

# Welcome!

We'll get started soon. While we wait for other attendees to join, please answer this question in the chat box:

**What questions do you have on the non-congregate summer meals IFR or guidance?**



---

# The Interim Final Rule on Non-Congregate Summer Meals: What It Means for You This Summer

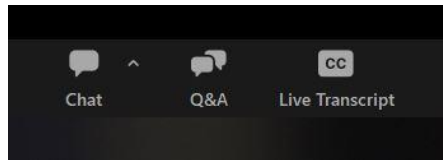
Thursday, March 14, 2024





## Things to Know as We Begin

- The slide deck will be shared via email after the webinar along with the recording.
- To engage with other attendees, please use the [chat box](#).
- If you have questions for the speakers, please enter those into the [Q&A box](#).
- Closed captioning is available.





## Agenda

- Opening
- Speaker Introductions
- Background on Non-Congregate
- Interim Final Rule Overview
- No Kid Hungry Summer Meals Eligibility Map
- Commenting on the IFR
- Q&A

# Speakers



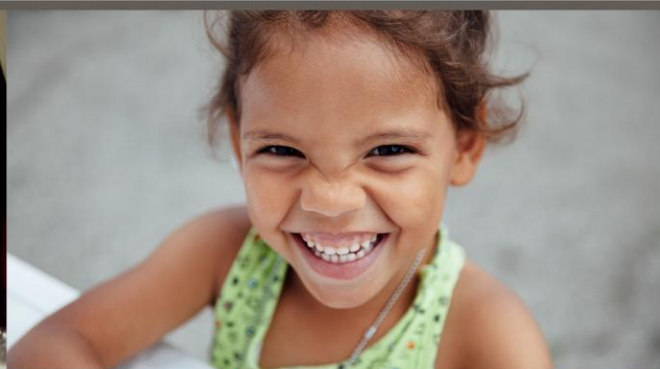
**Carolyn Vega**  
Associate Director,  
Policy Analysis



**Zach Tilly**  
Senior Policy  
Manager



**Regis Whaley**  
Senior Program  
Manager



## Background on Non-Congregate Summer Meals



# The Summer Hunger Gap

- Summer is the hungriest time of year
- Traditional summer meals programs – SFSP & SSO – have long failed to meet the need
  - In 2019, just **one in seven** kids eligible for free or reduced-price school meals got a summer meal



# Addressing the Gap

- Pilots to address the gap go back more than a decade
- New models were tested more broadly in response to COVID-19
  - Meal program flexibilities wound down in Spring/Summer 2022
  - Pandemic EBT ended after Summer 2023





# Permanently Closing the Gap

- In December 2022, Congress permanently authorized two new summer nutrition options nationwide:
  - Non-Congregate Summer Meals in Rural Areas:  
First available in summer 2023
  - Summer EBT: Begins summer 2024

***Both new options will work alongside traditional summer meals programs***



## What's in the Law



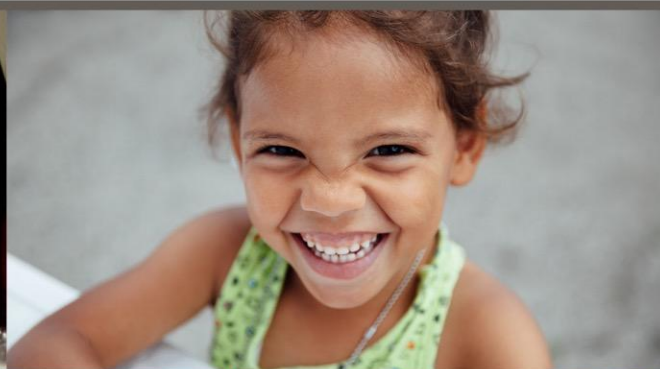
## Non-Congregate Summer Meals Basics

- Non-congregate is available only in:
  - Rural areas
  - With **no** congregate service
- Option for usual area eligibility rules or “conditional sites”
- Usual healthy, safety, sanitation & meal pattern rules apply
- Meals may be provided for up to 10 days at a time (up to usual daily per child limits)



# Non-Congregate Administration

- Regulations
  - Implementation permitted in 2023 with past pilot guidance
  - USDA directed to issue an interim final rule by December 2023
- State Agencies
  - Optional opt-in for 2023 but included in usual summer Management & Administration Plan for 2024 and beyond
  - Agencies expected to identify areas with no congregate service and encourage non-congregate service in priority areas



## What's in the IFR

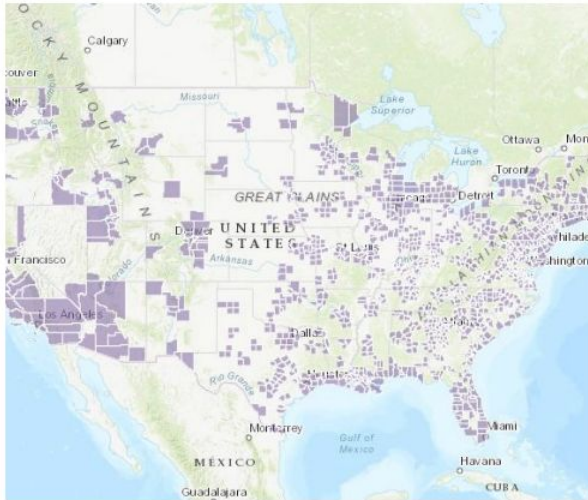


## Program & Sponsor Eligibility

- Available through both SFSP & SSO
- Available to public & private non-profit organizations and school food authorities
- New sponsors permitted to do non-congregate
- States cannot deny a sponsor in good standing solely because of intent to provide non-congregate service

