSO sites may also establish area eligibility if 50 percent of students living in the track are eligible for free or reduced-price meals.

  TDA provides directions for how to use census block group data at *www.SquareMeals.org/FandNResources/Toolsamp;Links/CensusData.aspx.*

  CEs that use this method must indicate the method used in the Application Packet screen in TX-UNPS and must retain documentation that demonstrates the site's eligibility.

- **Other Current Data Sources**—If a CE would like to use data from other sources such as the departments of welfare and education, or zoning commission reports, the CE must submit a request to TDA for approval from USDA.

Standard Income or Categorical Participation Eligibility Determinations Made by the CE

Standard eligibility determinations are used in two situations: (1) Closed enrolled sites may use household meal applications and categorical eligibility determinations to establish that 50% or more of children enrolled are eligible for free or reduced-price meals. (2) Camps must use individual household meal applications and categorical eligibility determinations to establish free and reduced-price eligibility for the site. In these cases, the CE will determine eligibility as described in *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination*.[23]

> [NOTE: For summer meal participants coming from Community Eligibility Provision (CEP) sites, the CE may use the Identified Student documentation that establishes individual student eligibility for a closed enrolled or camp site. If the student is not an Identified Student for CEP, the CE must establish eligibility through a household application or categorical participation for closed enrolled or camp site.][24]

CEs that use income and categorical participation to establish site eligibility must indicate the method used in the Application Packet screen in TX-UNPS and must retain documentation that demonstrates individual participant eligibility and the site's eligibility.

SSO Site Location

Sites[25] may be located in schools or nonschool facilities. If school-based, the entire campus of a site including the surrounding grounds and classrooms is considered part of the site unless the CE designates specific areas of the campus as feeding sites. If children are served meals in multiple locations on the campus, each location must be monitored during the meal service.

A CE cannot serve SSO and SFSP meals at the same site on the same day at the same time. In certain circumstances, TDA may approve one CE to serve specified meals at a site and another CE to serve specified meals at the same site at different times as long as the meals served per day

---

23 For more information on types of sites, see the *Types of SSO Sites* subsection under *SSO Site Location* in this section.
24 For additional information on CEP Identified Students see *Administrator's Reference Manual (ARM), Section 5, Special Provision Options*.
25 For more information on types of sites, see the *Types of SSO Sites* subsection under *SSO Site Location* in this section.

do not exceed the maximum allowed.

For Example: CEs may be approved by TDA to offer the following meals: CE 1 serves breakfast at a site, and CE 2 serves lunch <u>or</u> a snack at the same site.[26]

CEs may be approved by TDA to offer the following meals: CE 1 serves breakfast and lunch Monday through Thursday at a site, and CE 2 serves breakfast and lunch Friday and Saturday at the same site.

Site Locations and Attendance Zones

CE's (1) must be able to <u>document</u> the percentage of children eligible for free and reduced-price meals at each serving location and (2) must retain the documentation.

CEs should consider the following attendance zone configurations when determining site eligibility:

Attendance <u>Zone</u> Configuration	Services can be offered in...	
	Area Eligible Site?	**Non-Area Eligible Site?**
Attendance Zone with 50 Percent or More Eligible Children	Yes	Yes
Attendance Zone with Less than 50 Percent Eligible Children	Yes	No

Sponsor a Site Outside of Approved Attendance Zone

A CE may operate a site that is located outside of an approved attendance zone with TDA approval in the following types of situations:[27]

- A non-area eligible site if the site is located in an attendance zone of another site with 50 percent free or reduced-price eligibility

- An area eligible site located in an attendance zone of another site with less than 50 percent eligible students

- An attendance zone for a school with 50 percent free or reduced-price eligibility located in another CE

For Example: The CE has identified two locations that would allow the CE to serve the largest number of children.

Site 1—The first site is an area eligible site and is the most accessible site in the district.

Site 2—The second site is a non-area eligible site located in a attendance zone that has 50 percent eligibility in a neighboring CE. The neighboring CE agrees to allow the CE to provide SSO services.

Busing Students to a Site

CEs may bus students to a site outside of a regular attendance zone to participate in SSO programs. However, the CE must <u>use the same method of determining site eligibility</u> for all sites in which busing occurs.

When busing is used, site eligibility may also be based on the enrollment or attendance data obtained for the site as follows:

---

[26]   Only two meals <u>or</u> one meal and one snack may be served at a site even if two different CEs are approved to operate at the same site.

[27]   Current USDA guidance gives NSLP CEs the flexibility to sponsor a site outside of an approved attendance zone in specific situations.

1. A centrally located site where buses drop off students from the larger community—the majority of students participating at this site are bused to the location.

   For Example: Busing Students to a Central Feeding Site. The CE determines that the most cost-effective method of serving students with the highest need will be to provide meals at one central feeding site. This strategy is intended to provide an opportunity for students from the larger community to participate in summer meals. Sixty-five percent of the students attending the school at this site qualify for free or reduced-price meals. The students participating in the summer meal program at this site come from homes close to the school and two neighborhoods from which students are bused. The neighborhoods from which the students are bused also have significant percentages of students that qualify for free and reduced-price meals as well. The CE will provide busing to the site for all students who do not live close by including those students that are regularly bused to the site.

2. The school that students would have attended if it were not for the district's busing policy—students live in a neighborhood where students are bused to a school outside of their neighborhood even though there is a school located closer to where they live.

   For Example: Serving Meals at Targeted, Geographically Located Sites Rather Than Busing Students to a Central Feeding Site. The CE determines that the most efficient way to reach out to the greatest number of students with the greatest need is to locate two sites where the highest numbers of eligible students live rather than bus students to their regular schools which are located away from their home neighborhoods. This will save the CE the cost of busing the students while also providing meals to the students with the highest need. The CE will provide meal services at these two sites and open them to all students no matter which attendance zone they live in.

