

SPONSOR ELIGIBILITY

(7CFR225.14(b), (c), and (d))

Who may be a sponsor?

A sponsoring organization must be a public or private non-profit school food authority (SFA); a public or private non-profit college or university; a public or private non-profit residential summer camp; a unit of local, county, municipal, State, or Federal Government; or any other type of private non-profit organization. All sponsors must also be tax exempt and must demonstrate the administrative and financial ability to manage a food service effectively. Most sponsors must provide a year-round public service to the area in which they intend to provide the SFSP.

Sponsor Responsibilities

SFSP sponsors must be able to assume responsibility for the entire administration of the Program. As a sponsor, an organization at a minimum will:

- Attend the State agency's training
- Locate and recruit eligible sites
- Hire, train, and supervise staff and volunteers
- Competitively procure food to be prepared or a vendor for meals to be delivered
- Monitor all sites
- Prepare claims for reimbursement
- Ensure that the sites are sustainable
- Maintain all program documents for 3 years, plus the current year

For organizations not yet ready to take on the responsibilities required of a sponsor, participation as a site under an existing sponsor is the best option. This is the most effective way to prepare an organization to become a sponsor in future years.



SPECIFIC ELIGIBILITY Requirements FOR SPONSORS

(7 CFR 225.14)

TO BE DEEMED ELIGIBLE, SPONSORS MUST:

Demonstrate Financial and Administrative Capability

Potential and returning sponsors are required to demonstrate that they have the necessary financial and administrative capability to comply with Program requirements. They must accept final financial and administrative responsibility for all of their sites.

Not Be Seriously Deficient

To be approved, applicants must not have been declared seriously deficient or terminated from the SFSP or any other Federal Child Nutrition Program in previous years. However, such an applicant may be approved if the State agency determines that it has taken appropriate corrective actions to prevent recurrence of the deficiencies and has repaid any outstanding debts.

Serve Low-Income Children

Sponsors must agree to provide regularly scheduled meal service for children in designated low-income areas (called “areas in which poor economic conditions exist”) or they must agree to serve low-income children. Camps do not need to meet this criterion.

Conduct a Non-profit Food Service

Sponsors must conduct food services through SFSP that are not for profit. A sponsor is operating a non-profit food service if the food service operations are principally for the benefit of participating children and all of the Program reimbursement funds are used solely for the operation or improvement of such food service. This does not mean the Program must break even or operate at a loss, but that all income must be used for the sole purpose of operating a non-profit food service.

Provide Year-Round Service

Sponsors must provide a year-round public service to the area in which they intend to provide the SFSP. State agencies may grant exceptions to this year-round service

requirement for sponsors of residential camps, migrant sites and in certain other limited circumstances.

Exercise Management Control Over Sites

New applicants and returning sponsors (not exempted by the State agency) must demonstrate in their applications that they will exercise management control over the meal service at all of their sites. Management control of the meal service means that the sponsor is responsible for maintaining contact with meal service staff, ensuring that there is adequately trained meal service staff on site, and monitoring site operations throughout the period of program participation. This management responsibility cannot be delegated below the sponsor level. The quality of the meal service, the conduct of site personnel, and the adequacy of recordkeeping reflect directly upon the sponsor’s performance. This performance is subject to audit by the State agency, by the USDA Office of the Inspector General, and by the Government Accountability Office (GAO).

Conduct Pre-Operational Visits

Prior to approval, sponsors must visit new sites and any sites that had operational problems in the previous year. When a sponsor applies for the SFSP, they must certify that the required pre-operational site visits have been conducted and that sites are capable of providing meal service for the number of children as planned.

Sign Written Agreements

Approved sponsors must sign a written permanent agreement with the State agency. See State-Sponsor Agreement in “Chapter 3: Sponsor Applications.”

Check out the Tips for Successful Sponsors Toolkit page!

<http://www.fns.usda.gov/sfsp/summer-meals-toolkit>

Additional Eligibility Requirements

AND FLEXIBILITIES BY SPONSOR TYPE



SFAs and CACFP Sponsors

SFAs and other organizations currently in good standing in the NSLP, SBP or Child and Adult Care Food Program (CACFP) are not required to submit further evidence of financial and administrative capability when applying for SFSP participation. Typically, SFA and CACFP institutions participating in other Child Nutrition Programs have already demonstrated that they have the financial and administrative capability necessary to operate the NSLP, SBP, or CACFP. A CACFP institution is considered to be in good standing if it has no serious deficiencies declared in its most recent review cycle. However, the State agency has the discretion, and is encouraged, to deny the applications or, at a minimum, require additional evidence of financial and administrative capability from SFAs and CACFP sponsors that have had significant problems operating the NSLP, SBP, or CACFP (SFSP Memorandum 5-2012: *Simplifying Application Procedures in the Summer Food Service Program*, October 31, 2011, SFSP Memorandum 4-2013: *Summer Feeding Options for School Food Authorities*, November 23, 2012 and SFSP Memorandum 6-2014: *Available Flexibilities for CACFP At-Risk Afterschool Sponsors and Centers*, November 12, 2013).

