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# Summer Food Service Program (SFSP) Policies and Procedures for Operational Problems

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## Criteria for Sponsor Eligibility

The U.S. Department of Agriculture (USDA) Food and Nutrition Service issued [Streamlining Program Requirements and Improving Integrity in the Summer Food Service Program \(SFSP\)](#) on September 19, 2022, a final rule that simplifies and clarifies SFSP program requirements while also removing administrative barriers. Several of the final changes formally codify many of the rescinded policies that were previously available through nationwide waivers, as well as several flexibilities that are currently available through policy guidance. In order to be eligible for many of the streamlined processes, sponsors must be in good standing.

## Determining Sponsors in Good Standing

The West Virginia Department of Education (WVDE) defines sponsors in good standing those who meet the following criteria:

1. Sponsors that have been reviewed by the WVDE and had no major operational problems. Major operational problems or program violations may include, but are not limited to:
  - a. Failure to maintain adequate site or sponsor records.
  - b. Failure to adjust meal orders to conform to changes in site attendance.
  - c. Failure to have a trained site supervisor at each site during the meal service.
  - d. Serving more than one meal to a child at one time.
  - e. Children eating complete meals off-site in a congregate setting. (Note: This does not refer to the permissible practice of allowing children to take a piece of fruit or vegetable or grain component off-site.)
  - f. Claiming meals that were not served to eligible children.
  - g. Serving (or offering for OVS sites) meals that do not include all required meal components and/or correct quantities.
  - h. Failure to report sites to health department.
  - i. Continued use of food service management companies/commercial meal vendors that violate health codes.
  - j. Submission of false information to the State agency.
  - k. Use of program funds for unallowable costs.
  - l. Failure to return excess start-up or advance payments to the State agency.

- m. Not adhering to competitive bid procedures.
  - n. Noncompliance with civil rights laws and regulations.
  - o. Meal count consolidation errors.
  - p. Failure to meet training or monitoring requirements.
2. Sponsors that had findings in previous review but was able to provide an acceptable corrective action plan.

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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, audiotape, 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)

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