

Non-Congregate Meal Service in the Summer Food Service Program (SFSP) Summer 2023

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Non-Congregate Meal Service

- [FY 2023 Consolidated Appropriations Act](#)
- [SFSP 01-2023, SP 05-2023 Implementation Guidance: Summer 2023 Non-Congregate Meal Service in Rural Areas-Revised](#)
- [SFSP 07-2023, SP 14-2023 Questions and Answers #2: Summer 2023 Non-Congregate Meal Service in Rural Areas](#)
- Non-congregate meal service is a permanent option for rural sites when no congregate meal service is available
- There are different options for area eligible vs. non-area eligible sites

Summer 2024

- Please note that official [7 CFR 225](#) SFSP regulations will be in effect for Summer 2024 and operation may look different than summer 2023.

Congregate Meal Service

- Per 7 CFR 225.6(i)(15), sponsors must “maintain children on site while meals are consumed.”
- The intention of the non-congregate meal service option is not to replace congregate meal service, but to help ensure that children in rural settings have access to meals.

Urban vs. Rural

- [USDA Rural Designation Map](#)
- Chittenden, Franklin, and Grand Isle counties are considered urban. The rest of the counties are rural.
- Sites can also be determined rural if it is located in a “pocket” within a Metropolitan Statistical Area which, at the option of the State agency and with FNSRO concurrence, is determined to be geographically isolated from urban areas as per “7 CFR 225.2 Definitions *Rural*.”
- For non-congregate meals service, these additionally determined sites may only provide grab and go meals, not delivery.

Summer 2023 Rural Flexibility

In Summer 2023, the following sites may be considered Rural and should indicate that as such in the Site Location question of the Site Type and Eligibility tab in the Site Application in the SFSP Application Packet in the [Harvest Child Nutrition System](#).

- Alburgh Community Education Center
- Bellows Free Academy- Fairfax
- Berkshire Leaps
- Enosburg Elementary School
- Enosburg LEAPS
- Enosburg Library
- Enosburg Middle/High School
- Enosburgh Opera House
- Fairfield Center School
- Fletcher Elementary School
- Franklin Elementary School
- Georgia Elementary and Middle School
- Grand Isle School
- Highgate Elementary School
- Missisquoi Valley Union High School
- Montgomery Rec Center
- North Hero School
- Notch
- Notch Richford
- Richford Elementary Leaps
- Richford High School
- Swanton Elementary School

Designating Sites as “Rural”

- If you would like to request to designate additional sites in Chittenden, Franklin, or Grand Isle county as rural, please email the State agency with the name of the site, site type, and the explanation to justify why it should be classified as rural.
- Upon sufficient explanation, the State agency will email NERO for approval.

Additional Methods of Determining Rural

- Per question 9 of the second guidance memo, non-metro areas and census tracts with codes 4-10 on the [Rural-Urban Commuting Area Codes](#) can be considered rural.

No Congregate Meal Service

- No congregate meal service due to
 - Lack of transportation for households
 - Lack of space
 - Lack of staff
 - Safety concerns, including COVID-19 and other illness prevention
 - Other
- All reasons will require an explanation.

Area Eligible Non-Congregate

- Includes Open, Restricted Open, and Closed-Enrolled sites established via area eligibility.
- Sites established as area eligible via past year census data may only offer non-congregate meals via grab and go, not delivery.

Non-Area Eligible Non-Congregate

- Non-congregate meal service in non-area eligible locations is only for free and reduced-price eligible children.
- In the Site Type section of the Site Type and Eligibility tab of the Site Application, select “Non-Area Eligible Non-Congregate Meal Service for Free and Reduced Eligible Children”. This is a new site type. May serve up to 2 meals/snacks per day.
- Must maintain confidentiality and anonymity and prevent overt identification of benefit statuses.

Methods of Non-Congregate Meal Service

- Grab and Go
- Household Delivery
- Bus Stop Delivery

Parent/Guardian Pick-Up

- Parents/guardians can pick up grab and go meals or receive delivered meals on behalf of children without the children present.
- Parents/guardians can pick up meals for other people's children if they have written permission on file from the household. This is not intended to be for large groups of children or children eating in a congregated setting.

Household Delivery

- Household delivery is allowed for School Food Authority (SFA)-sponsors or if there is no SFA-sponsor operating in that area, for non-SFA sponsors.
- Written permission from the household must be obtained. Written consent could include hard copy, email, or other electronic means of communication. Sponsors must confirm the household's current contact information and the number of eligible children in the household.
- Delivery is only allowed within area eligible locations.