Private Non-Profit Sponsors

Special rules apply to private non-profit organizations. Private non-profit sponsors must be tax exempt under section 501(c) of the Internal Revenue Code of 1986. Although churches must be tax-exempt, there is no Federal requirement that they provide documentation of their tax-exempt status. Therefore, churches are the only private non-profit organizations not required to obtain documentation of Federal tax exempt status; all other private non-profit organizations must provide documentation from the IRS of their tax-exempt status. For purposes of Program participation, a church could be its integrated auxiliaries, or a convention or association of churches, synagogue, religious order, or religious organization that is an integral part of a church, and that it is engaged in carrying out the functions of a church (IRS Publication 557, *Tax-Exempt Status for Your Organization*). The State agency can provide more specific details about the participation of all private non-profit organizations (SFSP Memorandum 09-2013, *Tax Exempt Status for Private Non-profit Organizations and Churches in the Child and Adult Care Food Program and the Summer Food Service Program*, January 24, 2013).

Experienced Sponsors

Sponsors and sites that have successfully participated in SFSP in the previous year (meaning those that have not been found to be seriously deficient in Program operation) may submit condensed information for succeeding years. Experienced sponsors and sites in good standing, meaning those which successfully participated in the previous year, only need to submit information that is likely to change from year to year and are not required to submit the same detail of organizational and operational information required of new sponsors. The condensed information required of experienced sponsors and sites is described in 7 CFR 225.6(c)(3) (SFSP Memorandum 5-2012: *Simplifying Application Procedures in the Summer Food Service Program*, October 31, 2011).

SPONSOR PARTICIPATION IN OTHER CHILD NUTRITION PROGRAMS



Sponsors participating in additional Federal Child Nutrition Programs must meet requirements for dual participation in these programs. As detailed below, some of these requirements may be different from what is required of sponsors not participating in other Child Nutrition Programs.

The NSLP

(7 CFR 225.2, 225.14(d)(2))

Schools offering accredited summer school programs may be reimbursed for serving meals during the summer in one of three ways: through the SFSP, the NSLP and SBP, or the NSLP Seamless Summer Option (SSO). Schools wishing to serve meals only to children enrolled in academic summer school programs may receive reimbursement only through the NSLP and SBP (SFSP Memorandum 04-2013: *Summer Feeding Options for School Food Authorities*, November 23, 2012).

If, in addition to serving children enrolled in accredited summer school, the school plans to serve children in the community at large, it may operate an open site through the SFSP or the SSO as described below. However, the SFA must ensure that these sites are open not only to children enrolled in summer school, but to any children in the area served by the site.

Schools that operate accredited summer school programs may not enroll in the SFSP as a restricted open site instead of an open site, so that meals may be served only to summer school participants. This is not the intent of the restricted open site option and is an unauthorized use of this site designation. The purpose of the restricted open site designation in SFSP is to allow sponsors that want to operate an open site to restrict or limit site participation due to reasons of space, security, safety, or control.

More information can be found in the Working with Schools Toolkit page!

<https://www.fns.usda.gov/sfsp/summer-meals-toolkit>

Seamless Summer Option (SSO)

The SSO offers SFAs an alternative option to SFSP, with streamlined administrative requirements. Guidance and clarification on all summer meal options available to schools is provided through SP07-2013, SFSP04-2013, *Summer Feeding Options for School Food Authorities Revised*, November 23, 2012, available at <https://www.fns.usda.gov/sfsp/policy>

The SSO allows SFAs to provide free summer meals in low income areas during the traditional summer vacation periods and, for year-round schools, school vacation periods longer than 15 school days. The SSO is designed to encourage more SFAs to provide meals during summer and other school vacation periods. This option combines features of the NSLP, SBP, and SFSP. See SP 37-2015, 2015 *Edition of Questions and Answers for the National School Lunch Program's Seamless Summer Option*, May 22, 2015 for more information.

The Special Milk Program (SMP)

Sponsors may elect to operate the SFSP at some of their sites while operating the SMP at other sites. However, a single site cannot simultaneously participate in the SFSP and the SMP.

Sponsors electing to administer the SMP must enter into a separate agreement with the State agency to operate the SMP at those sites or at those times when it is not participating in the SFSP. The State agency can provide information on operating the SMP.