Sites Also Administering Other Programs

Sites offering both SSO and academic programs[28] at the same time must adhere to the following guidelines:

If the site offers an accredited summer school or other program,	the site must ensure that the site's food service meets the following requirements if the meals served are to be reimbursed: 1. Provides meals to all children residing in the area, not just the children participating in the summer school or other programs. 2. Provides all children the same meal. 3. Prepares enough meals so that all children who come to the site for a meal are provided a meal.
If the site is not open to all the children of the community and only provides meals to students enrolled in summer school,	the site is not eligible to participate in the SSO.
If the site offers enrichment courses or activities that are not considered part of the academic curriculum and does not have mandatory attendance,	the site may be eligible to participate in the SSO as an open or closed-enrolled site.

---

[28]   Programs include, but are not limited to, academic, art, athletic, music, language development, and others. For more information on types of sites, see the *Types of SSO Sites* subsection under *SSO Site Location* in this section.

Partnerships

CEs may partner with other organizations or agencies to provide SSO meal service to increase access to summer feeding programs with TDA approval.[29] In all cases where a CE partners with another organization or agency for a summer feeding program, the CE must retain responsibility for effective program operation and compliance with all regulations.

Partnering with For-Profits

CE may partner with a for-profit organization for SSO sites[30] if all of the following criteria are met:

1. Sponsorship—Must be operated under the administration of an eligible public or private nonprofit service institution. In this case, the NSLP/SBP CE is a public nonprofit service institution administering the SSO operation.

2. Type of Site—Must operate as an open site or restricted open site—must not operate an enrolled or camp site.

3. Location—Must be located in an area in which at least 50 percent of the children are from households that are eligible for free or reduced priced school meals based on school data or census data.

4. First Come, First Served—Must make meals available to all children in the area and must serve meals to children on a first come, first served basis.

5. Cost of Meals—Must serve all meals at no charge.

Partnering with Nonprofits

CEs may expand summer food service by partnering with nonprofit organizations to operate nonschool sites. Possible partners include government entities, recreational programs, and enrichment classes or programs.

For Example: The CE has determined that partnering with a local YMCA will allow the CE to reach out to a greater number of children as well as allow children and families to take advantage of other services housed at the YMCA. The CE contacts the YMCA, and the two organizations negotiate an agreement for the CE to sponsor an SSO site located at YMCA.

Partnering with Other School Districts

CEs may also partner with another CE to expand summer food service.

Types of SSO Sites

The SSO program offers CEs a wide range of options for SSO. However, TDA must approve the type of site a CE chooses to operate for SSO. TDA will review the information provided in the CE's application submitted in TX-UNPS to make this determination.

---

[29] When NSLP CEs partner with other organizations, there may be state or local health and safety standards or licensing requirements that apply to meal preparation or serving locations. CEs should confer with state and local officials and health authorities to ensure that program operations are in compliance with any applicable health and safety standards or licensing regulations.

[30] For more information on types of sites, see the *Types of SSO Sites* subsection under *SSO Site Location* in this section.

All SSO sites must meet the site eligibility requirements, provide meals to all eligible participants,[31] and meet the requirements for the type of site.

Open Sites

An open site is located within the geographical boundaries of the attendance area of a school where a minimum of 50 percent of the students are eligible for free or reduced-price meals based on school or census data as described in this section.

Additional Information Required for an Open Site Application

– An indication of how the CE has determined site eligibility

Open Site Guidance

– The CE may choose the meals that will be served based on the following guidance:

  ▪ If two meals are served, one of the meals must be lunch.

  ▪ If the site serves a single meal, the meal may be breakfast, lunch, or a snack, but not supper.

– The site may claim a maximum of two meals per day.
    For Example: Lunch and breakfast or lunch and p.m. snack

  A CE may claim lunch and supper meals if lunch and supper are served on different days. If the CE chooses this option, it should communicate the service days and times clearly in its public notifications and outreach to the community.

– Reimbursable meals are served to all participating children through age 18 (and those persons over age 18 who meet the state's definition for mentally or physically disabled).

– Open site area eligibility remains in effect for five years.[32]

Restricted Open Sites

A restricted open site is located within the geographical boundaries of the attendance area of a school where a minimum of 50 percent of the students are eligible for free or reduced-price meals based on school or census data as described in this section. Restricted open sites limit meal participation based on security, safety, or control.

Additional Information Required for a Restricted Open Site Application

– An indication of how the CE has determined site eligibility

– Explanation of the reason the CE plans to operate a restricted open site

Restricted Open Site Guidance

– A restricted open site is open to the entire community on a first-come, first-served basis. Restricted open sites cannot limit participation to a

---

[31] For SSO, all children enrolled in a school of high school grade and under as determined by the Texas Education Agency (TEA) including persons enrolled in a school program for the mentally or physically disabled, and person under 21 enrolled in an RCCI are eligible program participants. See the *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination* for additional information on the state's definition for enrolled student. SFSP provisions provide a different definition for eligible participants. CEs operating SFSP must use the SFSP definition and not the SSO definition. The *USDA Summer Food Service Program (SFSP) Administrative Guidance for Sponsors* provides additional information about eligibility for SFSP.

[32] If a CE has established site area eligibility and then does not operate SSO or SFSP during one or more summers, the CE must reestablish area eligibility for all previously approved sites when it restarts operation of a summer meal program. This requirement does not apply when a CE switches from SSO operation to SFSP operation or the reverse.

select group of students. A restricted open site cannot provide meals to a select group of students and then open the site to other children on a first-come, first-served basis. All children must have the same opportunity to be served a meal.

> Acceptable Restriction for Restricted Open Site: The number of children served at the site is limited based on fire code requirements.

– The media release or public announcement about the site must describe that the site is open to the entire community on a first-come, first-served basis.

– The CE may not charge a fee for children to attend.

– The CE may choose the meals that will be served based on the following guidance:
  - If two meals are served, one of the meals must be lunch.
  - If the site serves a single meal, the meal may be breakfast, lunch, or a snack.

– The site may claim a maximum of two meals per day.

> For Example: Lunch and breakfast or lunch and a.m. snack[33]

A CE may claim lunch and supper meals if lunch and supper are served on different days. If the CE chooses this option, it should communicate the service days and times clearly in its community notifications and outreach efforts.

– Restricted open site area eligibility remains in effect for five years.[34]

Closed Enrolled Sites

A closed enrolled site serves an identified group of children who are participating in a specific program or activity and has a student enrollment where at least 50% of the enrolled students are eligible for free or reduced-price meals.

