

December 04, 1998

SUBJECT: Summer Food Service Program (SFSP) Policy Memorandum #13-99: Certifying Eligibility of National Youth Sports Program (NYSP) Sites to Participate in the SFSP

TO: Regional Directors
Child Nutrition Programs
All Regions

This memorandum sets forth an additional method for determining NYSP site eligibility for participation in the SFSP. It is a continuation, without any changes, of SFSP Policy Memorandum #13-98 issued on July 10, 1998. This memorandum is effective upon issuance, and will remain in effect until superseded by regulation or future memorandum.

This additional method for determining NYSP site eligibility is based on our review of the NYSP guidelines established by the Department of Health and Human Services (DHHS), whose primary grantee for the NYSP is the National Collegiate Athletic Association.

Section 706(d) of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, amended section 13(c) of the National School Lunch Act by adding that NYSP eligibility in the SFSP may be based on a determination that the children residing in areas in which poor economic conditions exist are the primary program recipients. This provision is in addition to the longstanding provision that NYSP sites (which are considered "closed enrolled sites") are eligible for the SFSP when 50 percent or more of the enrolled children are individually determined eligible for free or reduced price meals based on family income information provided by each child.

DHHS guidelines require that a minimum of 90 percent of the children participating at each NYSP site come from households with incomes at or below the Federal income poverty level (100 percent of poverty). This requirement exceeds the SFSP requirement that at least 50 percent of children in the area are from households with incomes at or below 185 percent of the poverty level. Therefore, this memorandum permits the SFSP sponsor to attest, in writing, that the NYSP site has in fact complied with the DHHS guidelines for income eligibility for the children attending the program. The sponsor must verify eligibility by reviewing NYSP records.

The intent of this policy is to eliminate an apparent duplication of effort for determining income eligibility of the children attending NYSP sites. This policy will also reduce the paperwork burden for the children's families, the NYSP program staff as well as the SFSP sponsor.

Please share this information with your State agencies. If you have any questions, please contact Melissa Rothstein or Ron Ulibarri.

/ORIGINAL SIGNED/

STANLEY C. GARNETT
Director
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