



Testimony

Before the Subcommittee on Early
Childhood, Elementary, and Secondary
Education, Committee on Education and the
Workforce, House of Representatives

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SUMMER MEALS

Improvements Needed to Address Participation Estimates and Program Challenges

Statement of Kathryn A. Larin, Director,
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Chairman Rokita, Ranking Member Polis, and Members of the Subcommittee:

I am pleased to be here today to discuss the U.S. Department of Agriculture's (USDA) Summer Food Service Program (SFSP). A federal nutrition program created in 1968, SFSP is designed to provide food service to children in low-income areas during periods when area schools are closed for vacation.¹ In fiscal year 2017, USDA spent \$485 million to provide 152 million meals to children through the SFSP.

USDA's Food and Nutrition Service (FNS) oversees the SFSP, which is administered by the states and operated by a variety of public and private nonprofit organizations and government entities that sponsor meals for children at supervised sites such as schools, camps, parks, churches, and libraries. FNS is responsible for issuing regulations,² instructions, and guidance; overseeing program administration; and reimbursing states for meals served that meet program requirements.³ State agencies are responsible for approving and monitoring sponsors who, in turn, are responsible for monitoring and managing their meal sites.

SFSP meals must meet certain requirements in order to be eligible for federal reimbursement; for example, the meal must be served and consumed on-site at an approved meal site.⁴ States may approve different types of meal sites, including open sites, closed enrolled sites, and camps. For example, open sites operate in an area where at least half of the children are eligible for free or reduced-price school meals (referred to as "area eligible"), according to data from entities such as

¹See 42 U.S.C. § 1761. Children age 18 and under are eligible to participate. Eligible children also include individuals over age 18 who are determined by a state educational agency or a local public educational agency of a state to have a disability, and who are participating in a public or nonprofit private school program established for individuals who have a disability.

²The SFSP program regulations are found at 7 C.F.R. pt. 225. Revisions to these regulations are scheduled to take effect July 31, 2018. This statement refers to the earlier version of the regulations, which were in effect at the time we did our work.

³States, in turn, provide funds to sponsors. Federal funding is also provided for certain SFSP administrative and operating costs.

⁴Specifically, program regulations require sponsors to maintain children on site while meals are consumed. 7 C.F.R. § 225.6(e)(15). This requirement, sometimes referred to as the "congregate meal requirement," is referred to as the "on-site requirement" throughout this statement.

schools or the U.S. Census Bureau.⁵ Meals must also meet federal requirements for menu components, meal times, and nutrition.⁶

Some flexibilities are available to FNS in implementing the SFSP program, under its waiver and demonstration authorities. For example, the Secretary of Agriculture has statutory authority to waive, upon request of a state or eligible service provider, certain child nutrition program requirements, including some for the SFSP.⁷ To grant a waiver request, the Secretary must determine that the waiver would facilitate the state or service provider's ability to carry out the purpose of the program, and that the waiver will not increase the overall cost of the program to the federal government, among other things. In the event a waiver request is submitted, the Secretary is required to act promptly and state in writing whether the waiver request is granted or denied, and why. The Secretary is also required to periodically review the performance of waiver recipients, and submit an annual report to Congress summarizing the use of waivers and their effectiveness, among other details.⁸

In addition to this waiver authority, the Secretary is also authorized to carry out demonstration projects to develop and test methods of providing access to summer meals for low-income children in urban and rural areas, to reduce or eliminate the food insecurity and hunger of low-

⁵Children are generally eligible for free or reduced-priced school meals if their households have incomes at or below 185 percent of federal poverty guidelines. For example, see Child Nutrition Programs: Income Eligibility Guidelines, 82 Fed. Reg. 17, 182 (Apr. 10, 2017).

⁶See 7 C.F.R. § 225.16.

⁷42 U.S.C. § 1760(l). Eligible service providers include SFSP sponsors. This waiver authority is subject to specified exceptions; for example, the Secretary may not grant waivers that relate to the nutritional content of meals served or federal reimbursement rates, among other things.