Non-SFA Sponsors and Household Delivery

- Per question 19 of the [guidance](#), non-SFA sponsors that would like to deliver meals to free and reduced-eligible students only in non-area eligible locations and would like to use school data to identify the eligible children, need to have a Memorandum of Understanding (MOU) on file with the SFA to share this data. This is inline with the confidentiality and disclosure requirements addressed on page 88 of the [USDA Eligibility Manual](#).

Days and Times

- More than one meal may be provided at a time.
- More than one day of meals may be provided at a time.
- USDA is allowing up to 10 days of meals at a time, but we strongly recommend only up to one week. If you do serve more than one week at a time, you must explain how proper food safety will be maintained.
- Meal service time restrictions do not apply, including the requirement that one hour must elapse between the end of one meal service and the beginning of another meal service.
- No changes to the meal pattern can be made, so adequate serving sizes must be provided, including the required amount of milk.
- USDA does not have the ability to grant waiver requests that alter the meal pattern requirements.

Bulk Meals

- Bulk meals are non-unitized, grocery-style meals.
- Strongly recommend providing a menu.
- Only minimal preparation should be needed.
- Please refer to question 26 of the [guidance](#).
- [Offering Multiple Meals as Part of Summer Non-Congregate Meal Service](#)

Integrity Plan

- There must be a system in place to ensure **only one meal per meal type, per day, per child.**
- This can be accomplished through signage at the pickup site, information provided with the meals, on the program website or social media, in the form of newsletter or email communication.

Integrity Plan Continued

- If meals are served without children present, they must include a statement indicating meals are to be consumed by children, 18 and under.
- If the meals are perishable, they must include expiration dates and information about maintaining appropriate temperatures.
- Informational sheets must contain the short non-discrimination statement, “This institution is an equal opportunity provider.”

Meal Counts and Claim for Reimbursement

- Sponsors operating non-congregate meal service must track meal counts as such.
- If doing both congregate and non-congregate meal service, must track those meal counts separately.
- There will be a space in the claim for reimbursement to indicate how many of the meals reported by meal type are non-congregate.
- Per question 31 of the [guidance](#), no second meals will be allowed for non-congregate meals.

Non-Congregate and Congregate Meal Service at the Same Site

Per question 17 of the [guidance](#), sites could:

- Offer congregate breakfast meal service and provide non-congregate lunches.
- Offer congregate breakfast and lunch meal service Monday-Friday and provide non-congregate weekend meals for Saturday and Sunday.
- A congregate site that operates in the month of July, may be approved to provide non-congregate meals for the ten-day period following their last congregate meal service day.

Non-Congregate and Congregate Meal Service at the Same Location

- Could allow for an open, non-congregate site and a closed-enrolled congregate site for enrolled programming, such as an enrichment program, to be at the same location, if registered as separate sites with separate site applications and have an integrity plan in place to ensure households do not receive meals for the same day from the sites.
- In this situation, the closed-enrolled site could serve meals every day and the open site could do different meal combinations, such as multiple days of breakfast and lunch at a time.

Open, Non-Congregate Site

- If an enrichment program wants to get meals and then eat them somewhere at the same location, that is fine.
- Note, all meals served count as non-congregate, so second meals are not allowed.
- Could still potentially do multiple days of meals for the weekend if no programming is taking place as discussed previously and addressed in question 17 of the [guidance](#).

Civil Rights

- Must still provide meal modifications to accommodate disabilities when doing non-congregate meals.
- Per question 40 of the [guidance](#), the “And Justice for All” non-discrimination poster must be prominently displayed in all grab and go locations and in all vehicles (such as in the window) making deliveries.

SFSP Application Packet

- In the [Harvest Child Nutrition System](#), in the SFSP Application Packet, in the Site Application, the “Waivers” tab has been replaced with the “Non-Congregate” tab.
- The upcoming “Summer 2023 SFSP Application Packet Overview” will include instructions for completing this tab.
- A sponsor representative must watch this training to be approved to offer non-congregate meals.
- Per questions 10 & 11 of the [guidance](#), if the State agency denied a sponsor’s non-congregate meal service, appeal rights, [SFSP Appeals Process](#), must be provided.

Monitoring

- Per question 20 of the [second guidance memo](#):
- If delivering meals, observe meals being loaded into delivery vehicles, check meal logs and delivery routes, ride along or follow the delivery driver to observe the meal delivery.
- If offering grab and go, observe preparation of meals.
- *Coming Soon* “SFSP Non-Congregate Meal Service Review Form Summer 2023”

Administrative Reviews

- Per question 16 of the of the [second guidance memo](#):
- For household delivery, the State agency must review written consent documents and observe meal delivery.
- For grab and go, the State agency must observe meal pickup.

Questions?

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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

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