

## USDA Demonstration Project for Non-Congregate Feeding for Outdoor Summer Meal Sites Experiencing Excessive Heat

On May 24, 2018, USDA issued memo SP 14-2018, SFSP 04-2018, [Demonstration Project for Non-Congregate Feeding for Outdoor Summer Meal Sites Experiencing Excessive Heat with Q & As](https://www.fns.usda.gov/demonstration-project-non-congregate-feeding-outdoor-summer-meal-sites-experiencing-excessive-heat-q),<sup>1</sup> which extends USDA's demonstration project for summer 2018. Under the demonstration project, Seamless Summer Option (SSO) and Summer Food Service Program (SFSP) CE's operating approved outdoor meal sites without temperature-controlled alternative sites may operate as non-congregate sites on days when the area is experiencing excessive heat. "Congregate" meals are those served and consumed on-site. "Non-congregate" meals are those served to children who take the provided meals off-site.

Non-congregate meal service is permitted only on days when the National Weather Service (NWS) has issued one of the following for the area in which a TDA-approved outdoor meal site is located:

- a Heat Advisory,
- an Excessive Heat Warning, or
- an Excessive Heat Watch

CEs that operate outdoor sites with available temperature-controlled alternative sites are not eligible to be reimbursed for non-congregate meal service at those sites and are not included in the demonstration project for those sites. In order to receive reimbursement under the SFSP, CE's must serve meals at a temperature-controlled alternative site when the area is experiencing excessive heat if not participating in the demonstration project.

### Applying for Participation in the Demonstration Project

CEs must notify TDA of their intent to participate in the demonstration project and must identify those outdoor and mobile meal sites that do not have temperature-controlled alternative sites that they intend to include in this demonstration project prior to serving non-congregate meals. A CE must declare its intent to participate in the demonstration project in the Texas Unified Nutrition Programs System (TX-UNPS). For SFSP, CE's may declare their intent in the CE Application, Question #30, under the section titled "General Questions," and in the applicable Site Application, Question #39, Part 2, under the section titled "Site Operation." For SSO, CE's may declare their intent in the CE application, Question #A42, and in the applicable Site Application, Question #18. If a CE has not already

---

<sup>1</sup> <https://www.fns.usda.gov/demonstration-project-non-congregate-feeding-outdoor-summer-meal-sites-experiencing-excessive-heat-q>

indicated its intent to participate in the 2018 demonstration project, the CE may amend its SFSP application in TX-UNPS to indicate its intent at qualifying sites.

Declaration of intent to participate in this demonstration project gives a CE the *option* to offer non-congregate meal service on days which meet the above-stated NWS criteria for excessive heat but does not obligate a CE to offer a non-congregate meal service. A CE must have intent declared prior to operating non-congregate feeding.

**NOTE:** If a CE operates non-congregate feeding on any day, at any site that does not have intent declared and approved in TX-UNPS, all meals served on that day at that site may be disallowed.

TDA may deny participation in the demonstration project by an otherwise approved SFSP site based on concerns related to health, safety, and integrity related to non-congregate feeding.

### **Participation Requirements**

CEs participating in non-congregate meal service must continue to maintain compliance with all other [SFSP] regulations. CEs must comply with the congregate meal requirements on days when the NWS has not issued a Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch. CEs must ensure that caregivers, children, and parents are aware of the type of meal service available at each site, whether non-congregate or congregate, on each day of meal service. The CE may not shorten or lengthen meal times on days when non-congregate meal service is utilized.

CEs must ensure food safety during meal preparation and delivery of meals. Because meals will be consumed off-site and possibly at a later time during that day, CEs must carefully consider all food safety issues and risks. Therefore, CEs participating in the demonstration project should prepare a food safety plan or alternate menu using non-perishable foods specifically for days when non-congregate meal service takes place to ensure the meal service will be conducted safely.

CEs must keep accurate records of meals served for each site and only one meal may be provided to each child present at the meal site during each approved meal service type. CEs will not be reimbursed for second meals. Meals may not be provided to adults or other children to take to children not present at the site.

All meal counting, meal claiming, CE monitoring and oversight requirements, and TDA monitoring and oversight requirements continue to apply to sites that serve non-congregate meals.

