

## State Agency Monitoring of the Summer Food Service Program Federal Fiscal Year 2021<sup>1</sup>

### Off-site Monitoring During the COVID-19 Public Health Emergency Issued November 2020

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During the current public health emergency State agencies may forgo on-site monitoring and instead, to the maximum extent practicable, review Program operations of Sponsors off-site (e.g., through a desk audit). [COVID-19: Child Nutrition Response #43: Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Summer Food Service Program](#), in effect until September 30, 2021, allows State agencies to conduct monitoring requirements in Summer Food Service Program (SFSP) off-site.

Frequency and timing of reviews is pursuant to Program regulations unless the State agency has an alternative approach approved through an individual State agency oversight waiver.

#### Off-site Monitoring Strategies

When conducting off-site reviews, State agencies should review all elements of Program operations that they would normally review while on-site to the best of their ability. This includes all the review elements found at **7 CFR 225.7(d)**. These elements can be completed by using various means of technology. Off-site monitoring through a desk review can be conducted by reviewing records that have been texted, emailed, mailed, faxed, or delivered to the State agency or through virtual observation, for example, by using live or recorded video. Monitors may evaluate Program documentation related to sponsor/site eligibility, training, monitoring, food service, food safety, sanitation, health inspections, operating and administrative costs, procurement, claims for reimbursement, and civil rights via desk review.

In situations where direct observation normally occurs, such as observation of meal delivery or preparation, meal pattern components, point of service meal counting, verification of attendance, and health and safety issues, alternative observation can be conducted virtually by using live or recorded video and/or photos of meal preparation and meal service. State agencies may also conduct interviews with sponsoring organization staff and Program participants to verify information in photos via telephone or video conference. Below are actions that can be taken and examples of documentation that can be reviewed through off-site means. The below list is not all encompassing and reviewers should, to the best of their ability, complete review components outlined in 7 CFR 225.7(d):

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<sup>1</sup> The content of this document does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity regarding existing requirements.

- ✓ **Notification of site review** - Use email or other electronic means to contact Sponsor and notify them of review.
- ✓ **Training documentation** - Review training documentation logs, recorded training done via online platform, or view staff attendance sheet, review training power points, training videos or other materials used.
- ✓ **Program agreement** – Review scanned copy, picture, or video.
- ✓ **Program application (and supporting documents)** - Review scanned copy, picture, or video.
- ✓ **Documents to support the sponsor’s eligibility** - Review scanned copy, picture, or video.
- ✓ **Tax exempt status documentation to support nonprofit food status** - Review scanned copy, picture, or video.
- ✓ **Sponsor site monitoring records** (such as preoperational site visits, first week visits, and reviews conducted within the first four weeks) - Review scanned copy, picture, or video.
- ✓ **Accounting records, bank statements, check ledgers, and credit card statements** - Review scanned copy, picture, or video.
- ✓ **Invoices and receipts** - Review scanned copy, picture, or video.
- ✓ **Meal count records** (review meal counts for more than one day to ensure daily meal counts are being recorded) - Review scanned copy, picture, or video.
- ✓ **Menus and other food service records**- such as production records if used to ensure meal pattern compliance - Review scanned copy, picture, or video.
- ✓ **Meal delivery receipts** - Review scanned copy, picture, or video.
- ✓ **Documentation of the nonprofit food service account**
- ✓ **Health and safety inspections’**- Review scanned copy, picture, or video.
- ✓ **Food Service Management Company contracts**, if applicable.
- ✓ **Documentation of corrective action** taken to correct any Program violations.

When State agencies are reviewing an SFSP site in accordance with 225.7(d)(2), strategies for reviewing elements off-site include, but are not limited to:

- ✓ **Health, Safety, and Sanitation** – as appropriate, review photos and/or video of food production permit, health inspection report, food storage, food handling, and sanitation. If technology permits, conduct a live video tour of the kitchen or food preparation facility.
- ✓ **Poster** – verify via photos and/or video that the “And Justice for All” poster is displayed at the feeding site.
- ✓ **Meal Service Observation** – review via photos and/or video compliance with the meal pattern (photos of table/tray/plate), meal service times (time-stamped photos or photo of clock), menus (match with posted menu), and that meal counts are taken at the time of service (photos or video of count being taken). Photos and/or videos must adequately capture all of the necessary information to effectively observe a complete meal service.

When using technology such as video or photos, State agencies should follow any Federal and State laws related to technology use and privacy. Information that contains Personally Identifiable Information (PII), such as applications or benefit status, should be protected.

Information shared by program operators should be password protected or sent via other secure methods to ensure privacy.

In some cases, it may be appropriate for the State agency to review a sample of the documentation listed above. For example, if a State agency is unable to easily obtain 100 percent of meal claims from all claiming sites in the review month, the State agency may choose to review a sample instead. When selecting a sample, State agencies may use a statistically valid random sample, select to review a percentage of documents, institute into their review process a minimum and maximum number of documents to review, or another process developed by the State agency. When selecting a sampling method and reviewing a sample of documents, State agencies should ensure they are still able to assess compliance with Program requirements, document the sampling method used, and be able to explain its rationale during a Management Evaluation.

### **Off-site Monitoring Documentation**

State agencies should continue to record details to thoroughly document off-site monitoring, including, but not limited to:

- The time and date the review was conducted;
- Names and contact information of sponsoring organization staff who participated virtually; and
- Any technical assistance the State agency provided.

If any of the required review elements cannot be fully completed within the required review time frame, State agencies may request additional waivers of statute or Program regulations to ensure compliance with oversight responsibilities. If submitting a waiver, State agencies must use the process described in [Child Nutrition Program Waiver Request Guidance and Protocol- Revised](#), and are strongly encouraged to use the template provided with this guidance.