

Summer Food Service Program (SFSP) Policies and Procedures for Serious Deficiency Process

Summer 2024

This policy is used by the Connecticut State Department of Education (CSDE) to comply the U.S. Department of Agriculture (USDA) [SFSP regulations](#). If any part of this policy conflicts with the SFSP regulations or USDA memoranda, the federal regulations and memoranda shall take precedence.



The CSDE will provide a sponsoring agency with reasonable opportunity to correct program violations before terminating the sponsor for being seriously deficient. The CSDE may approve the application of a sponsor that has been disapproved or terminated in prior years if the sponsor demonstrates to the satisfaction of CSDE, through a follow-up review, that it has taken appropriate corrective actions to prevent recurrence of the deficiencies.

Notice of Serious Deficiency

The CSDE will issue a Notice of Serious Deficiency when serious deficiencies are identified. Serious deficiencies that are grounds for disapproval of applications and termination include, but are not limited to, any of the following:

1. The sponsor is not in compliance with the applicable bid procedures and contract requirements.
2. The sponsor submitted false information to the CSDE.
3. The sponsor failed to return to the CSDE any start-up or advance payments that exceeded the amount earned for serving meals, or the sponsor failed to submit all claims for reimbursement to offset any start-up or advance payments provided by the CSDE. Claims that are currently under dispute shall not be grounds for disapproval.
4. A significant proportion of the sponsor's sites have program violations including, but not limited to:
 - noncompliance with the meal service time restrictions;
 - failure to maintain adequate records;
 - failure to adjust meal orders to conform to variations in the number of participating children;
 - simultaneous service of more than one meal to any child;
 - claiming of program payments for meals not served to participating children;

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- service of a significant number of meals that did not include the required quantities of all meal components;
- excessive instances of off-site meal consumption; and
- continued use of food service management companies that are in violation of health codes.

Corrective Action

When the CSDE observes violations during the course of a site review or administrative review, it will require the sponsor to take corrective action. If several meal service violations are observed, the CSDE will immediately require a corrective action plan to be followed by the sponsor, and will either conduct a follow-up review or in some other manner verify that the sponsor has fully implemented the required corrective measures.

Termination Notice

If serious deficiencies are not fully and permanently corrected within the time period identified by the CSDE, the CSDE will issue a termination notice to the sponsor. The termination notice will specify if a feeding site or the sponsor is the subject of the action.

The CSDE will immediately issue a termination notice for a sponsor's site if the health or safety of the participating children is imminently threatened. If the site is vended, within 48 hours, the CSDE shall notify the food service management company providing meals to the site of the site's termination.

Participating sponsors and sites may continue to operate the SFSP during an appeal of termination. If the appeal results in overturning the CSDE's action, reimbursement will be paid for meals served during the appeal process. However, such continued program operation will not be allowed if the CSDE's action is based on imminent dangers to children's health or safety. The determination by a CSDE appeals official will be the final administrative determination to be afforded to the appellant.

For information on the SFSP appeal process, review the CSDE's document, *Appeal Procedures for the Summer Food Service Program*.

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For information on the SFSP, visit the CSDE's [SFSP](#) webpage or contact the [Summer Meals staff](#) in the CSDE's Bureau of Child Nutrition Programs, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841.

This document is available at https://portal.ct.gov/-/media/SDE/Nutrition/SFSP/Policies_SFSP_Serious_Deficiency_Process.pdf.

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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/ad-3027.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

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