

Early Childhood Education and Care Department

Cabinet Secretary Elizabeth Groginsky

SFSP Appeal Rights and Procedures



Early Care, Education, and Nutrition Division

3/16/2026



SFSP Appeal Rights and Procedures

7 CFR, Part 225.13(a)

Each State agency shall establish a procedure to be followed by an applicant sponsor or approved sponsor appealing State agency imposed adverse actions.



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Adverse Action

- State agency denial of a SFSP application for participation
- State agency denial of a sponsor's request for an advance payment
 - State agency denial of a sponsor's claim for reimbursement (except for claims submitted past the Federal deadline)
- State agency refusal to forward to FNS an exception request by the sponsor for payment of a late claim
- State agency refusal of a sponsor's request for an upward adjustment to a claim for reimbursement
- State agency claim against a sponsor for remittance of payment back to the state agency



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Continue Adverse Action

- State agency denial of a sponsor's application for a meal site
- State agency denial of a food service management company's (FSMC) application for registration, or revocation of existing FSMC registration

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Non-appealable State Action

State agency declaration of a sponsor as being seriously deficient



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Overview of Process

1. State agency provides notice of adverse action
2. Sponsor has 14 days from the date of adverse action notification to request and appeal
3. Appellant may review any information upon which the adverse action was based
4. The appellant may refute the adverse action in person or by filing written documentation to the review official
5. If hearing is requested by appellant both State and appellant must be given 5 days notice of the time and place of hearing
6. Hearing will be held 14 days from the receipt of request for review, but not before documentation is received when applicable

Review official must make a determination within 5 days after the hearing or 5 days after documentation is received if no hearing is held



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Contact Information for the FNB Summer Food Service Program

Family Nutrition Bureau Chief: **Loren Miller 505-660-0864**

SFSP Program Manager: **Debra Candelaria 505-699-2596**

SFSP Senior Compliance Officer: **Christine Juancho 505-699-2627**

SFSP Compliance Officer: **Cassie Martinez 505-637-1440**

SFSP/CACFP Compliance Officer: **Frank Quintana 505-350-5879**

Nutrition Program Manager: **Laura Spencer 505-946-8558**

Program Resources for SFSP Sponsors-

<https://summerfoodnm.org/sponsors/program-resources>

More information about the New Mexico Early Childhood
Education and Care Department-*Programs for Parents and
Professionals*

<https://nmececd.org>



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