Site eligibility may be established through the following methods:
1. Site is located within the geographical boundaries of the attendance area of a school where a minimum of 50 percent of the students are eligible for free or reduced-price meals
2. Site is located within the geographic boundaries of a census area where census data qualifies the site as eligible.
3. Individual household meal applications or categorical eligibility indicate that 50% of the students enrolled are eligible for free or reduced-price meals.

Additional Information Required for a Closed Enrolled Site Application

– An indication of how the CE has determined site eligibility

– Explanation of why the CE plans to operate a closed site

---

[33] See the *Reimbursement Guidelines Chart* for additional information on the number of and the type of meals for which a site can be reimbursed.

[34] If a CE has established site area eligibility and then leaves the program (i.e., does not operate SSO), the CE must reestablish area eligibility for all sites when it restarts operation of a summer program. This requirement does not apply when a CE switches from SSO operation to SFSP operation or the reverse.

- A closed enrolled site may take household meal applications to determine eligibility or may use eligibility information obtained from the enrolled child's household.

- The specific program or activity <u>must not be an academic summer school</u> that is closed to the public.

  Acceptable Program or Activity for Closed Enrolled Site: CE offers a recreational program with enrichment classes that require enrollment to attend.

- The CE may sponsor and operate these sites or sponsor sites that are operated by local government or private nonprofit organizations.

- The CE may choose the meals that will be served based on the following guidance:

  - If two meals are served, one of the meals must be lunch.

  - If the site serves a single meal, the meal may be breakfast, lunch, or a snack.

- A closed enrolled site may claim a maximum of two meals per day.
  For Example: Lunch and breakfast or lunch and a.m. snack

  A CE may claim lunch and supper meals as long as lunch and supper are served on different days. If the CE chooses this option, it should communicate the service days and times clearly in its community notifications.

- Closed enrolled sites that base site eligibility on individual student eligibility determinations must re-determine site area eligibility each year.

  However, closed enrolled sites that base site eligibility on location within the geographical boundaries of the attendance area of a school where a minimum of 50 percent of the students are eligible for free or reduced-price meals or where census data qualifies the site as eligible are not required to reestablish site eligible each year.

Camp Sites

CEs may sponsor camp sites[35] that serve regularly scheduled meals at residential summer camps and non-residential day camps and may be located in an area eligible location or not. Eligibility must be established for each enrolled child by application or categorical participation. <u>Census data cannot be used</u>. These sites offer a continuous schedule of organized cultural or recreational activities for participants.

- Indication of type of camp: residential or nonresidential (day camp)

- Brief description of organized program for participating children if CE is operating a nonresidential camp

- Explanation of why the CE plans to operate a camp rather than a more conventional SSO site

---

[35] CEs should confer with state and local officials to ensure that their operation of a camp site is in compliance with any applicable health and safety standards or licensing regulations.

- Method the CE will use to determine children's eligibility

Camp Site Guidance

- For camp sites (residential or non-residential), CEs cannot use area eligibility determination. Instead, CEs determine each child's eligibility for free meals through the following methods:
  - Collecting and accessing the multi-child or multi-use household income eligibility applications used in NSLP or SBP[36]
  - Obtaining information from the child's regular school
  - Making a determination based on categorical eligibility or direct certification conducted by the sponsoring school or CE[37]
- The CE may serve breakfast, a.m. or p.m. snack, lunch, or supper based on the following guidance:
  - CEs may serve a maximum of three meals each day.
  - Lunch and supper may be claimed when served to the same children on the same day.
  - The same meal must be available to all children regardless of reimbursement status.
  - Reimbursable meals are reimbursed at the appropriate NSLP or SBP free rate for eligible children in attendance. Meals for students who do not qualify for free or reduced-price meals must not be claimed.
  - The CE is not reimbursed for the meals of children who are ineligible for free or reduced-price benefits.
- For students who normally attend special provision schools and will be participating in a summer camp, the following guidance must be used in establishing individual student eligibility status:
  - If a student is one of the students identified for the most recent March Community Eligibility Provision (CEP) report, the documentation used to identify the student as eligible without an application can also establish the student's eligibility status for a summer camp.
  - If a student attends a Provision 2 school operating in the base year, a current household application or categorical participation determination can be used to establish the student's eligibility status for a summer camp. If not in the base year, the student's eligibility must be determined by a household application or categorical participation.
  - If no household application has been processed and no categorical documentation exists, the student's eligibility status must be established by household application or categorical participation for the summer camp.
  - Another CE may share eligibility information (categorical or application) by a written statement (email, fax, or paper) for any out of district student attending the summer camp. The eligibility

---

[36] Household meal applications are available at *www.SquareMeals.org*. For additional information, see the *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination*.

[37] For additional information, see *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination*.

> information shared can be as simple as stating if the student is free, reduced-price, or paid. The summer camp can accept that written statement if it is dated and signed (electronic signature or actual).

Migrant Sites

Migrant sites provide meals primarily[38] to the children of migrant families through age 18 as certified by a migrant coordinator who is employed by the CE or who is employed by an organization providing services under the migrant program.

Restricted Open Site Guidance

– The CE may serve breakfast, a.m. or p.m. snack, lunch, or supper based on the following guidance:

  ▪ CEs may serve a maximum of three meals each day.

  ▪ Lunch and supper may be claimed when served to the same children on the same day.

– Eligible SSO meals served to all participating students are reimbursable.

Non-Traditional Rural or Urban Open Sites for SSO

CEs may request to operate a non-traditional serving site in order to provide the most cost effective and efficient meal service to high need children.

Mobile Sites

CEs may operate two types of mobile site.

Rural

CEs in rural areas often have difficulty identifying sites: The rural population may be dispersed, or it may not be cost-effective to transport children from rural areas to sites located in the town's traditional meal service facilities.

Urban

Urban sites also face challenges. Since students often attend schools outside of their home neighborhoods, transportation may be significant challenge. CEs may also find that using locations that are close to or house other support services may be beneficial to students and their families.

For Example: CEs may establish mobile feeding sites to serve students who live in urban housing projects or mobile home parks and do not have access to sites at fixed locations. This allows the CE to transport meals to students instead of transporting the students to meal service sites.

