



Georgia Department of Early Care and Learning

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## MEMORANDUM

To: Sponsors Participating in the Summer Food Service Program (SFSP)

From: Sonja R. Adams, Director of Provider Services – Nutrition *(Original Signed)*

Date: June 28, 2019

Subject: Demonstration Project for Non-Congregate Feeding for Outdoor Summer Meal Sites Experiencing Excessive Heat, with Questions and Answers

Legal Authority: USDA Policy Memorandum SP 28-2019, SFSP 13-2019

The purpose of this memorandum is to notify Summer Food Service Program (SFSP) sponsors of the continued demonstration authority provided by the Food and Nutrition Service (FNS).<sup>1</sup> Specifically, FNS is continuing the 2018 demonstration project allowing non-congregate feeding at certain outdoor summer meal sites experiencing excessive heat for summer 2019. Additionally, applicable questions and answers are attached to this memorandum for additional guidance and clarity.

Pursuant to this demonstration project, sponsors operating approved outdoor meal sites without temperature-controlled alternative sites may operate as non-congregate sites on days when the area is experiencing excessive heat. Non-congregate meal service will only be permitted on days when the National Weather Service (NWS)<sup>2</sup> has issued any of the following for the area in which an approved outdoor meal site is located:

1. Heat Advisory;
2. Excessive Heat Warning; or
3. Excessive Heat Watch.

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<sup>1</sup> See 749(g) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Act, 2010 (PL 111-80).

<sup>2</sup> National Weather Service, available at <https://www.weather.gov/>

## Sponsors Applying for Participation in the Demonstration Project

For summer 2019, sponsors noted in their SFSP applications their intent to participate in the demonstration project. That information has been forwarded to USDA.

Sponsors who have already applied or been approved to participate this summer may submit an addendum to DECAL. Sponsors must identify outdoor congregate meal sites lacking temperature-controlled alternative sites that would be included in the demonstration project. Further, sponsors must select sites that are viable options for successful SFSP participation under the congregate meal requirement on days when the area is not experiencing excessive heat. This demonstration project will allow maintenance of the meal service at those sites on days when excessive heat makes service of congregate meals impractical or dangerous.

Notably, outdoor sites with available temperature-controlled alternative sites are not included in the demonstration project and should serve meals at the temperature-controlled alternative site if the area is experiencing excessive heat.

### Exceptional Circumstances

In prior years of this demonstration project, FNS has reviewed requests based on exceptional circumstances *other than excessive heat* on a case-by-case basis. For summer 2019, FNS will continue to consider requests based on exceptional circumstances related to extreme weather events or other circumstances that do not rise to the level of a disaster. Sponsors who reasonably anticipate the need to participate in the project because of an exceptional circumstance must send their requests to DECAL, who will then forward them to FNS. It is strongly advised that such requests be sent *as soon as possible* once becoming aware of the need for participation.

### Participation Requirements

To clarify, approved outdoor sites must comply with the congregate meal requirements on all other days of operation. Requirements pertaining to the number and type of meals that may be served each day continue to apply and sponsors must continue to provide all required components of a reimbursable meal. Because meals served will be consumed offsite, sponsors should carefully consider all food safety issues and risks. Only one meal may be provided to each child present at the meal site for each meal service. Meals may not be provided to adults or given to children to bring to other children not present at the site. All meal counting, claiming, and sponsor monitoring and oversight requirements continue to apply.

### Reporting Requirements

In addition to the existing practice of sponsors providing non-congregate feeding information in their monthly claims for reimbursement, sponsors with sites that serve non-congregate meals under this demonstration must submit the following information for each site to DECAL **within 10 days** of the non-congregate meal service:

- The specific dates on which participants were permitted to take meals offsite; and
- By meal type, the number of meals claimed that participants took offsite.

Participation in future SFSP heat demonstration projects is contingent upon full compliance with these reporting requirements. Please submit this information via e-mail to Ms. Leslie Truman at [Leslie.Truman@dec.al.ga.gov](mailto:Leslie.Truman@dec.al.ga.gov). Sponsors must ensure the information provided is complete and includes the above-mentioned elements. Non-congregate meal service will only be permitted on days when the National Weather Service (NWS) has issued a heat advisory, excessive heat warning, or excessive heat watch.

## Questions and Answers

### **Reporting Requirements**

**1. Who is required to document the NWS Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch for the days when non-congregate meal service takes place?**

Sponsors must document the NWS Excessive Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch by printing or obtaining an electronic copy of the NWS notice on the public website found at <http://www.weather.gov/> and maintain the records on file for review. Please note: This notice is only posted on this site on the day on which the area experienced extreme heat, so this must be documented on the day of extreme heat as it cannot be verified at a later date. Meals taken offsite may only be claimed on days for which documentation is maintained.

**2. What information must the States report for purposes of evaluating the demonstration project?**

By the 15<sup>th</sup> of each month, State agencies must report:

- The name and number of sponsor(s) who participated in the demonstration project;
- The name and address of site(s) that used the demonstration project;
- The total number of meals, by type, taken offsite, per site;
- The total number of meal service sessions that utilized this heat demonstration project, by meal type (e.g., 5 breakfasts, 8 lunches, etc.); and
- The number of calendar days on which at least one sponsor participating in the demonstration project permitted participants to take meals offsite.