⁸The Secretary is required to annually submit to the Committee on Education and Labor of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that summarizes the use of waivers by the state and eligible service providers; describes whether the waivers resulted in improved services to children; describes the impact of the waivers on providing nutritional meals to participants; and describes how the waivers reduced the quantity of paperwork necessary to administer the program.

income children and improve their nutritional status.⁹ The Secretary is required to provide for an independent evaluation of the demonstration projects carried out under this authority, and submit an annual report to Congress on the status of each project and the results of the evaluations.¹⁰

My testimony today summarizes the findings from our May 2018 report on summer meals.¹¹ This statement addresses (1) what is known about SFSP participation, (2) other programs that help feed low-income children over the summer, and (3) challenges in providing summer meals to children and the extent to which USDA provides assistance to address these challenges. To address these objectives, we reviewed relevant federal laws, regulations, and guidance; analyzed USDA's SFSP data for fiscal years 2007 through 2016; and surveyed state agencies responsible for administering the SFSP in 50 states and the District of Columbia. We also visited a nongeneralizable group of 3 states and 30 meal sites, selected based on Census data on child poverty rates and urban and rural locations, and analyzed meal site data from these 3 states. In addition, we interviewed USDA, state, and national organization officials, as well as SFSP providers, including sponsors and site operators. Our work was performed in accordance with generally accepted government auditing standards. More details on our scope and methodology can be found in the issued report.

In brief, we found that although USDA collects information about the actual number of meals served to children through the SFSP program—which is one indicator of program participation—USDA's estimates of the

⁹This demonstration authority was first established and funded by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, Pub. L. No. 111-80, § 749(g), 123 Stat. 2090, 2132-33. Subsequent appropriations acts continued to fund these demonstrations, most recently the Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, div. A, tit. IV, 132 Stat. 348.

¹⁰Each December 31, the Secretary is required to submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the status of each demonstration project and the results of the evaluations for the previous fiscal year. Further, not later than 120 days after the completion of the last evaluation, the Secretary is required to submit a report to the same committees that includes recommendations to improve children's access to food during the summer months when school is not in regular session.

¹¹GAO, *Summer Meals: Actions Needed to Improve Participation Estimates and Address Program Challenges*, [GAO-18-369](#) (Washington, D.C.: May 31, 2018).

number of children participating in the SFSP were unreliable. As a result, USDA's understanding of children's participation in the SFSP was limited, impairing its ability to both inform program implementation and facilitate strategic planning and outreach to areas with low participation.

Other federal and nonfederal programs helped feed low-income children over the summer to some extent. These federal programs included the National School Lunch Program's Seamless Summer Option, which provides nutrition assistance benefits solely in the summer, and several federal programs that operate year-round. Nonfederal programs, commonly operated by local faith-based organizations and foodbanks, also helped feed low-income children in the summer, but states and local organizations reported that these had limited reach.

Finally, there were gaps in USDA's efforts to address reported challenges related to SFSP meal site safety and program administration. Although USDA had granted some states and sponsors flexibility from the requirement that children consume meals on-site when safety at the site was a concern, the agency did not broadly communicate the circumstances it considers when granting this flexibility, hindering its usefulness in ensuring safe summer meal delivery to children. Additionally, while FNS had established program and policy simplifications to help lessen the administrative burden on sponsors participating in multiple child nutrition programs, challenges in this area persisted. Some of these simplifications had not been shared recently with states, potentially discouraging sponsor participation in child nutrition programs and limiting children's access to meals.

My statement will highlight four recommendations we made in our May report that USDA should implement to help improve SFSP participation estimates and address challenges reported by states and sponsors related to meal site safety and duplicative paperwork. In oral comments, FNS officials, including the Deputy Administrator for Child Nutrition Programs, generally agreed with the recommendations in the report.

