

**OKLAHOMA STATE DEPARTMENT OF EDUCATION**  
**CHILD NUTRITION PROGRAMS**  
**SUMMER FOOD SERVICE PROGRAM**  
**SERIOUS DEFICIENCY PROCEDURES**

1. In accordance with the United States Department of Agriculture (USDA) Summer Food Service Program regulations at 7 CFR Part 225.11, the Department of Education uses the following procedures for serious deficiency.
  - a. A notice of action is sent via certified mail, return receipt requested, which clearly identifies the serious deficiencies [7 CFR Part 225.11(c)], found by the State Agency regarding the Summer Food Service Program Sponsor's operation of the program.
  - b. The notice of action advises the sponsor of the required corrective action needed to prevent the recurrence of the deficiencies, or if the State Agency is terminating the sponsor, the notice of action specifies that the SFSP sponsor has failed to implement corrective action. If actions subject to appeal are included in the letter, appeal rights (7 CFR Part 225.13) are included in the notice of action.
  - c. When an SFSP sponsor has been determined as seriously deficient in its operation of the SFSP, the sponsor and its responsible principals are included on the State Agency log of Seriously Deficient Child Nutrition Program Institutions/Sponsors/Responsible Principals.
2. Serious deficiencies which are grounds for disapproval of applications and for termination include, but are not limited to, any of the following:
  - a. Noncompliance with the applicable bid procedures and contract requirements of Federal child nutrition program regulations;
  - b. The submission of false information to the State agency;
  - c. Failure to return to the State agency any start-up or advance payments which exceeded the amount earned for serving meals in accordance with this part, or failure to submit all claims for reimbursement in any prior year, provided that failure to return any advance payments for months for which claims for reimbursement are under dispute for any prior year shall not be grounds for disapproval in accordance with this paragraph. 7 CFR 225.11 (c) (3).
  - d. Program violations at a significant proportion of the sponsor's sites. Such violations include, but are not limited to, the following:
    - Noncompliance with the meal service time restrictions;
    - Failure to maintain adequate records;
    - Failure to adjust meal orders to conform to variations in the number of participating children;
    - The simultaneous service of more than one meal to any child;
    - The claiming of Program payments for meals not served to participating children;
    - Service of a significant number of meals which did not include required quantities of all meal components;
    - Excessive instances of off-site meal consumption; and
    - Continued use of food service management companies that are in violation of health codes; and
  - e. A history of administrative or financial mismanagement identifiable through its corporate organization, officers, employees, or otherwise, as an institution which participated in any Federal child nutrition program and was seriously deficient in its operation of any such program;