CHAPTER 67-21-05
SUMMER FOOD SERVICE PROGRAM

Section
67-21-05-01 Purpose
67-21-05-02 State Agency
67-21-05-03 Use of Federal Funds
67-21-05-04 Eligibility
67-21-05-05 Application
67-21-05-06 Monitoring
67-21-05-07 Program Payments
67-21-05-08 Meal Service
67-21-05-09 Fiscal Management

67-21-05-01. Purpose.

The program, initiated at the federal level and in partnership with the states, provides assistance to the state through grants-in-aid and other means to conduct nonprofit food service programs for children during the summer months and at other approved times. The primary purpose of the program is to provide food service to children from needy areas during periods when area schools are closed for vacation.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54

67-21-05-02. State agency.

The department of public instruction has been designated as the state agency in the state of North Dakota to assist in the implementation, maintenance, and funding of the program.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-03; 7 CFR 225.3

67-21-05-03. Use of federal funds.

Unless otherwise specified in this chapter, eligibility to participate in the summer food service program is governed by federal summer food service program regulations. Local agencies must conform to lawfully issued regulations and policies relating to the program.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 225

67-21-05-04. Eligibility.

Local agencies eligible to participate include public and private nonprofit agencies including schools, camps, and migrant programs. The department of public instruction will determine the eligibility of applicant sponsors in accordance with criteria established in 7 CFR 225.13.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 225.6

67-21-05-05. Application.

Application forms are available at the Department of Public Instruction, 600 East Boulevard Avenue, Department 201, Bismarck, North Dakota 58505-0440. The application forms include:

1. A site information sheet.
2. Documentation supporting the eligibility of the site as serving an area in which poor economic conditions exist, if not a camp or a homeless feeding site.
3. For camps, documentation showing the number of children enrolled who meet the program's income standards.
4. With site information for a homeless feeding site, information to demonstrate that the site is not a residential child care institution.
5. For national youth sports program sites, a certification that all children are enrolled in the national youth sports program.
6. Information to enable the department of public instruction to determine whether the applicant meets the criteria for participation in the program as set forth in 7 CFR 225.14, the extent of program payments needed including a request for advance and startup payments, and, if applicable, a staffing and monitoring plan.
7. A complete administrative and operating budget for approval by the department of public instruction.
8. A plan for and a synopsis of its invitation to bid for food service, if required.
9. A free meal policy statement as defined in 7 CFR 225.6.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 225.6

67-21-05-06. Monitoring.

The department of public instruction shall conduct onsite reviews of local agency program operations, as specified in the federal regulations, for the purpose of providing guidance and technical assistance to local agencies. All reviews must include the assessment of overclaims and appropriate corrective action.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-05, 28-32-02
Law Implemented: NDCC 15-54-05; 7 CFR 225.7

67-21-05-07. Program payments.

Program payments must be made to approved and operating local agencies upon the submission of the appropriate reports and claim forms. Claim forms are due on the tenth day of the month following the month of the claim. Federal reimbursement levels are determined on an annual basis according to federal law.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 225.9

67-21-05-08. Meal service.

All meals served under the program must meet the guidelines as stipulated in the federal regulations.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-05; 7 CFR 225.16

67-21-05-09. Fiscal management.

Local agencies must maintain accurate records that justify all costs and meals claimed.

History: Effective February 1, 2000.
General Authority: NDCC 15-54-03, 28-32-02
Law Implemented: NDCC 15-54-05; 7 CFR 253.15