The Number of SFSP Meals Served Generally Increased from 2007 through 2016, but Estimates of Children Participating Were Unreliable

The total number of SFSP meals served nationwide during the summer—one indicator of program participation—increased from 113 million meals in fiscal year 2007 to 149 million meals in fiscal year 2016, or by 32 percent.¹² Although almost half of the total increase in meals served in the summer months was due to increases in lunches, when comparing across each of the meal types, supper and breakfast had the largest percentage increases over the 10-year period, 50 and 48 percent, respectively (see table 1).¹³ The increase in SFSP meals over this time period was generally consistent with increases in the number of meals served in the National School Lunch Program (NSLP), the largest child nutrition assistance program, during this period.

¹²Trends in meals served nationwide were based on our analysis of FNS data, which we determined were sufficiently reliable for the purposes of our May 2018 report. Unless otherwise noted, our report focused on SFSP meals served during the summer months, which we defined to include May, June, July, and August. Nationwide refers to the 50 states and the District of Columbia. The SFSP primarily operates during school vacation from May through September (accounting for more than 99 percent of meals served in fiscal year 2016), but it also operates during vacation periods in any month for programs operating on continuous school calendars, and during certain other times for areas affected by unanticipated school closure, such as for a natural disaster. In addition, our review focused on fiscal year 2007 through fiscal year 2016, and included all SFSP meals served: breakfast, lunch, supper, and snack.

¹³For example, suppers increased from 4,166,516 meals served in 2007 to 6,254,579 meals served in 2016. Breakfasts increased from 28,512,170 meals served in 2007 to 42,329,229 meals served in 2016.

Table 1: Change in Number of Meals Served Nationwide in the Food and Nutrition Service’s Summer Food Service Program (SFSP) by Meal Type, Fiscal Years 2007 and 2016

Fiscal Year	Number of SFSP Meals Served by Meal Service Type				Total
	Breakfast	Lunch	Supper	Snack	
2007	28,512,170	68,085,416	4,166,516	12,210,737	112,974,839
2016	42,329,229	85,708,601	6,254,579	14,868,097	149,160,506
Increase in number of meals serviced	13,817,059	17,623,185	2,088,063	2,657,360	36,185,667
Percent increase	48	26	50	22	N/A

Legend: n/a = not applicable

Source: GAO analysis of data provided by the Food and Nutrition Service. | GAO-18-369

Note: SFSP meals served include breakfast, lunch, supper, and snack. This figure includes meals served in the 50 states and the District of Columbia during May, June, July, and August. Our review focused on changes in the 10 years from fiscal year 2007 through fiscal year 2016.

Although states reported the actual number of SFSP meals served to FNS for reimbursement purposes, they *estimated* the number of children participating in SFSP, and these participation estimates have been calculated inconsistently, impairing FNS’s ability to inform program implementation and facilitate strategic planning and outreach to areas with low participation. Specifically, state agencies calculated a statewide estimate of children’s participation in the SFSP, referred to as average daily attendance (ADA), using sponsor-reported information on the number of meals served and days of operation in July of each year.¹⁴ However, according to our review of states’ survey responses and FNS documents, states’ methods for calculating ADA have differed from state to state and from year to year. For example, although FNS directed states to include the number of meals served in each site’s primary meal service—which may or may not be lunch—some states calculated ADA using only meals served at lunch. In addition, five states reported in our

¹⁴States report this information to FNS on Form FNS-418: Report of the Summer Food Service Program for Children. Sponsors first report to states a total average daily attendance (ADA) across all of their sites, which is calculated by dividing the number of meals served at each site’s primary meal service by the number of days each site operated in July, the month FNS has determined most SFSP meals are served, according to FNS officials. States combine sponsor ADAs for a statewide ADA for July. FNS combines states’ ADAs to estimate children’s participation in the SFSP nationwide.

survey that the method they used to calculate ADA in fiscal year 2016 differed from the one they used previously.¹⁵