                 CE may use a bus as a meal service site. The bus stops at numerous locations and provides meals to students at each stop. The students eat on or near the bus.

Additional Information Required for a Mobile Open Site Application

– Explanation of why the CE has chosen to operate a non-traditional open site

– Method of meal service including how the CE will maintain congregate feeding, mobile route, and mealtimes for each site

---

[38]   Students certified as migrant by the migrant coordinator or liaison are eligible for participation in SSO.

- Documentation demonstrating site eligibility for each meal service site including the method for calculating eligibility if census data is used to determine eligibility

Mobile Open Site Guidance

- Adjusting Meal Deliveries. The CE must have the ability to adjust meal deliveries to address fluctuations in attendance.

- Advertising. CEs must advertise that the mobile feeding sites are available and include specific descriptions of meal service locations and times.

- Allowable Costs. CEs may include the allowable cost of transporting food to children in rural areas in the same manner that they claim the costs of transporting children to food service sites. In these cases, the costs must be necessary and reasonable. Allowable expenses may also include costs related to processing, distributing, transporting, storing, and handling of food purchased for, or donated to the program.[39]

- Delivery Routes. CEs in rural areas may use bus routes to distribute meals and meet the needs of low-income children if the following requirements are met:
  - Each location where meals are dispensed must meet site eligibility criteria.
  - Consumption of meals must take place on or near the bus or vehicle.
  - The meal service must adhere to established meal service times.
  - The requirements for the display of nondiscrimination poster must be followed.

- Health and Safety. CEs must ensure the safety of the food that is served to the children. This includes the following:
  1. Adhere to the Hazard Analysis Critical Control Point (HACCP) Standard Operating Procedures (SOPs).
  2. Maintain proper temperatures of food throughout the delivery route.
  3. Meet state and local health standards.

- Inclement Weather. CEs must make arrangements for meal service during period of inclement weather. This includes making a reasonable effort to inform students of contingency plans to deal with extreme weather conditions, particularly if meals are canceled.

Sites for Year-Round Schools with Off-Track Breaks
CEs approved on a year-round or continuous schedule that have off-track breaks that are officially part of the site schedule may be approved to operate the SSO during the breaks. Typically, the off-track breaks are of two to three weeks. To provide SSO meals in these circumstances, the school vacation must be 10 school days or more.

- TDA must approve SSO meal service for these locations because site

---

[39] See the *Administrator's Reference Manual (ARM), Section 16, Financial System* for additional information on allowable costs.

breaks may be less than 30-calendar days.

- The CE must be able to distinguish between the two types of program service:

  – <u>Off-track students</u> who receive meals free of charge under the SSO

    and

  – <u>On-track students</u> who may pay reduced-price or full prices (paid meals) for meals under the NSLP or SBP.

  The CE must submit claims for reimbursement accordingly.

Operating Extended-Year or Year-Round Schools, Operating NSLP or SBP and the SSO Program Simultaneously

CEs that have an extended-year or year-round school year may operate NSLP or SBP and the SSO during the same time period if the continuous schedule and off-track breaks are officially part of the school schedule. Even though the programs are run simultaneously, they must be operated as two separate programs.

If the site is extending its NSLP or SBP operation into the summer months, the NSLP or SBP requirements apply.	▶	The CE must request TDA approval for these sites.
If the site is planning to offer SSO, the SSO requirements apply.	▶	The CE must submit an SSO site application for these sites.

Since all children at SSO sites receive meals free of charge,[40] the site must be able to distinguish between (1) meal service to SSO participants who receive free meals and (2) extended-year children who receive free meals or pay reduced-price or full price (paid meals) for meals under the NSLP or SBP.

Non-Congregate Outdoor Feeding Sites—Excessive Heat for SSO

USDA continues to provide CEs flexibility through the Demonstration Project for Non-Congregate Feeding for Outdoor Summer Feeding Sites Experiencing Excessive Heat (Demonstration Project) for the summer of 2017. This project allows non-congregate feeding at approved outdoor summer meal sites experiencing excessive heat if a CE meets the requirements for participation in the Demonstration Project.

Under this project, non-congregate meal service shall be permitted only on the days when the National Weather Service (NWS) has issued a Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch for the area in which an approved outdoor site is located. The Demonstration Project flexibility may only be applied at sites where there is no suitable alternative feeding location that provides shelter from extreme heat.

When a CE that has indicated that it will participate in the Demonstration Project provides meals on an excessive heat day, the CE cannot shorten or extend its regular meal service time. With the exception of allowing a meal participant to eat the meal off site, all other requirements apply.

---

[40] Camp sites are an exception. Only the meals served to children who are eligible for free or reduced-price meals are reimbursable.

Required Actions
If a CE chooses to participate in this program, the CE must take the following actions:

1. Indicate its intension to offer non-congregate feeding at approved outdoor summer meal sites in the *SNP Application Packet* in TX-UNPS <u>before using this option</u>. This intention must be marked at <u>both the CE and site levels</u>.

    (NOTE: If the intention to offer non-congregate feeding is not indicated in the SNP Application Packet, and the CE exercises this option, the CE will not be reimbursed for meals claimed on the days non-congregate meal service was used because of excessive heat.)

2. Retain copies of notices provided by the National Weather Service for each day the approved site offered non-congregate feeding because of a Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch for the area in which an approved outdoor site is located.

    (NOTE: If the CE does not maintain adequate documentation for non-congregate feeding offered under the Demonstration Project, TDA may take fiscal action.)

3. Report the number of days and number of meals served at non-congregate feeding sites at the end of each month in the online data collection tool as directed by TDA after receiving approval for the site to participate in the demonstration project.

Designated SSO Meal Periods and Months of Operation
SSOs are required to meet the following mealtime guidelines:

Meal Type	Served...
Breakfast	in the morning hours
Lunch	between 10:00 a.m. and 2:00 p.m.
Supper	After lunch and recommended to begin before 7:00 p.m. and end by 8:00 p.m.
Snacks	<u>evenly</u> and <u>adequately</u> spaced between other meal service times to minimize food waste and ensure good nutrition practices

TDA recommends a <u>two-hour interval</u> between all meal services.

