

**Definitions of Program Terms from the SFSP Federal Regulations
7 CFR 225.2 Definitions**

Act means the National School Lunch Act, as amended.

Administrative costs means costs incurred by a sponsor related to planning, organizing, and managing a food service under the Program, and excluding interest costs and operating costs.

Adult means, for the purposes of the collection of social security numbers as a condition of eligibility for Program meals, any individual 21 years of age or older.

Advance payments means financial assistance made available to a sponsor for its operating costs and/or administrative costs prior to the end of the month in which such costs will be incurred.

Areas in which poor economic conditions exist means:

(a) The local areas from which an open site and restricted open site draw their attendance in which at least 50 percent of the children are eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined:

- (1) By information provided from departments of welfare, education, zoning commissions, census tracts, and organizations determined by the State agency to be migrant organizations;
- (2) By the number of free and reduced price lunches or breakfasts served to children attending public and nonprofit private schools located in the areas of Program sites;
- (3) From other appropriate sources; or

(b) A closed enrolled site.

Camp means residential summer camps and nonresidential day camps which offer a regularly scheduled food service as part of an organized program for enrolled children. Nonresidential camp sites shall offer a continuous schedule of organized cultural or recreational programs for enrolled children between meal services.

Children means (a) persons 18 years of age and under, and (b) persons over 18 years of age who are determined by a State educational agency or a local public educational agency of a State to be mentally or physically handicapped and who participate in a public or nonprofit private school program established for the mentally or physically handicapped.

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Closed enrolled site means a site which is open only to enrolled children, as opposed to the community at large, and in which at least 50 percent of the enrolled children at the site are eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined by approval of applications in accordance with §225.15(f).

Closed enrolled site in a needy area means closed enrolled sites located in needy areas may use “area” eligibility data (i.e. local school or census data) for the location of the site, rather than using the income eligibility form.

Continuous school calendar means a situation in which all or part of the student body of a school is (a) on a vacation for periods of 15 continuous school days or more during the period October through April and (b) in attendance at regularly scheduled classes during most of the period May through September.

Costs of obtaining food means costs related to obtaining food for consumption by children. Such costs may include, in addition to the purchase price of agricultural commodities and other food, the cost of processing, distributing, transporting, storing, or handling any food purchased for, or donated to, the Program.

Current income means income, as defined in § 225.15 (f)(4)(vi), received during the month prior to application for free meals. If such income does not accurately reflect the household’s annual income, income must be based on the projected annual household income. If the prior year’s income provides an accurate reflection of the household’s current annual income, the prior year may be used as a base for the projected annual income.

Department means the U.S. Department of Agriculture.

Disclosure means individual children’s program eligibility information obtained through the free and reduced price meal eligibility process that is revealed or used for a purpose other than for the purpose for which the information was obtained. The term refers to access, release, or transfer of personal data about children by means of print, tape, microfilm, microfiche, electronic communication or any other means.

Documentation means:

- (a) The completion of the following information on a free meal application:
 - (1) Names of all household members;
 - (2) Income received by each household member, identified by source of income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation, social security and other cash income);
 - (3) The signature of an adult household member; and
 - (4) The social security number of the adult household member who signs the application, or an indication that he/she does not possess a social security number; or

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- (b) For a child who is a member of a household receiving food stamp, FDPIR, or TANF benefits, “documentation” means the completion of the following information on a free meal application:
- (1) The name(s) and appropriate food stamp, FDPIR, or TANF case number(s) for child(ren); and
 - (2) The signature of an adult member of the household.

Experienced site means a site that, as determined by the State agency, has successfully participated in the Program in the prior year.

Experienced sponsor means a sponsor that, as determined by the State agency, has successfully participated in the Program in the prior year.

Family means a group of related or non-related individuals who are not residents of an institution or boarding house but who are living as one economic unit.

FDPIR household means any individual or group of individuals which is currently certified to receive assistance as a household under the Food Distribution Program on Indian Reservations.

Fiscal Year means the period beginning October 1 of any calendar year and ending September 30 of the following calendar year.

Flexible Off-site Consumption or FOC is an option to all sponsors where it is feasible. The USDA allows sponsors the option of allowing children to take certain foods off-site for later consumption. The only foods allowed in this option are fruit and/or vegetable items that are part of the fruit/vegetable component of the meal pattern. Sponsors must address all food safety and sanitation concerns and/or health code enforcement and disposal issues that the option may pose before implementing the option at their site(s). This option is not available to sponsors opting to participate in the Seamless Summer Option.