While FNS clarified its instructions in May 2017 to help improve the consistency of states' ADA calculations moving forward, ADA, even if consistently calculated, remained an unreliable estimate of children's daily participation in SFSP for at least two reasons. First, ADA did not account for existing variation in the number of days that each site serves meals to children. Specifically, because FNS's instructions indicated that sites' ADAs were to be combined to provide a statewide ADA estimate, differences in the number of days of meal service at each site were disregarded. As a result, ADA did not reflect the average number of children served SFSP meals daily throughout the month.¹⁶ Second, ADA was an unreliable estimate of children's participation in SFSP because it did not account for state variation in the month with the greatest number of SFSP meals served. According to FNS officials, the agency instructed states to calculate ADA for July because officials identified this as the month with the largest number of meals served nationwide. However, according to our analysis of nationwide FNS data, in summer 2016, 26 states served more SFSP meals in June or August than in July.¹⁷

Although FNS had taken some steps to identify other data that states collect on the SFSP, at the time of our May 2018 report, FNS had not yet used this information to help improve its estimate of children's participation in the program. In 2015, FNS published a Request for Information, asking whether states or sponsors collected any SFSP data

¹⁵Seven additional states reported that they were unsure if they had changed the method used to calculate ADA in fiscal year 2016.

¹⁶For example, according to data provided by one selected state, three sites in that state had a reported ADA of 60 for July. Yet two of the sites served meals to children on only 1 day of the month and the other site served meals to children on 20 days. Although 120 children were served SFSP meals only 1 day in July across two of these sites, the combined ADA across all three sites, which we calculated following FNS's instructions, inaccurately suggests an average of 180 children were participating in SFSP at these sites on a daily basis in July.

¹⁷For example, for one selected state, Arizona, we followed FNS's instructions and found that using July to calculate ADA cut the participation estimate almost in half—14,987 in July 2016 compared to 26,772 in June 2016. State officials in Arizona explained that schools typically end the academic year in May and return to school in July, therefore, June is the busiest month for SFSP in Arizona.

that were not reported to FNS, and received responses from 15 states.¹⁸ The responses suggested some states collected additional data, such as site-level data, that may allow for an improved estimate of children's SFSP participation, potentially addressing the issues identified in our analysis. FNS also followed up with several of these states in 2016 and 2017 to explore the feasibility of collecting additional data and improving estimates of children's SFSP participation.¹⁹ FNS stated in a May 2017 memo to states that it is critical that the agency's means of estimating children's participation in the SFSP is as accurate as possible because it helps inform program implementation at the national level and facilitates strategic planning and outreach to areas with low participation.²⁰ Yet, at the time of our report, FNS had not taken further action to improve the estimate. In our May 2018 report, we concluded that FNS's limited understanding of children's participation in the SFSP impaired its ability to both inform program implementation and facilitate strategic planning and outreach to areas with low participation.

To improve FNS's estimate of children's participation in the SFSP, we recommended that FNS focus on addressing, at a minimum, data reliability issues caused by variations in the number of operating days of meal sites and in the months in which states see the greatest number of meals served. FNS generally agreed with this recommendation.

¹⁸Request for Information: Summer Meal Programs Data Reporting Requirements, 80 Fed. Reg. 12,423 (March. 9, 2015).

¹⁹Although they took these steps, FNS officials told us they were cognizant of the burden on states and site operators that would be associated with additional reporting requirements. FNS officials indicated they were conducting a study related to child nutrition program reporting requirements, as required by the Consolidated Appropriations Act, 2017. See Pub. L. No. 115-31, div. A, tit. I, 131 Stat. 135, 161. FNS officials said they expected the study to be completed in November 2018. They noted that some states expressed concerns in the ongoing study about the burden of child nutrition reporting requirements. Further, FNS officials noted that collection of additional information from states would require OMB approval under the Paperwork Reduction Act, and may also require regulatory changes.

²⁰USDA, Food and Nutrition Service, *Revisions to Instructions for the Calculation for Average Daily Attendance on the Form FNS-418*, Memo code SFSP 09-2017 (Alexandria, VA: May 10, 2017).