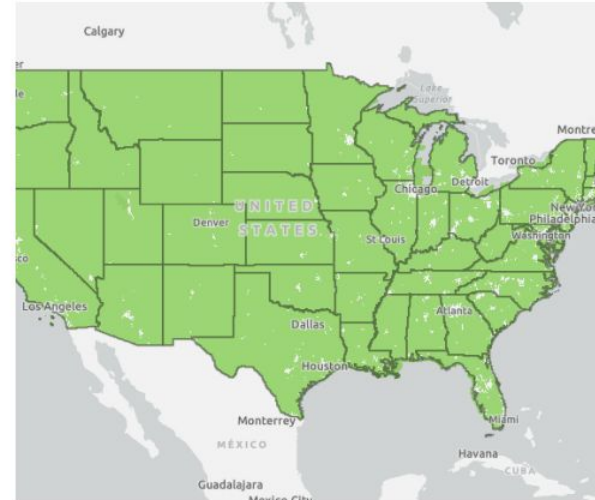
# Defining Rural

Before the IFR



Unshaded = Rural; Purple = Urban

After the IFR



Green = Rural; White = Urban

[fns.usda.gov/sfsp/rural-designation](https://fns.usda.gov/sfsp/rural-designation)



# Expanded Definition of “Rural”



## 2023 Definition

- Any area in a county not part of an MSA based on OMB’s definition
- Rural pockets based on
  - RUCA
  - RUCC
  - UIC
  - Census Bureau (NCES)
- Rural pockets subject to USDA regional *concurrence*

## New Definition

- Any area in a county not part of an MSA based on **OMB**’s definition; non-metropolitan based on **RUCA**, **RUCC**, or **UIC**; not part of a Census Bureau-defined urban area (**NCES**); or not part of an urban area as determined by the Secretary.
- Rural pockets based on other available data subject to USDA regional *approval*



## Defining “No Congregate Service”

- “No congregate service” is left to state agency discretion
- Agencies encouraged to consider factors like:
  - Any physical conditions or other barriers;
  - Congregate site capacity;
  - Sites serving the same children on different days/weeks, or for different meals on the same day; and
  - Sites appealing to specific age groups or to children with unique dietary requirements

## Defining “No Congregate Service”

- “Hybrid sites” providing congregate & non-congregate service permitted if:
  - Providing meals for different days
  - Offering different meals
  - Covering different periods of time
  - Serving different groups of children
    - Must demonstrate to satisfaction of the state agency that there is a system in place to ensure no duplication

## Service Flexibilities

- States may only limit flexibilities on a case-by-case basis:
  - Parent/guardian meal pick-up
  - Multiple meal distribution (up to 10 days at a time)
  - Bulk meal item distribution (up to 5 days at a time)



## Service Models

- Walk-up distribution
- Curbside pick-up / drive-thru
- Mobile meals
- Home delivery
  - Requires advance consent/opt-in & confirmation of contact info and number of eligible children
  - Available to both non-profit and SFA sponsors
    - Non-profits only need an agreement with the SFA if utilizing school data

## Additional Details

- Meal service distribution / delivery times must be specified
  - \*Not\* required to serve breakfast in the morning or allow one hour between meal service distributions
- Second meals \*not\* permitted through non-congregate
- Usual area eligibility rules apply to distribution sites unless operating a “conditional site”

## Conditional Sites

- Usual area eligibility rules apply \*except\* for conditional sites
- Conditional sites
  - Permitted only through rural non-congregate
  - Operate outside of areas that meet the 50% free/reduced-price eligibility threshold for open sites
  - Do not have to meet the 50% threshold through applications like closed enrolled sites
  - Receive reimbursement only for meals served to children determined eligible for free/reduced-price meals

## Conditional Sites

- May obtain eligibility information *after* serving a meal as long as it is within the claim month
- May charge for meals served to ineligible children
- May use non-program / private funds to provide no-cost meals to ineligible children

## Monitoring

- Follows usual SFSP/SSO rules
- Sites switching to non-congregate considered new sites for monitoring purposes





## USDA Resources

- <https://www.fns.usda.gov/summer>
- <https://www.fns.usda.gov/sfsp/non-congregate>
- <https://www.fns.usda.gov/sfsp/rural-designation>
- <https://www.fns.usda.gov/sebt>
- <https://www.fns.usda.gov/sun/style-guide>

The logo for "SUN MEALS" features the word "SUN" in large, bold letters with a color gradient from orange to blue. To the right of "SUN" is a circular icon containing a fork and a knife. Below "SUN" is the word "MEALS" in a bold, orange, sans-serif font.The logo for "SUN MEALS TO-GO" features the word "SUN" in large, bold letters with a color gradient from orange to blue. To the right of "SUN" is a circular icon containing a fork and a knife. Below "SUN" is the phrase "MEALS TO-GO" in a bold, green, sans-serif font.The logo for "SUN BUCKS" features the word "SUN" in large, bold letters with a color gradient from orange to blue. To the right of "SUN" is a circular icon containing a fork and a knife. Below "SUN" is the word "BUCKS" in a bold, blue, sans-serif font.

