



HNS # 05-2023

Original Signed

MEMORANDUM

To: Operators of the National School Lunch Program Seamless Summer Option and Summer Food Service Program

From: Melissa Conner, Senior Deputy Associate Superintendent
Arizona Department of Education, Health and Nutrition Services Division

Date: May 12, 2023

Subject: Eligibility for Non-Congregate Summer Meal Service

The purpose of this memorandum is to provide additional details regarding non-congregate meal service for eligible sites participating in the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO) of the National School Lunch Program (NSLP).

The Consolidated Appropriations Act, 2023 (the Act) (P.L. 117-328) provided significant policy changes for Child Nutrition programming, including the authorization of a permanent, non-congregate meal service through the SFSP and NSLP SSO for rural areas with no congregate meal service. The United States Department of Agriculture (USDA) has also released multiple memos providing guidance and instructions on how to implement SFSP and SSO rural non-congregate meal service during summer 2023. These memos can be found on the [HNS/USDA Memos](#) page: SFSP 01-2023, SP 05-2023 *Implementation Guidance: Summer 2023 Non-Congregate Meal Service in Rural Areas – Revised* and SFSP 07-2023, SP 14-2023 *Questions and Answers #2: Summer 2023 Non-Congregate Meal Service in Rural Areas*. Additionally, the Arizona Department of Education (ADE) Health and Nutrition Services (HNS) has also released [HNS 03-2023 Application for Summer Programs](#) in April 2023, providing deadlines and application reminders for SFSP and SSO.

The non-congregate meal service option is not intended to replace congregate meal service. USDA and ADE understand the benefits of congregate meal service and accompanying activities and encourage sponsors to continue to provide these opportunities when feasible. When planning for non-congregate meal service in rural areas, ADE will work with sponsors to identify and prioritize those rural areas that congregate summer meal service cannot reliably reach.

Non-Congregate Meal Service Eligibility Requirements

To be eligible for non-congregate summer meal service, sponsors that do not have congregate meal service must meet the definition of “rural.” SFSP regulations (7 CFR 225.2) define rural as: (a) any area in a county which is not a part of a Metropolitan Statistical Area or; (b) any “pocket” within a

Metropolitan Statistical Area which, at the option of the State agency and with FNS concurrence, is determined to be geographically isolated from urban areas. FNS developed the Rural Designation Map to assist State agencies and sponsors in designating sites as rural. Instructions for using the map are available on the map link at <http://www.fns.usda.gov/rural-designation>.

Once rural designation is determined, area eligibility must be determined. SFSP regulations (7 CFR 225.2) define area eligible as an “area in which poor economic conditions exist.” Data sources to verify area eligibility include school, census, or other approved sources of data that indicate that 50 percent of the children in the site’s area are eligible for free or reduced-price school meals. If the rural site does not meet the definition of area eligible, only meals served to children approved for free or reduced-price meals under the NSLP or School Breakfast Program (SBP) may be claimed.

Applying for Non-Congregate Meal Service

School Food Authorities (SFAs) and Community Organizations (COs) interested in sponsoring sites that qualify to offer rural non-congregate meal service should complete an SFSP application through CNPWeb and indicate their intent to either participate as a non-congregate feeding site, or both congregate and non-congregate feeding site, in section 4 *General Information* of the site application. HNS has designated staff that will review the application for rural/non-congregate participation to determine if the site is eligible. SFAs and COs may also contact their HNS Specialist if they have questions about their eligibility to participate as a non-congregate site.

Documenting Non-Congregate Meal Counts

For summer 2023, sponsors serving non-congregate meals must maintain separate meal counts for the non-congregate meals served by meal service type. SFAs and COs will be required to report the number of non-congregate meals served by meal service type when submitting their monthly claim to CNPWeb.

If you have questions concerning this guidance, please contact HNS at (602) 542-8700 or ContactHNS@azed.gov.

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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:*
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Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
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(833) 256-1665 or (202) 690-7442; or
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