FNS means the Food and Nutrition Service of the Department.

FNSRO means the appropriate FNS Regional Office.

Food Service Management Company means any commercial enterprise or nonprofit organization with which a sponsor may contract for preparing unitized meals, with or without milk, for the use in the Program, or for managing a sponsor’s food service operations in accordance with the limitations set forth in § 225.15. Food service management companies may be:

- (a) Public agencies or entities;
- (b) Private, nonprofit organizations; or
- (c) Private, for-profit companies.

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Food stamp household (also referred to as SNAP) means any individual or group of individuals which is currently certified to receive assistance as a household under the Food Stamp Program.

Homeless children or Youth means individual who lack a fixed, regular, and adequate nighttime residence and includes: (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (ii) children and youths who have a primary night time residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103 (a)(2)(C)); (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii). Subtitle B of the title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)

Household means “family”, as defined in this section.

Income accruing to the program means all funds used by a sponsor in its food service program, including but not limited to all monies, other than program payments, received from Federal, State and local governments, from food sales to adults, and from any other source including cash donations or grants. Income accruing to the Program will be deducted from combined operating and administrative costs.

Income standards means the family-size and income standards prescribed annually by the Secretary for determining eligibility for reduced price meals under the National School Lunch Program and the School Breakfast Program.

Meals means food which is served to children at a food service site and which meets the nutritional requirements set out in this part.

Medicaid means the State medical assistance program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

Milk means whole milk, low fat milk, skim milk, and buttermilk. All milk must be fluid and pasteurized and must meet State and local standards for the appropriate type of milk. Milk served may be flavored or unflavored. In Alaska, Hawaii, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and the Virgin Islands of the United States, if a sufficient supply of such types of fluid milk cannot be obtained, reconstituted or recombined milk may be used. All milk should contain Vitamins A and D at the levels specified by the Food and Drug Administration

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and at levels consistent with State and local standards for such milk.

Modified Area Eligible site is determined by area data for the areas where the children are picked up for transport to a site. An example of this type of site is a recreation program where low-income children are picked up at designated bus stops in their neighborhood; all of the bus stops are located in low-income areas, as determined by aggregate free/reduced price school data; and are transported to a location that is not in their neighborhood. No children from outside the low-income areas participate in recreation program.

Needy children means children from families whose incomes are equal to or below the Secretary's Guidelines for Determining Eligibility for Reduced Price School Meals.

New site means a site that did not participate in the Program in the prior year, or, as determined by the State agency, a site that has experienced significant staff turnover from the prior year.

New sponsor means a sponsor that did not participate in the Program in the prior year, or, as determined by the State agency, a sponsor that has experienced significant staff turnover from the prior year.

NYSP feeding site means a site at which all of the children receiving Program meals are enrolled in the NYSP and which qualifies for Program participation on the basis of documentation that the site meets the definition of "areas in which poor economic conditions exist" as provided in this section.

Offer Versus Serve or OVS is a meal option available to all sponsors. OVS is a concept that applies to menu planning and to the determination of reimbursable meals. OVS allows children to decline some of the food offered for breakfast, lunch or supper. OVS is not an option for the snack or fourth meal supplement meal patterns. Sites that pre plate meals cannot implement OVS. Please contact SED for more information.

OIG means the Office of the Inspector General of the Department.

Open site means a site at which meals are made available to all children in the area and which is located in an area in which at least 50 percent of the children are from households that would be eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined in accordance with paragraph (a) of the definition of *Areas in which poor economic conditions exist*.

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Operating costs means the cost of operating a food service under the Program,

- (a) Including the
 - (1) cost of obtaining food,
 - (2) labor directly involved in the preparation and service of food,
 - (3) cost of nonfood supplies,
 - (4) rental and use allowances for equipment and space, and
 - (5) cost of transporting children in rural areas to feeding sites in rural areas, but
- (b) Excluding
 - (1) the cost of the purchase of land, acquisition or construction of buildings,
 - (2) alteration of existing buildings,
 - (3) interest costs,
 - (4) the value of in-kind donations, and
 - (5) administrative costs.