Other Federal and Nonfederal Programs Helped Feed Low-Income Children over the Summer to Some Extent

Other federal and nonfederal programs that operate solely in the summer, as well as those operating year-round, helped feed low-income children in the summer months. For example, in 2016, FNS data indicated about 26 million meals were served through the NSLP's Seamless Summer Option, a separate federal program that streamlines administrative requirements for school meal providers serving summer meals.²¹ Some children also received summer meals through nonfederal programs operated by entities such as faith-based organizations and foodbanks, though the reach of these efforts was limited, according to our state survey and interviews with providers and national organizations at the time of our report. For example, of the 27 states that reported in our survey awareness of the geographic coverage of these nonfederal programs, 11 states indicated that they operated in some portions of the state—the most common state response.²²

States and SFSP Providers Faced Challenges with Meal Sites, Participation, and Program Administration, and FNS Actions Had Addressed Some, but Not All Areas

States and SFSP providers reported challenges with issues related to meal site availability, children's participation, and program administration, though federal, state, and local entities had taken steps to improve these areas. For example, a lack of available transportation, low population density, and limited meal sites posed challenges for SFSP implementation in rural areas, according to states we surveyed, selected national organizations, and state and local officials in the three states we visited. In response, state and local entities took steps, such as transporting meals to children by bus, to address these issues—efforts that FNS supported through information sharing and grants.

States and SFSP providers also reported challenges with meal site safety, and FNS's efforts to address this area were limited. Seventeen states reported in our survey that ensuring summer meal sites are in safe

²¹These data included meals provided in the 50 states and the District of Columbia. For more information about FNS's estimates, see [GAO-18-369](#).

²²In addition, 16 states reported that they were not aware of any nonfederal programs providing summer meals to children in their state, 7 states reported that they did not know, and 1 state did not respond.

locations was moderately to very challenging.²³ Some states and sponsors took steps to help address this issue, and FNS also used its available authorities to grant some states and sponsors flexibility with respect to the requirement that children consume summer meals on site, such as when safety at the site is a concern. However, our review of FNS documentation showed FNS had not clearly communicated to all states and sponsors the circumstances it considers when deciding whether to grant this flexibility.²⁴ These circumstances—described in letters the agency sent to requesting states—generally included verification that violent crime activities occurred within both a 6-block radius of the meal site and 72 hours prior to the meal service.²⁵ Although FNS officials explained that they reviewed state and sponsor requests for flexibility due to safety concerns on a case-by-case basis, they also acknowledged that the set of circumstances they used to approve state and sponsor requests for flexibility, which we identified in their letters to states, had been used repeatedly. Further, states and sponsors reported challenges obtaining the specific data needed for approval of a site for this type of flexibility, including inconsistent availability of timely data, which hampered some providers' efforts to ensure safe delivery of meals.

We concluded that unless FNS shared information with all states and sponsors on the circumstances it considered when deciding whether to grant flexibility with respect to the requirement that children consume summer meals on site, states and sponsors would likely continue to be challenged to use this flexibility, hindering its usefulness in ensuring safe summer meal delivery to children. We therefore recommended that FNS

²³In addition to the 17 states that reported on the issue of safe locations as moderately to very challenging, 14 states reported this issue as slightly challenging, 7 states reported this as not at all challenging, 3 states reported they did not know, and 10 states reported no response. In our survey, we did not define "safe locations." For more information on our survey results and the full list of challenges states reported, see appendix II in [GAO-18-369](#).

²⁴Although FNS had issued guidance on the general processes for requesting flexibility from program requirements under its waiver and demonstration authorities, these guidance documents did not detail the specific circumstances that the agency considered when deciding whether to grant flexibility from the on-site requirement due to safety concerns. For more information about FNS's guidance, see [GAO-18-369](#) and FNS's policy memos SP 14-2017, SFSP 07-2017, Demonstration Project for Non-Congregate Feeding for Outdoor Summer Meal Sites Experiencing Excessive Heat with Q&As (January 2017), and SP 27-2017, CACFP 12-2017, SFSP 08-2017, Child Nutrition Program Waiver Request Guidance and Protocol (April 2017).