Months of Operation
SSO meals may be served according to the following schedule:

Regular School Year	May through September when school is not in session
Continuous or Year-Round Sites	Summer meal service may be offered during scheduled breaks of at least 10 school days, but may be shorter with TDA approval

Operation in a Declared Disaster
CEs with a current permanent agreement may provide meal services during a declared disaster with the approval of TDA. If, as a result of a declared disaster, approved SSO sites are damaged and unable to provide meals, TDA will expedite the process for approving a non-area eligible site in order to facilitate meal service. CEs should take extra care in these cases to ensure that correct claims are submitted for meals or snacks served. Meals claimed must match the program for which they were served.

Unanticipated School Closure

Per regulation, in the case of an unanticipated school closure from October through April, CEs may provide meal services at a non-school site if an alternate school site is not available. An unanticipated school closure is defined as

> a natural disaster, unscheduled major building repair, court order relating to school safety or other issues, labor-management dispute, or other similar cause as approved by TDA.

Note that waivers may be in place to allow more flexibility during an unanticipated school closure. For more information on unanticipated school closures, see the *Administrator's Reference Manual (ARM), Section 24, Disaster Situations*.

Staggered Meal Service Times

CEs operating an open site in the SSO may serve meals at staggered times for students attending summer school and children coming from the wider community. However, CEs must serve the same meal service for all service times—including, but not limited to, food items served, length of serving time,[41] eating area, and meal service locations.

Weekend Meal Service

CEs must request approval from TDA for weekend meal service. This request should be included in the site application submitted through TX-UNPS.

Meal Service, SSO

Meal Pattern

CEs must meet the NSLP or SBP meal pattern and nutritional standards requirements for lunch, breakfast, snacks, or supper. For SSO sites, underline supper meals served and claimed for reimbursement must meet the NSLP lunch meal pattern requirements.[42] For more information on the meal patterns, see the *Administrator's Reference Manual (ARM), Section 7, Breakfast Meals; Section 8, Lunch Meals;* or *Section 9, Pre-Kindergarten Meals.*[43]

Age/Grade Exemption for SSO

CEs operating SSO should make every effort to follow the required age/grade group portion sizes in serving meals to children. This includes adding slightly larger or smaller servings of grains and meat/meat alternates for different aged children. However, CEs, operating open and restricted open sites under SSO, may apply for an SSO Age/Grade Portion Size Waiver in order to serve only one portion size if the site is having difficulty implementing the age/grade group requirements. The exemption, if approved, will allow the CE to serve the portion size that is consistent with the most commonly served age/grade group at that site. An age/grade exemption is approved for a specific site.

---

41 This requirement is to ensure that a CE does not shorten the meal service time for children coming from the wider community. However, if the CE found that there were many more children from the community participating than the summer school participants, the CE could extend the serving time for the children from the community in order to ensure that all children had enough time to finish their meals.

42 Additional information on the appropriate meal pattern can be found in the *Administrator's Reference Manual (ARM), Section 7, Breakfast Meals* and *Section 8, Lunch Meals*, available at *www.SquareMeals.org*.

43 On October 1, 2017, the Child and Adult Care Food Program meal pattern for pre-kindergarten students will be an age/grade group for the NSLP/SBP meal pattern.

The exemption application for each site must include the following:

- A designation of the age/grade group that has the most participants at the specific site.

- A detailed explanation why this particular site is unable to identify each child's age/grade group as part of the process for serving food.

- A statement that the site will serve portions to all participants based on guidelines for the most common age/grade group.

If approved, an SSO age/grade exemption applies only to the summer for which it is granted.

Submitting an Age/Grade Exemption for SSO

CEs submit an age/grade exemption for SSO through the Download Forms screen accessed from the Application Screen in TX-UNPS.

Shorter and Longer Weeks

Since the dietary specifications are based on average daily amounts, these are unaffected by varying week lengths (average over length of week, whether consisting of 3 to 7 days).

CEs that regularly and consistently serve SSO meals more than five days per week must increase the weekly component quantities by 20 percent (⅕) for each additional day. Similarly, CEs that regularly and consistently serve SSO meals for less than five days per week must decrease the weekly component quantities by 20 percent (⅕) for each day less than five.

However, due to the size of weekly vegetable subgroup requirements, the 20% adjustment is not practical. Therefore, adjustments are primarily made to the "Additional Vegetable" category only- which in turn allows increased or decreased offering amounts of any of the subgroups to meet this requirement.

See Administrator's Reference Manual (ARM), Section 7, Breakfast Meals or Section 8, Lunch Meals for additional information on planning for shorter or longer weeks.

SSO Meal Service

A La Carte Sales for SSO

A la carte sales are not encouraged during summer meal service. Children should be encouraged to participate in the meal service being offered before they pay for a la carte items.

Family Style Meal Service for SSO

Closed enrolled and camp sites are the only types of sites that may offer family style meal service.

Field Trips During SSO Operation.

There is no requirement that CEs must obtain permission prior to serving meals on a field trip when operating SSO.[44]

Offer Versus Serve (OVS) for SSO

A CE, regardless of the location of its sites, may choose to use the OVS option for

---

[44] Under the requirements for SFSP, NSLP CEs must notify TDA via TX-UNPS about planned field trips and have approval for meals served on field trips.

SSO if the CE or a specific site under its direction meets the following criteria:

- Indicate in TX-UNPS that the CE is operating an OVS meal service.

- Used the offer versus serve option during the current NSLP school year

- Serves the food cafeteria style at the site

- Uses OVS for breakfast and lunch only

- Follows the requirements of NSLP or SBP as described in the *Administrator's Reference Manual (ARM), Section 7, Breakfast Meals* and *Section 8, Lunch Meals*[45]

Food Service Management Company's Role in SSO

A food service management company (FSMC) under contract with a CE for NSLP meal service may handle the same administrative tasks for meals served under the SSO. The contract must include summer meal service in the NSLP solicitation and contract. CEs must be compliant with all requirements related to contract procurement as described in *Administrator's Reference Manual (ARM), Section 17, Procurement* and *Section 18, Food Service Contracts*. FSMC personnel must follow the NSLP regulations, 7 CFR 210.16, which describe permissible administrative tasks that the company can perform on behalf of the CE.[46]

Training for SSO

The CE is expected to ensure that all staff involved in the SSO have the knowledge and skills needed to perform assigned tasks. CEs may utilize training and technical assistance provided by TDA or their regional education service center (ESC).[47] CEs may also provide in-house training or use any other appropriate training source.

