§ 225.3 Administration.

(a) Responsibility within the Department. FNS shall act on behalf of the Department in the administration of the Program.

(b) State administered programs. Within the State, responsibility for the administration of the Program shall be in the State agency. Each State agency must notify the Department by November 1 of the fiscal year regarding its intention to administer the Program. Each State agency desiring to take part in the Program shall enter into a written agreement with FNS for the administration of the Program in accordance with the provisions of this part. The agreement shall cover the operation of the Program during the period specified therein and may be extended by written consent of both parties. The agreement shall contain an assurance that the State agency will
§ 225.4 Program management and administration plan.

(a) Not later than February 15 of each year, each State agency shall submit to FNSRO a Program management and administration plan for that fiscal year.

(b) Each plan shall be acted on or approved by March 15 or, if it is submitted late, within 30 calendar days of receipt of the plan. If the plan initially submitted is not approved, the State agency and FNS shall work together to ensure that changes to the plan, in the form of amendments, are submitted so that the plan can be approved within 60 calendar days following the initial submission of the plan. Upon approval of the plan, the State agency shall be notified of the level of State administrative funding which it is assured of receiving under §225.5(a)(3).

(c) Approval of the Plan by FNS shall be a prerequisite to the withdrawal of Program funds by the State from the Letter of Credit and to the donation by the Department of any commodities for use in the State’s Program.

(d) The Plan must include, at a minimum, the following information:

1. The State’s administrative budget for the fiscal year, and the State’s plan to comply with any standards prescribed by the Secretary for the use of these funds;

2. The State’s plan for use of Program funds and funds from within the State to the maximum extent practicable to reach needy children;

3. The State’s plans for providing technical assistance and training to eligible sponsors;

4. The State’s plans for monitoring and inspecting sponsors, feeding sites, and food service management companies and for ensuring that such companies do not enter into contracts for more meals than they can provide effectively and efficiently;

5. The State’s plan for timely and effective action against Program violators;

6. The State’s plan for ensuring the fiscal integrity of sponsors not subject to auditing requirements prescribed by the Secretary;

7. The State’s plan for ensuring compliance with the food service management company procurement monitoring requirements set forth at §225.6(h); and

8. An estimate of the State’s need, if any, for monies available to pay for the cost of conducting health inspections and meal quality tests.

§ 225.5 Payments to State agencies and use of Program funds.

(a) State administrative funds—(1) Administrative funding formula. For each fiscal year, FNS shall pay to each State agency for administrative expenses incurred in the Program an amount equal to