**3. How will the States submit this information to FNS?**

FNS will provide technical assistance related to the submission of these data to the State agencies that notify their Regional office of their intent to participate.

### **Site Eligibility**

**4. Must State agencies create an additional application system for sponsors participating in the demonstration project?**

Interested sponsors must notify their State agency of their intent to participate in the heat demonstration project in their application to participate and indicate which individual site would be included on the site applications. Sponsors must identify those outdoor congregate meal sites lacking temperature-controlled alternative sites that would be included in the demonstration project. This notification should be included in the site application for participation this summer, where the sponsor must indicate their arrangements for food service during periods of inclement weather. An addendum may be submitted to the State agency by sponsors who have already applied or have been approved to participate this summer.

**5. May a site that has an alternative meal site on days when the site experienced excessive heat participate in the demonstration project?**

The intent of this demonstration project is to maintain service to children who would otherwise lose access to meals when excessive heat makes the operation of a congregate meal site impractical and the site lacks a temperature-controlled alternative site. Therefore, if the site has an alternative meal site, or other viable alternatives, the site cannot participate in this demonstration project.

**6. May a State agency prohibit a sponsor from participating in the demonstration project?**

State agencies may not deny a sponsor application based solely on the sponsor's intention to participate in the demonstration project. However, the State agency must ensure that the sponsor is otherwise eligible to participate in the SFSP or SSO and can adequately meet all program requirements when operating non-congregate meal service under the demonstration project.

**7. May a State agency prohibit a site from participating in the demonstration project?**

State agencies may deny participation in the demonstration project at an otherwise approved site based on concerns related to health, safety, and integrity related to non-congregate meals. We encourage State agencies to consult with their FNS Regional Office if they are considering denying a site's participation in the demonstration based on these concerns.

**8. Are there additional health and safety requirements for sponsor and site supervisors participating in the demonstration project?**

All State-sponsor agreements are required to include an agreement to store, prepare, and serve food and maintain proper sanitation and health standards in conformance with all applicable State and local standards. Therefore, sponsors participating in the demonstration project should prepare a food safety plan or alternate menu using non-perishable foods specifically for days when non-congregate meal service takes place, to ensure the meal service will be conducted safely.

**Monitoring and Meal Service**

**9. Must site caps remain the same for days sites are participating in the demonstration project?**

A site cap is established for all sites during the application and approval process. When evaluating a proposed food service site, the State agency must ensure that the site is approved to serve no more than the number of children for which its facilities are adequate and the capacity of the site/sponsor to prepare and/or distribute meals. Because these requirements do not change when congregate feeding is removed, existing site caps must remain, ensuring that only one meal per child is prepared and distributed. Participating sponsors should take caution when establishing site caps for sites participating in the demonstration project to prevent food waste and preserve the integrity of summer meal operations.

**10. Must meal service times remain the same for days sites are participating in the demonstration project?**

Yes. State agency approved meal times and duration must remain the same on days the area is experiencing excessive heat. Children regularly attending the site will expect the site to be open and the State monitors may have a scheduled visit that day.

**11. Are sponsors and State agencies required to continue their monitoring duties on days the area is experiencing excessive heat?**

Yes. Regardless of participation in the demonstration project, all sites are subject to the monitoring requirements outlined in Program regulations and guidance. Sponsor and State agency monitors should observe meal service on days when a site visit is scheduled to ensure Program requirements are met regardless of the weather conditions. Monitors are expected to ensure that sites conducting non-congregate meal services are complying with all other Program requirements and properly operating

the non-congregate service (e.g., site is complying with food safety requirements, only one meal is being provided per child, etc.).

**12. Are sponsors and State agencies required to specifically monitor on days the area is experiencing excessive heat?**

Sponsors and State agencies are not required to specifically schedule site visits on a day the site is operating a non-congregate meal service. However, FNS strongly encourages site monitoring on excessive heat days to ensure that the demonstration project is properly operated. For sites that have provided non-congregate meals, monitors should compare meal counts for non-congregate days against days when congregate meal service takes place to ensure they are consistent with site caps and typical site participation and review documentation of NWS excessive heat notifications to ensure non-congregate service is only happening on eligible days.

**13. On days when non-congregate meals are provided, are second meals reimbursable?**

No. Sponsors may only claim one meal, per child, per meal service on days the area is experiencing excessive heat. Since food safety considerations make it likely that meals served on excessive heat days are shelf stable, sponsors should retain excess meals for use on another day.

**14. On days when non-congregate meal service takes place, may a site provide a child with two meals, or a meal and a snack, at the same time so the first could be consumed now, and the other could be consumed later in the day?**

No. Two approved meal services may not be condensed into one session on excessive heat days and only one meal may be provided to each child present at each meal service, to be claimed for reimbursement. Meals may not be provided to adults or given to children to bring to other children not present at the site.

For questions concerning this memorandum, please contact the Policy Administrator at (404) 651-8193.