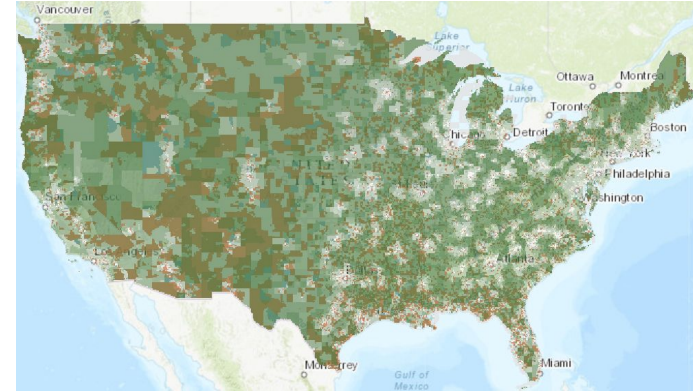


## Summer Meals Eligibility Map



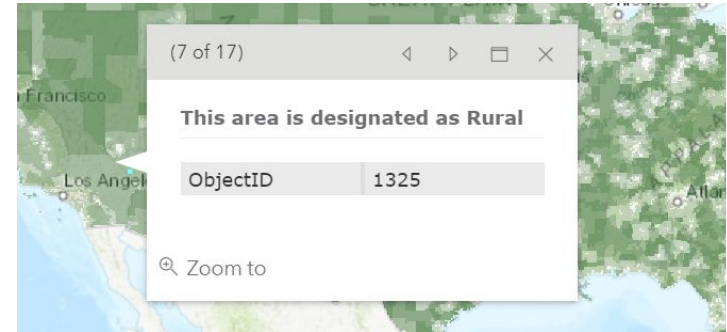
## Summer Meals Eligibility Map

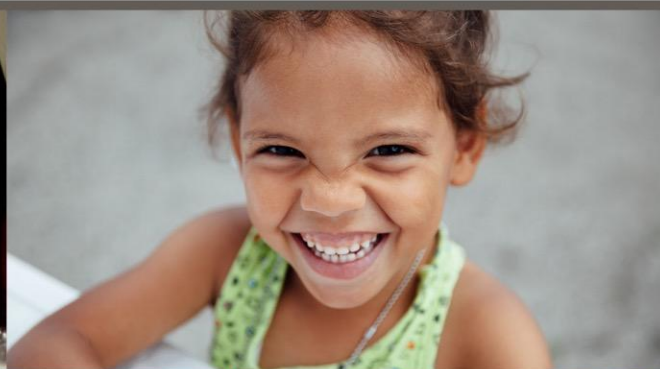
- Two layers
  - Non-Congregate Summer Meals Rural Eligibility Map
  - Averaged Eligibility Map
- Available here:  
<https://bestpractices.nokidhungry.org/Averaged-Eligibility-Map>



## Non-Congregate Summer Meals Rural Eligibility Map

- Derived from USDA's [rural designation map](#)
- To check rurality:
  - Turn on only the “USDA Rural Designations” layer
  - Search for an address
  - Click the area containing the address
  - Look for the pop-up





## Commenting on the IFR



## Important Dates

- IFR published Dec. 29, 2023
  - Took effect immediately
- Comments due Apr. 29, 2024
- Final rule: TBD
- Effective date of final rule: TBD

## The Comment Process

- Review the IFR:  
<https://www.federalregister.gov/documents/2023/12/29/2023-28488/establishing-the-summer-ebt-program-and-rural-non-congregate-option-in-the-summer-meal-programs>
- Check out our tips on submitting a comment:  
<https://bestpractices.nokidhungry.org/resource/how-comment-federal-regulations>
- Submit a formal comment:  
<https://www.regulations.gov/commenton/FNS-2023-0029-0001>



# Q&A







## Stay in Touch!

**Subscribe to our newsletter:**

[www.bestpractices.nokidhungry.org/subscribe](http://www.bestpractices.nokidhungry.org/subscribe)

**Visit our website:**

[www.bestpractices.nokidhungry.org](http://www.bestpractices.nokidhungry.org)

**Use our map:**

<https://bestpractices.nokidhungry.org/Summer-Meals-Eligibility-Map>

**Register for upcoming webinars:**

<https://bestpractices.nokidhungry.org/webinars>





## Your Feedback is Appreciated!

At the conclusion of this webinar, a 5-question survey will open in your browser window.

Please take a moment to complete it.





# Thank You for Attending!

Carolyn Vega, MPH, RD

Associate Director, Policy Analysis

No Kid Hungry Center for Best Practices

Share Our Strength

[cvega@strength.org](mailto:cvega@strength.org)

