

# Early Childhood Education and Care Department

Cabinet Secretary Elizabeth Groginsky

Family Nutrition Bureau  
Summer Food Service Program  
for Children



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Monday, March 16, 2026

# Sponsor Administrative Issues



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# Claims submitted past the regulatory 60-day time frame (Late Claim)

- 7CFR, Part 225.9(d)(6) - paraphrased
  - ◆ ...claims must be submitted no more than 60 days after last day of the month covered by the claim.
  - ◆ ...claims not submitted within the 60-day deadline shall not be paid unless FNS determines that an exception should be granted.



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# FNS Determined:

- May request only one exception every 36 months
- Applies to:
  - ◆ Original
  - ◆ Upward adjusted
- A request is good for only one claiming month
- Out of compliance with 7CFR, Part 225.6(i)(8)
  - ◆ Bullet 8 in Permanent Agreement
- Out of compliance with 7CFR, Part 225.9(d)(6)
- Corrective action plan needed

Food and Nutrition Service (FNS)



United States Department of Agriculture

*Guidance for Local and State Agencies on 60-Day  
Claim Submission and 90-Day Reporting Requirements  
for Child Nutrition Programs*

Food and Nutrition Service  
*April 2018*



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# Let's talk about this 60-day rule

- 60-day clock for original claims
- 60-day clock for upward adjusted claims
- When does the clock start?
  - ◆ The day after the full claiming month has ended, or
  - ◆ 1<sup>st</sup> of every month
- Is the start of the clock the same for both adjusted and original claims
  - ◆ Yes
- Does this include weekends?
  - ◆ Yes
- Does this include holidays?
  - ◆ Yes
- Does this include your days off?
  - ◆ Yes



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# Payment delays resulting from late submitted claims

- List of delays caused by late submitted claims in order of occurrence:
  - ◆ Minimum 60-day delay caused by the sponsor
  - ◆ Additional days for:
    - State or sponsor discovery of late claim
    - State and sponsor to communicate
    - Sponsor to develop corrective action plan
    - State to either deny or approve corrective action plan
    - Late claim to be approved
    - Next scheduled pay run
    - ACH transfer or receipt of manual check
    - Additional **MONTHS** if the late claim was a June claim
      - Prior year payment



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# Break in communication

- Late submitted claims can be prevented even when claim submittal is forgotten
- Most late claims are discovered by the State agency not the sponsor
- In nearly all cases, business/finance is not aware reimbursement is missing
- True Story: 4 months later and nobody missed the \$54,145.75
- Program must inform business/finance office of monthly reimbursement claims
- Business/finance office should ask the question after 1 month



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# Reimbursement issued by check

- Payment will be delayed if:
  - ◆ Claims are submitted late
  - ◆ Nobody checks the mail
  - ◆ Nobody opens the mail
  - ◆ Organization changes mailing address for the check
  - ◆ Organization changed banking institutions
- Checks issued to the incorrect address
  - ◆ Will have to be canceled first
    - An affidavit process
    - DFA substitute w-9 form must be re-submitted
    - Internal Revenue Service 187c letter must be submitted (FEIN/TIN letter)
    - Voided check or letter from financial institution with banking information
  - ◆ Then check will be reissued



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# Reimbursement issued through ACH

- ACH – Automated Clearing House/Direct Deposit
- Payment will be delayed if:
  - ◆ Claims are submitted late
  - ◆ Organization changes bank or banking information
- ACH failed payment attempt
  - ◆ State agency will be notified timely
    - DFA substitute w-9 form must be re-submitted
    - Internal Revenue Service 187c letter must be submitted (FEIN/TIN letter)
    - Voided check or letter from financial institution with bank and account information
  - ◆ ACH payment will be re-attempted once payment information is corrected in statewide financial system (SHARE)



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# Allowable costs start with the budget...