Summer Food Service Program (SFSP)

Staff from NSLP CEs that operate SFSP are not required to attend training on the general operation of federal Child Nutrition Programs (CNPs). However, prior to the start of SFSP operations, program supervisory personnel responsible for the SFSP food service must attend TDA training that has been developed for NSLP CEs operating SFSP. CEs should contact their education service center (ESC) for additional information on available training.

SSO Reimbursement Rates

Meals served under the SSO are reimbursed at the *free* rate as prescribed by USDA for NSLP (including snacks) and SBP. Supper meals are reimbursed at NSLP *free lunch* rate. However, for camp sites, meals served to children eligible for free and reduced-price meals are reimbursed at the free rate; meals served to children who are not eligible for free or reduced-price meals may not be claimed. TDA provides current reimbursement rates at *www.SquareMeals.org*.

Additional Reimbursement Amounts

For those CEs that receive additional reimbursement amounts the following

---

[45] Available at *www.SquareMeals.org*.
[46] See the *Administrator's Reference Manual (ARM), Section 18, Food Service Contracts* for additional information on this topic.
[47] Information on TDA training is available at *www.SquareMeals.org.*

guidelines apply:

Performance-Based Reimbursement
Qualifying sites will continue to receive performance-based reimbursement awarded under NSLP for the SSO program.

Severe Need
Qualifying sites continue to receive severe need breakfast and lunch rates awarded under NSLP or SBP for the SSO program.

Paid Meals for Children
CEs may not charge participating children for reimbursable meals unless the meals are served at a camp site. In a camp site, CEs may charge children who are not eligible for free or reduced-price meals for their meals. CEs cannot claim the meals for students who are not free or reduced-price—that is, paid meals are not reimbursable. In these cases, CEs need to ensure that staff do not overtly identify those children who are eligible for free or reduced-price meals.

Reimbursement During SY Transition from One Fiscal Year to Another
Since the rates change on July 1 each year, the June and July claims for reimbursement cannot be combined. June meals served under the SSO would be included in the same claim as regular NSLP meals for June.

Second Meals
Second lunch and supper meals and snacks are not reimbursable in the SSO and, therefore, may not be claimed. However, second reimbursable breakfasts may be offered and claimed as long as the CE prepared.[48] If second meals are served, the CE must count and record these meals separately on daily meal count forms.

Supper Meals
A CE must not claim lunch and supper for the same student at the same site on the same day unless operating a migrant or camp site.

USDA Foods (Commodity) Entitlement
NSLP CEs may use their USDA Foods (commodity) allotment or bonus USDA Foods during summer operation.

Youth Workers
A CE may claim reimbursement for meals served to children or youths under the age of 18 who work for the CE's SSO program in open or restricted open sites. However, CEs must not claim reimbursement for meals served to children or youths under the age of 18 who work under the CE's SSO program in closed enrolled sites.

The *Reimbursement Guidelines Chart* provides information on the requirements for reimbursement based on site type.

---

[48]   Second meals may be disallowed if TDA determines that the CE has failed to plan and prepare or order meals with the objective of providing only one meal per child at each service.

Reimbursement Guidelines Chart								
Type of Site	**Meal Reimbursement Guidelines**	**Types of Meals Than May be Reimbursed***						
		B	**a.m Sn**	**L**	**p.m. Sn**	**S**	**Per Day**	
Camp Site	Meals reimbursed at the free meals rate for individual free and reduced-price eligible children in attendance. Meals served to ineligible (paid) children are not reimbursed; camps may charge ineligible children for meals. <u>May claim</u> a maximum of 3 meals per child per day from the following: breakfast, lunch, snack, or supper. <u>Only camp and migrant sites may claim</u> lunch and supper served to the same children on the same day.	x	x	x	x	x	3	
Closed Enrolled Site	Meals reimbursed for all children in attendance at the free meals rates when the site meets one of the following conditions: • At least 50 percent of the students enrolled at the site are approved for free or reduced-price meals. • The CE has documentation indicating that the site is located within the geographical boundaries of an attendance zone with at least 50% of its children approved for free or reduced-price meals or has used other data from TDA approved sources that demonstrate high economic need. <u>May claim</u> a maximum of 2 meals per child per day: lunch and breakfast, lunch and one snack, breakfast and one snack, or one a.m. snack and one p.m. snack; <u>may not claim</u> both lunch and supper on the same day.	x	x	x	x	x	2	
Migrant Site	Meals are reimbursed at free meal rates for all attending students. <u>May claim</u> a maximum of 3 meals per child per day from the following: breakfast, lunch, snack, or supper. <u>Only camp and migrant sites may claim</u> lunch and supper served to the same students on the same day.	x	x	x	x	x	3	
Open Site	Meals are reimbursed at the free meal rates for all attending children. <u>May claim</u> a maximum of 2 meals per child per day: lunch and breakfast, lunch and one snack, breakfast and one snack, or one a.m. snack and one p.m. snack. If two meals are served, one meal must be lunch.	x	x	x	x	x	2	
Restricted Open Site	Meals are reimbursed at free meal rates for all attending children. <u>May claim</u> a maximum of 2 meals per child per day: lunch and breakfast, lunch and one snack, breakfast and one snack, or one a.m. snack and one p.m. snack; <u>may not claim</u> both lunch and supper on the same day.	x	x	x	x	x	2	
***B** = Breakfast; **L** = Lunch; **a.m. Sn** = a.m. Snack; **p.m. Sn** = p.m. Snack; **S** = Supper								

Adult Meals in SSO

In all circumstances, all children <u>must</u> be fed before adults receive a free or paid meal. The CE must maintain separate meal counts for all adult meals—free and paid.

Free Meal for Adults

Adults Working Directly with the Meal Service

Meals for adults working directly with meal service at a site—volunteers or paid employees—may be served free to those adults who meet this definition. These meals may not be claimed for reimbursement as a reimbursable meal but are an allowable expense for the program.