Private nonprofit means tax exempt under section 501(c) Internal Revenue Code of 1986, as amended. Private nonprofit organizations participating in the SFSP must have private non profit status under section 501(c) of the IRS code of 1986 and be exempt from taxation under 501(a) of that code.

Private nonprofit organization means an organization (other than private nonprofit residential camps, school food authorities, or colleges or universities participating in the NYSP) that meets the definition of “private nonprofit” in this section and which:

- (a) Administers the Program:
 - (1) At no more than 200 sites, with not more than 50,000 children total being served at all site;
- (b) Operates in areas where a school food authority has not indicated that it will operate the Program in the current year;
- (c) Exercises full control and authority over the operation of the Program at all sites under its sponsorship;
- (d) Provides ongoing year-round activities for children or families;
- (e) Demonstrates that it possesses adequate management and the fiscal capacity to operate the Program; and
- (f) Meets applicable State and local health, safety, and sanitation standards.

Program means the Summer Food Service Program for Children authorized by Section 13 of the Act

Program funds means Federal financial assistance that has been made available to State agencies for the purpose of making Program payments.

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Program payments means financial assistance in the form of start-up payments, advance payments, or reimbursement paid to sponsors for operating and administrative costs.

Restricted open site means a site which is initially open to broad community participation, but at which the sponsor restricts or limits attendance for reasons of security, safety or control. Site eligibility for a restricted open site shall be documented in accordance with paragraph (a) of the definition of *Areas in which poor economic conditions exist*.

Rural means (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 FNSRO concurrence, is determined to be geographically isolated from urban areas.

School food authority means the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a lunch program in those schools. In addition, for the purpose of determining the applicability of food service management company registration and bid procedure requirements, “school food authority” also means any college or university, which participates in the Program.

Secretary means the Secretary of Agriculture.

Self-preparation sponsor means a sponsor which prepares the meals that will be served at its site(s) and does not contract with a food service management company for unitized meals, with or without milk, or for management services.

Session means a specified period of time during which an enrolled group of children attend camp.

Site means a physical location at which a sponsor provides a food service for children and at which children consume meals in a supervised setting.

SNAP household means any individual or group of individuals which is currently certified to receive assistance as a household under the SNAP Program.

Special account means an account that a State agency may require a vended sponsor to establish with the State agency or with a federally insured bank. Operating costs payable to the sponsor by the State agency are deposited in the account and both the sponsor and the food service management company must authorize disbursement of monies from the account.

Special Restricted Open Sites are located in non-needy areas but otherwise meet the criteria for open site eligibility. An example of this type of site is a site outside of a city in which all areas are eligible (based on school enrollment or census data); the children from the city are bused to the non-needy location without cost.

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Sponsor means a public or private nonprofit school food authority, a public or private nonprofit residential summer camp, a unit of local, municipal, county or State government, a public or private nonprofit college or university, or a private nonprofit organization which develops a special summer or other school vacation program providing food service similar to that made available to children during the school year under the National School Lunch and School Breakfast Programs and which is approved to participate in the Program. Sponsors are referred to in the Act as “service institutions”.

State means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands.

State agency means the State educational agency or an alternate agency that has been designated by the Governor or other appropriate executive or legislative authority of the State and which has been approved by the Department to administer the Program within the State, or, in States where FNS administers the Program, FNSRO.

State Children's Health Insurance Program (SCHIP) means the State medical assistance program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

TANF means the State funded program under part A of title IV of the Social Security Act that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995. The program is commonly referred to as Temporary Assistance for Needy Families, although States may refer to the program by another name.

Unit of local, municipal, county or State government means an entity which is so recognized by the State constitution or State laws, such as the State administrative procedures act, tax laws, or other applicable State laws which delineate authority for government responsibility in the State.

Vended sponsor means a sponsor which purchases from a food service management company the unitized meals, with or without milk, which it will serve at its site(s), or a sponsor which purchases management services, subject to the limitations set forth in Sec. 225.15, from a food service management company.

Yogurt means commercially prepared coagulated milk products obtained by the fermentation of specific bacteria, that meet milk fat or milk solid requirements and to which flavoring foods or ingredients may be added. These products are covered by the Food and Drug Administration's Standard of Identity for yogurt, low-fat yogurt, and nonfat yogurt, (21 CFR 131.200), (21 CFR 131.203), (21 CFR 131.206), respectively.

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