



THE STATE EDUCATION DEPARTMENT/THE UNIVERSITY OF THE STATE OF NEW YORK/ALBANY, NY 12234  
Office of P-20 Education Policy  
Child Nutrition Program Administration / Summer Food Service Program  
89 Washington Avenue-Room 375 EBA, Albany, NY 12234-0055  
Tel (518) 486-1086 Fax (518) 474- 9920  
Web address <http://www.cn.nysed.gov>

## SFSP Sponsor Waiver Request Form

### Non-Congregate Feeding at Outdoor Sites Experiencing Poor Air Quality

**Name of Sponsoring Organization:** \_\_\_\_\_

**LEA Code:** \_\_\_\_\_

**Outdoor sites that lack indoor alternative sites to be considered:**

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

Site Name: \_\_\_\_\_

LEA Code: \_\_\_\_\_

By signing this application the sponsor agrees to comply with the following:

1. Sponsors must be otherwise eligible to participate in SFSP and properly approved by the State agency in order to participate.
2. Approved outdoor sites must comply with the congregate meal requirements on all other days of operation. Requirements pertaining to the number and type of meals that may be served each day continue to apply and sponsors must continue to provide all required components of a reimbursable meal. Because meals served will be consumed off site sponsors should carefully consider all food safety issues and risks. Only one meal may be provided to each child present at the meal site for each meal service. Meals may not be provided to adults or other children to take to children not present at the site. All meal counting, claiming, and State and sponsor monitoring and oversight requirements continue to apply.
3. Sponsors approved for the Non-Congregate Feeding at Outdoor Sites Experiencing Poor Air Quality must submit the attached form to their designated SFSP representative within 10 days of the non-congregate meal service. It must include the following information:

- The specific dates on which participants were permitted to take meals off site; and
- The number of meals claimed that were taken off site by participants.

4. Non-congregate meal service shall be permitted only on days when the area is experiencing certain air quality advisories. Under this waiver, the threshold for determining when non-congregate meal service is allowed will be based on metrics developed by the Environmental Protection Agency (EPA) and the Center for Disease Control (CDC), which are designed to help determine when to move activities indoors. Using these metrics, which equate to very unhealthy or hazardous air quality, sites may be approved for non-congregate meal service on days when the site's zip code has an Air Quality Index (AQI) "purple" flag or higher, as indicated at <https://www.airnow.gov/>.
5. Sponsors 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.
6. Existing site caps must remain.
7. Meal times approved by the State for each site must remain.
8. No second meals are allowed on days the area is experiencing poor air quality.

Sponsor Representative Name: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

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;
- (2) fax: (833) 256-1665 or (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