Meal Supervision or Security

The cost of one meal at each site during each meal service—breakfast, lunch, snack, or supper—for security personnel is an allowable expense that can be absorbed through use of reimbursement funds. This allowed expenditure assists CEs in providing security for open site campuses and demonstrates a strong partnership between education, community, and local law enforcement.[49]

The security official must be a salaried employee from a local, municipal, county, or state government law enforcement agency.

Paid Meal for Adults

Parents or adults who do not work directly with meal service at a site may be served a meal; however, the CE must charge the adult the full cost of the meal or use funds from a non-SNP source to cover the cost of the adult meal. [50]

All income from the sale of adult meals must accrue to the SNP nonprofit food service account.

CE Onsite SSO Self-Review or Self-Monitoring

The CE must conduct onsite monitoring to review the meal counting, claiming, meal planning and pattern compliance, and food safety requirements for all lunch sites and 50 percent of all breakfast sites at least once during its SSO operation if the CE operates more than one feeding site. TDA has provided a prototype monitoring form to be completed by the CE for each site.[51] A CE must fully complete the onsite self-monitoring form and take action to improve its program based on the information from self-monitoring form.

SFSP Onsite Review

SFSP regulations include additional review requirements, including an onsite review during the first week of operation. For CEs that also operate NSLP/SBP, the onsite review during the first week of operation is waived if the CE is a returning CE in good standing. A CE that is in compliance with all program requirements is considered to be in good standing. If a CE's funds are on hold, it is not in good standing.

Edit Checks

Edit checks are not required for the SSO sites. However, CEs must ensure that meal counts are

---

[49]   See *Administrator's Reference Manual (ARM), Section 19, Meal Pricing* for additional information on this topic.
[50]   See *Administrator's Reference Manual (ARM), Section 19, Meal Pricing* for additional information on this topic.
[51]   Forms are available at *www.SquareMeals.org*.

correctly claimed based on their records of meals served.

Extended-Year Programs
If a CE is operating an NSLP or SBP and SSO simultaneously, the CE must conduct an edit check on the NSLP and SBP, but not the SSO.

Comparison of SSO and SFSP
The *SSO and SFSP Comparison Chart*[52] illustrates the shared and dissimilar qualities of the programs.

SSO and SFSP Comparison Chart	
SSO	**SFSP**
Eligible Sponsors[53]	
School districts, schools, and charter schools that participate in NSLP or SBP.	School districts, schools, and charter schools (school food authorities or SFAs); local government agencies; private-nonprofit organizations; universities or colleges; or community and faith-based organizations.
Eligible Participants	
All children enrolled in a school of high school grade and under as determined by the Texas Education Agency (TEA) including persons enrolled in a school program for the mentally or physically disabled, and persons under 21 enrolled in an RCCI.[54]	Persons 18 years or younger and Persons 19 or older with a physical or mental disability (as determined by TEA or a local education agency) and who participate during the school year in a public or private nonprofit school program (established for the mentally or physically disabled).
Maximum Number of Meals	
The following meals may be served: Breakfast, a.m. snack, lunch, p.m. snack, and supper • Maximum two meals for all types of sites except Migrant and camp.[55] • Maximum three meals for Migrant sites and camps. Lunch and supper cannot be reimbursed on the same day by the same site, except for camp and migrant sites.	
Meal Cost for Children	
All meals are free. (Exception: Camps may charge paid students for meals, or a camp sponsors may provide meals free of charge to all children. If a CE chooses to serve all students at no charge, a CE operating a camp may only claim free and reduced-price reimbursable meals. The CE cannot claim the paid price reimbursable meals.)	

---

[52] USDA provides a more detailed version of this chart in the *Administrative Guidance for Sponsors* and on the USDA website at *www.fns.usda.gov/school-meals/child-nutrition-programs*.

[53] USDA uses the term School Food Authority (SFA) to refer to all agencies or organizations that sponsor USDA nutritional programs. Since sponsors include agencies or organizations that are not schools, TDA uses the term Contracting Entity (CE).

[54] See the *Administrator's Reference Manual (ARM), Section 4, Eligibility Determination* for additional information on the state's definition for enrolled student.

[55] See the *Reimbursement Guidelines Chart* in this section for additional information on what meals a CE may claimed based on the type of site.

SSO and SFSP Comparison Chart	
SSO	**SFSP**
Meal Pattern	
Must meet requirements for the NSLP and SBP meal pattern[56] including portion sizes based on age/grade groups unless the CE has an approved SSO age/grade exemption. Must meet the pre-kindergarten meal pattern for very young children unless the meal service is comingled.	Meal pattern must meet the SFSP meal pattern. However, NSLP CEs may use the NSLP or SBP meal patterns.
Meal Service Locations	
Schools, camps churches, community centers, housing projects, libraries, migrant centers, parks, playgrounds, pools, other public sites where children gather.	
Meal Service Times	
• Breakfast must be served in the morning hours. • Lunch must be served between 10 a.m. and 2:00 p.m.[57] • Snacks must be evenly spaced between other meal service times. • Supper mealtimes must be established for each site.	No time limits on duration of meal service or amount of time that must elapse between the beginning of one meal and the beginning of the next.
Monitoring Required of State	
TDA conducts administrative reviews every 4 years. TDA must include one seamless site in an AR if a CE operates SSO.	TDA review every 3 years; at least one review during the first year of operation; and more frequently based on program size and prior problems identified by TDA.
Reimbursement Rates	
NSLP and SBP rates are typically published in July of each year. • If area eligible, all meals are reimbursed at NSLP/SBP free rate. • <u>Camps</u>: If applications and categorical program participation are used to determine site eligibility, free and reduced-price meals are reimbursed at free NSLP or SBP rate. CEs operating camps must not claim reimbursement for paid meals even if the paid students are not charged for their meals. • <u>Closed Enrolled</u>: If applications and categorical program participation are used to determine site eligibility, all meals are reimbursed at the free rate.	SFSP rates established in January of each year. • SFSP CEs will only receive reimbursement for the number of meals claimed up to the maximum number of meals approved to be served at each site (without regard to actual or budgeted costs). • SFSP CEs may use reimbursement to pay for any allowable program costs. • Camps are reimbursed only for meals served to eligible children.