- Expenditures not included in the Sponsor's budget as finally approved are not allowable costs
- Operational budget – flexible within reason
  - Operational moneys are directly tied to feeding children
- Administrative budget – Rather rigid with little room for exception
  - Not directly tied to feeding children
  - Do not fluctuate significantly with increases or decreases in participation, whereas operational costs do



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# Characteristics of an allowable cost

- 2CFR, Part 200.403
  - ◆ Costs that are:
    - Necessary
    - Reasonable
    - Allocable
      - Capable of being allocated or assigned
        - Assigned to the SFSP
- *Otherwise allowable*
  - ◆ *FNS 796-4, Rev. 4 – Non food items of cost*
  - ◆ *CACFP Crediting Guide – Food items*



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# Specific unallowable costs

## Some, not all...

- Sponsor purchased Incentives to participate
  - ◆ Gift cards
  - ◆ Backpacks
  - ◆ Sports gear of any kind
  - ◆ School Supplies of any kind
- Salaries for non-SFSP related activities
  - ◆ Recreation programs
- T-Shirts
  - ◆ No longer allowable



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# Specific unallowable costs

## Some, not all...

- Vehicle and/or Building Purchase
  - ◆ Includes lease with an option to purchase
- Meals for staff
- Bottled water for staff



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# Rules for Closed Enrolled Site Eligibility

- 7 CFR, Part 225.6(a)(2)
  - ◆ Requires state agencies to establish criteria to ensure closed enrolled sites do not limit program access in the area the site is located
    - State agency policy requires sponsors to submit written requests and evidence that the approval of a closed enrolled site will not limit Program access in the area the site is located in
- 7 CFR, Part 225.6(g)(1)(ix)
  - ◆ Establishes 5-year eligibility period for closed enrolled sites that were determined eligible if using:
    - School data for the area of the closed enrolled site
    - Census data for the area of the closed enrolled site
- Closed enrolled sites eligibility established using IEAs have a one-year eligibility period and must be re-established as eligible on a yearly basis

# Rules for Sponsor Media Release

- 7CFR, Part 225.15(e)
  - ◆ Renames the term “Media Release” to Notification to the community
  - ◆ Establishes that State agencies may issue a release a Notification to the Community on behalf of all sponsors
  - ◆ Clarifies sponsors of camp sites or closed enrolled sites only provide notification to participants of the availability of free meals
    - Best accomplished on a webpage for camp site or closed enrolled site programming



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# Requirements to Participate

- The State agency may only approve applications for sponsors that meet the three performance standards outlined...
  - ◆ Financial viability – The sponsor must be financially viable and expend and account for Program funds consistent with FNS instruction, SFSP regulations and 2CFR, parts 200, 400 & 415...
  - ◆ Administrative capability – The sponsor must be administratively capable and must have appropriate and effective management practices to ensure Program operations meet requirements...
  - ◆ Program accountability – The sponsor must have internal controls and management systems in place to ensure the organization is accountable fiscally and for all Program operations...

- VCA



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# Requirements to Participate - Continued

- Sponsors demonstrate **VCA** through a SFSP management plan
  - ◆ New sponsors (organizations participating for the first time)
  - ◆ Experienced sponsors with significant operational problems in prior year
  - ◆ Experienced sponsors without significant operational problems in prior year – every 3 years (year one being the first year)
    - 2025 (year one) sponsors require a management plan
    - Next plan due 2026
  - ◆ Schools in good standing with NSLP – Exempt with State agency discretion
  - ◆ Sponsors and institutions in good standing with CACFP – Exempt with State agency discretion



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# Site Visits

- Site visits required for only
  - ◆ New sites
  - ◆ Sites with operational problems in the previous year
- SFSP 06-2023
  - ◆ Oversight and Monitoring of the SFSP
    - Review with your site Monitor(s)
- Site Monitor must document operational problems on required form
- Site Monitor must report operational problems to Program Coordinator or Director
- Program Coordinator must use EPICS functionality to flag site for visit in the following year

# New Functionality for Site Visits

## Site Monitoring Visits

State agency determines visit is needed following year

Sponsor Determined Need For Site Visit \*

Site Visit Date (conducted by or on the 14th calendar day of the first meal service):

Meal Service Review Date (conducted by or on the 28th calendar day of the first meal service): \*

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## Site Monitoring Visits

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Meal Service Review Date (conducted by or on the 28th calendar day of the first meal service): \*



# 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: **VACANT**

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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