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# Summer Food Service Program (SFSP) Policies and Procedures for Disallowing Meals

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## Criteria for Disallowance

All meals served in the SFSP must comply with the SFSP regulations ([7 CFR 225](#)) and the [SFSP Meal Patterns](#). Meals served in any of the following scenarios do not comply with the SFSP regulations, and will be disallowed by the West Virginia Department of Education (WVDE):

1. If the WVDE determines that a sponsor has failed to plan, prepare, or order meals with the objective of providing only one meal per child at each meal service at a site, the WVDE shall disallow the number of children's meals prepared or ordered in excess of the number of children.
2. If the WVDE observes meal service violations when conducting a site review, the WVDE shall disallow all meals observed to be in violation. Examples of meal violations include meals that do not comply with the SFSP meal pattern, adult meals and meals carried off-site.
3. The WVDE shall disallow children's meals that are in excess of a site's approved level established under [225.6\(h\)\(2\)](#).

## Procedure for Disallowance

The disallowance procedure for meals that do not comply with SFSP regulations includes the steps indicated below:

1. The WVDE will log the information into ACES.
2. The WVDE will notify the sponsor of the date, Summer Meals site, number of meals impacted, and justification for meal disallowance.
3. The WVDE will require that the sponsor to provide corrective action for the compliance issue.
4. The WVDE will review the daily site meal count sheet and sponsor meal count consolidation during administrative review to ensure that the sponsor did not claim meals for reimbursement by SFSP funds.

## **Nondiscrimination Statement:**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **email:**  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

**This institution is an equal opportunity provider.**