---

[56] For information on the new meal pattern, see *Administrator's Reference Manual (ARM), Section 7, Breakfast Meals* or *Section 8, Lunch Meals* available at *www.SquareMeals.org*.

[57] TDA may approve a different meal service time as long as the change follows the order of normal meals—i.e., breakfast comes before lunch, lunch comes before supper. For additional information on other meal service times, see the *Administrator's Reference Manual (ARM), Section 21, Meal Service*.

SSO and SFSP Comparison Chart	
SSO	**SFSP**
Times of Operation	
- May to September for traditional school calendar areas - October to May during unanticipated school closures (disasters or emergency situations) - During vacations of 10 school days or more for sites on a continuous year calendar	- May to September for traditional school calendar areas - October to May during unanticipated school closures (disasters or emergency situations) - During vacations of 10 school days or more for sites on a continuous year calendar
Types of Sites Eligible to Be Included in Program Services	
Camps: Offer a regularly scheduled food service as part of an organized program for enrolled children. Closed Enrolled: Fifty percent or more of enrolled students are eligible for free or reduced-price meals, determined by approved application or categorical program participation. Migrant: Certification by a migrant organization that the sites primarily serve students of migrant farm workers. Open: (1) Attendance area of a site or geographic area defined by a local education agency where 50% or more of students qualify for free or reduced-price meals or (2) geographic area defined by current census block data, combined current census block data, or current census track data[58] where 50 percent or more of the children qualify for free or reduced-price meals. These sites are open to the community.	
USDA Foods (Commodities)[59]	
NSLP CEs may use their commodity allotment or bonus commodities during summer operation for SSO or SFSP.	

Records Retention

CEs must retain documentation about meal production and service as well as counting and claiming. CEs are not required to use the forms provided by TDA for their records retention system, unless specified, but TDA strongly recommends that CEs do so. If the CE uses its own form/s, the form/s must include all elements included on the TDA forms. CEs also have the option to maintain records in paper or electronically.

All documentation or records must be kept on file for a minimum of five years for public and charter schools or three years for private schools, nonprofit organizations, and residential child care institutions after the end of the fiscal year to which they pertain. If audit findings have not been resolved, the records must be maintained as long as required for the resolution of the issues raised by the audit.

Information Box 1
Records Retention
Public and charter schools are required to keep documentation related to school nutrition programs for 5 years. Private schools, other organizations, and residential child care institutions (RCCIs) are required to keep documentation for 3 years.

---

[58] See the *SSO Sites—Site Eligibility* subsection in this section for additional information on this topic.
[59] See the current reimbursement rate for the USDA Foods (Commodity) Program at *www.SquareMeals.org.*

The CE must retain the following types of documentation in its record retention system:[60]
- Administration of the program
- Counting and claiming,[61] including a separate accounting for adult meals served as well as second meals served to children
- Food production records
- Meal pattern documentation
- Non-congregate feeding
- Program and nonprogram expenses and income[62]
- Records indicating income from nonprogram sources including paid adult meals
- Records demonstrating that paid meals served to adults were priced to cover the cost of the meal[63]
- Site eligibility

TDA may request documentation for both offsite and onsite administrative reviews. CEs are encouraged to develop a system of document retention that allows them to readily retrieve documentation.

Mandated Summer Participation Operating Cost Report
Any CE that is mandated to participate in the SSO or SFSP and

1. operates a summer program as part of the Texas mandatory participation requirement or
2. partners or collaborates with another organization or CE for the operation of a summer program in order to fulfill the Texas mandatory participation requirement

must submit the CE's summer operating costs at the end of summer through TX-UNPS.

This information is known as the *Summer Cost Report* and can be found in TX-UNPS. Costs on this report should include operating expenses that are incurred directly by the CE that is

---

[60]   See *Administrator's Reference Manual (ARM), Section 30, Records Retention* for additional information on this topic.
[61]   See the *Administrator's Reference Manual (ARM), Section 20, Counting & Claiming; Section 7, Breakfast Meals* and *Section 8, Lunch Meals* for additional information on point-of-service.
[62]   CEs income and costs for program and nonprogram operation must be proportional as describe in *Administrator's Reference Manual (ARM), Section 16, Financial System.*
[63]   See the adult meal pricing information in *Administrator's Reference Manual (ARM), Section 19, Meal Pricing* for additional information on calculating adult meal price.

mandated to provide a summer feeding program. The following types of expenses should be reported:[64]

Administrative	Facilities	Meal Service
– Managing payroll and accounting – Oversight – Management salaries – Security – Training – Utilities – Mileage and transportation – Outreach materials – Printing and postage – Public service announcements (PSAs)	– Cost of opening the building – Renting space – Equipment – Commodity processing and storage – Non-food – Paper and cleaning products – Custodial services	– Food purchased – Value of USDA foods used

Compliance

TDA will conduct an onsite review of the CE's SSO program either the summer before a scheduled Administrative Review (AR) or the summer following a scheduled AR. During a scheduled AR, TDA will review at least one SSO site in operation.

TDA may also conduct additional offsite and onsite reviews.

Community Participation

During a scheduled AR, TDA will also observe community participation at the site and attempt to confirm whether the site advertised meals as described in the CE's application.

Additional Review

TDA may review SSO sites even if an AR is not scheduled for a CE especially if concerns arise about management of the SSO operations.

SSO Administrative Review Findings

Even though fiscal action for the SSO is computed separately from AR findings, the amount of fiscal action for the NSLP and SSO must be combined to determine if the $600 disregard can be applied to any over-claim.

CEs with findings will be required to submit an approvable Corrective Action Document (CAD). Noncompliance in SSO can require adverse fiscal action. TDA may also take appropriate adverse fiscal action or terminate the Food and Nutrition (FND) Agreement for any CE that is not in compliance with accounting and financial requirements, including corrective action related to audits.

---

[64] CEs that partnered or collaborated with another CE or organization and did not incur any costs must report .01 in the summer operating cost field in TX-UNPS even if they do not have any expenses to report.