²⁵Violent crime activities were defined in FNS's letters to states as murder, attempted murder, aggravated assault, and armed robbery.

communicate to all SFSP stakeholders the circumstances it considers in approving requests for flexibility with respect to the requirement that children consume SFSP meals on-site in areas that have experienced crime and violence, taking into account the feasibility of accessing data needed for approval, to ensure safe delivery of meals to children. FNS generally agreed with this recommendation.

We also found that while FNS had issued reports to Congress evaluating some of its demonstration projects, as required under its statutory authorities, the agency had not issued any such reports to Congress specifically on the use of flexibilities with respect to the on-site requirement in areas where safety was a concern. As previously discussed, the agency is required to annually submit certain reports to Congress regarding the use of waivers and evaluations of projects carried out under its demonstration authority.²⁶ FNS officials told us that they had not evaluated or reported on these flexibilities, in part, because they had limited information on their outcomes.²⁷

We concluded that without understanding the impact of its use of these flexibilities, neither FNS nor Congress knew whether these flexibilities were helping provide meals to children—the goal of the program. Accordingly, we recommended that FNS evaluate and annually report to Congress, as required by statute, on its use of waivers and demonstration projects to grant states and sponsors flexibility with respect to the

²⁶The Secretary of Agriculture is required to annually submit to the Committee on Education and Labor in the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that summarizes the use of waivers and describes whether they resulted in improved services to children, the impact of the waivers on providing nutritional meals to participants, and how the waivers reduced the quantity of paperwork necessary to administer the program. 42 U.S.C. § 1760(l). In addition, the Secretary is required to provide for an independent evaluation of the projects carried out under its demonstration authority, and submit annual reports to the same Committees on the status of each demonstration project and the results of the evaluations for the previous fiscal year. Further, not later than 120 days after the completion of the last evaluation, the Secretary is required to submit a report that includes recommendations on how to improve children's access to food during the summer months when school is not in regular session. See the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, Pub. L. No. 111-80, § 749(g), 123 Stat. 2090, 2132-33, most recently funded by the Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, div. A, tit. IV, 132 Stat. 348.

²⁷In its letters to states approving their requests for flexibility with the requirement to consume meals on-site when safety is a concern, FNS asked states and sponsors to submit reports on the implementation and results of the flexibility. However, FNS officials told us they did not always receive this information.

requirement that children consume SFSP meals on-site in areas experiencing crime or violence, to improve understanding of the use and impact of granting these flexibilities on meeting program goals. FNS generally agreed with this recommendation.

Although FNS had established program and policy simplifications to help lessen the administrative burden on sponsors participating in multiple child nutrition programs, challenges in this area persisted, indicating that information had not reached all relevant state agencies. According to officials we spoke with from a national organization involved in summer meals, management of each child nutrition program and the processes related to applications, funding, and oversight were fragmented in many states. For example, in one of the states we visited, a sponsor that provided school meals during the school year told us they had to fill out 60 additional pages of paperwork to provide summer meals, which they described as significant burden. FNS officials told us that some of the duplicative requirements might have been a function of differences in statute, and although FNS provided guidance to states on simplified procedures for sponsors participating in more than one child nutrition program, some states might have chosen not to implement them.

We concluded that without further efforts from FNS to disseminate information on current options for streamlining administrative requirements across multiple child nutrition programs, overlapping and duplicative administrative requirements may limit children's access to meals by discouraging sponsor participation in child nutrition programs. We recommended that FNS disseminate information about the existing streamlining options, and FNS generally agreed with this recommendation.

Chairman Rokita, Ranking Member Polis, and Members of the Subcommittee, this concludes my prepared statement. I would be pleased to respond to any questions you may have at this time.

GAO Contact and Staff Acknowledgments

If you or your staff have any questions about this testimony, please contact Kathryn A. Larin at (202) 512-7215 or larink@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals who made key contributions to this testimony include Rachel Frisk, Melissa Jaynes, and Claudine Pauselli.

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