## Documentation of Excessive Heat

CEs participating in the demonstration project must maintain documentation of the official Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch issued by the NWS for the area in which the site is located for all days non-congregate feeding option is utilized. CEs must print or obtain an electronic copy of the NWS notice on the public web found at <http://www.weather.gov/> for the day the Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch is issued. **The NWS notice is only posted on this website on the day on which the area experienced excessive heat.** Therefore, CEs must document and retain the NWS notice on the day of the excessive heat as it cannot be verified at a later date.

Documentation of high temperatures or of a certain heat index does not replace the documentation of an official heat advisory, excessive heat warning, or excessive heat watch issued from the NWS.

Meals taken offsite may only be claimed on days for which documentation is maintained.

## Reporting Dates and Meal Counts by Site for Non-Congregate Feeding

CEs must submit information with their claims for reimbursement, for each site where non-congregate meals were served, the date(s) and total number of non-congregate meals served by meal type by using the SSO/SFSP Non-Congregate Feeding Data Submission Form (SNP-109 or SFSP-106) found in TX-UNPS under “Download Forms.” Information on this form must be reported for each individual site that served non-congregate meals on the reported date.

After completion of the Non-Congregate Feeding Data Submission Form, CEs should file claims in TX-UNPS in accordance with standard procedures, claiming ALL meals served, congregate and non-congregate, during the claiming period.

## Process for Approval of Non-Congregate Feeding at Summer Meal Sites Experiencing Exceptional Circumstances Related to Extreme Weather Events

Under the 2018 demonstration project, the TDA and USDA will consider requests based on exceptional circumstances related to **extreme weather events**, such as wildfires, flooding, etc. Exceptional circumstances are limited to extreme weather events. Exceptional circumstances based only on inconvenience or a CE’s difficulty in serving congregate meals will not be considered. Exceptional circumstances related to extreme weather events requests will be considered on a case-by-case basis and must be approved in advance by USDA via TDA.

A CE’s request based on exceptional circumstances related to extreme weather events submitted to TDA should, at a minimum, provide the following information:

1. A thorough explanation of the exceptional circumstance related to extreme weather imposing a barrier to congregate feeding.
2. The sites to be included in the demonstration project due to exceptional circumstances related to extreme weather events.

3. The exemption periods (with specific dates) for which non-congregate feeding is being requested at each site. NOTE: Exemption periods longer than one day will be considered, but must be clearly justified.
4. The justification for the need of the congregate feeding exception at each site.
5. Detailed explanation of how the CE's operations will change.
6. Detailed plan on how meals will be provided and delivered at the site.
7. Detailed description of how, for each site requested, the utilization of non-congregate feeding and the proposed changes in operations will address the problem which created the need for non-congregate feeding.
8. Detailed description of the documentation the CE intends to use to demonstrate that the exceptional circumstance(s) related to extreme weather existed on days non-congregate feeding was utilized, including where that documentation will be retained for record-keeping purposes.
9. Detailed description of how the CE will ensure only one meal is served to each eligible child present at the meal site for each meal service.
10. Detailed description of monitoring plan to ensure adequate oversight of non-congregate feeding

CEs wishing to serve non-congregate meals at a site due to exceptional circumstances related to extreme weather events should submit their written requests via email to TDA at [SNPWaivers@TexasAgriculture.gov](mailto:SNPWaivers@TexasAgriculture.gov). The email subject should include "Non-Congregate Feeding – Exceptional Circumstances" and the name of the CE. For CEs that do not have access to email, please contact TDA at (877) TEX-MEAL.

TDA or the USDA may determine that more information is required before a request to serve non-congregate meals at a site based on exceptional circumstances related to extreme weather events can be processed. If more information is required, TDA will request the information from the CE and once the CE has provided the requested information to TDA, the information will be considered.

TDA will notify CEs of approval or denial of request to serve non-congregate meals based on exceptional circumstances related to extreme weather events. Guidance on documentation and record-keeping requirements will be provided by USDA on a case-by-case basis upon approval of a request to serve non-congregate meals at a site due to exceptional circumstances related to extreme weather events.

If a CE serves non-congregate meals based on exceptional circumstances related to extreme weather events prior to approval by USDA, all non-congregate meals served may be disallowed. CEs are encouraged to work closely with TDA as they develop a complete and comprehensive request.