Child and Adult Care Food Program

Child Care Center Manual

Oregon Department of Education
Child Nutrition Programs

November 2012 Edition

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Forward . . . About this Manual

The Oregon Department of Education Child Nutrition Programs (ODE CNP) developed this manual to guide Sponsors of centers in the day-to-day operation of the Child and Adult Care Food Program (CACFP). Sponsor officials are responsible for knowing the information and are urged to read all the material carefully and share it with their staff members responsible for CACFP operations.

Chapters contain ODE CNP policy and guidance based on Federal regulations, instruction and guidance. When a Federal change occurs, ODE CNP will revise the appropriate sections of this manual online and issue a notification to affected Sponsors regarding the revisions. Sponsors that have printed hard copies of this manual for their staff are responsible for ensuring that all staff are advised of the revisions.

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CACFP: http://www.ode.state.or.us/search/results/?id=209

CHAPTER 1 INTRODUCTION

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Section A – Basic Information About CACFP

What is the CACFP?

The Child and Adult Care Food Program (CACFP) is a Federally-funded program that provides meal reimbursement for serving nutritious meals and snacks to eligible participants in child care centers, family day care homes, Head Start programs, afterschool programs, emergency homeless shelters and adult day service centers. The United States Department of Agriculture (USDA) funds the Oregon Department of Education Child and Adult Care Food Program (ODE CACFP).

Program Goals

- To meet the nutritional needs of enrolled participants
- To promote healthy eating behaviors
- To improve the quality of daycare, making it more affordable for low-income families

Benefits to a Participating Sponsor

A Sponsor is an organization that has an agreement with the Oregon Department of Education to operate the CACFP. Sponsors receive monthly reimbursements for serving nutritious meals and snacks to enrolled participants. ODE CACFP provides technical assistance to Sponsors to assist them in meeting program requirements and in menu planning, food preparation, food service sanitation, and record keeping.

Reimbursement Rates

Meal reimbursement is based on the income of the enrolled participants and the type of meal served (breakfast, lunch, snack, or supper). Higher meal reimbursement is paid for meals served to participants with lower household income. Afterschool At-Risk Meals & Snacks programs and Homeless programs are reimbursed at the highest reimbursement rate. The Federal government adjusts the meal reimbursement rates every year. The new rates are effective on July 1.

Meal Pattern Requirements

Sponsors must meet program meal pattern requirements to receive reimbursement. Meals must contain the following *food components*:

- Breakfast components: Milk, Grain/Bread, Vegetable/Fruit
- Lunch and Supper components: Milk, Grain/Bread, Meat/Meat Alternate, and 2 servings of Vegetable/Fruit
- Snacks: food from two different food component groups

For infant meal pattern requirements, see Chapter 9 Infants

For adult meal pattern requirements, see Chapter 21 Adult Day Services

Limit of Reimbursable Meals and Snacks Sponsors Can Claim

In general, Sponsors of day care centers may be reimbursed for a maximum of either two meals and one

snack, OR two snacks and one meal per participant per day. Afterschool At-Risk Meals & Snacks programs may be reimbursed for a maximum of one snack and one supper per participant per day. Homeless and Emergency Shelter programs may be reimbursed for a maximum of any three meals per participant per day.

Eligible Organizations

The following types of organizations are eligible to apply to participate in the CACFP:

- Public institutions – municipal, state, Federal or tribal organizations. For example, a public school district, a parks and recreation department, or a community college.
- Non-Profit organizations – organizations with IRS tax-exempt status such as community child care centers, afterschool programs, teen parent programs, Head Start programs.
- For-Profit organizations – See Chapter 18 For-Profit Programs for more information on For-Profit programs.

Licensing Requirements

Most child care sites must be licensed by the Oregon Child Care Division (CCD). Sites not required to be licensed by CCD must meet the ODE CACFP alternate approval requirements.

Alternate Approval Requirements

The following type of Sponsors *may* be exempt from CCD licensing requirements:

- Government or Public Institutions
- Homeless and Emergency Shelter Programs
- School Districts
- Tribal Sponsors
- Afterschool At-Risk
- Adult Day Services

If a site is exempt from CCD licensing, it must pass an annual sanitation inspection and have a satisfactory fire and safety inspection every two years. The Sponsor must maintain all inspection documentation. See Chapter 2 Application for more information on alternate approval requirements.

Eligible Participants

CACFP serves the following participants enrolled in non-residential day care programs or residential homeless shelters:

- Children age 12 years or under

- Children and youth age 18 or under if participating in Afterschool At-Risk programs, Homeless or Emergency Shelter programs.
- Children of migrant workers age 15 or under
- Participants with mental or physical disabilities in child care when the majority of enrollees are age 18 or under
- Adults participating in qualifying adult day service centers

Building for the Future Flyer

All Sponsors are required to post the "Building for the Future" flyer in a prominent location at all approved CACFP site locations, including administrative offices.

This flyer, which is in English and Spanish, must be posted where participants and potential participants have ready access. The purpose of the flyer is to notify parents, guardians and participants of the sponsor's participation in the USDA CACFP, the program benefits, and who to contact with concerns.

Posting this flyer is a requirement under the Federal CACFP regulations. ODE CNP staff will check to see if the flyer is posted in a prominent location while conducting CACFP administrative reviews.

Contact Oregon Department of Education Child Nutrition Programs at (503) 947-5902 to obtain additional copies of the flyer.

Training and Technical Assistance for CACFP Sponsors

Contact: Oregon Department of Education Child Nutrition Programs at (503) 947-5902.

CACFP Federal Regulations

Title 7, Part 226 of the Code of Federal Regulations (7 CFR 226), *Financial Management—Child and Adult Care Food Program,* governs the operation of the Child and Adult Care Food Program. Sponsors can find the regulations on the ODE CACFP website, or may request copies of the regulations from ODE CNP.

Section B – Record Keeping Requirements

All CACFP records must be kept for three years plus the current program year, or until all audit or review findings are corrected, whichever is longer. Sponsors must maintain the following records:

State Agency-Sponsor Agreement

The agreement between the Sponsor and ODE authorizing the Sponsor to operate the CACFP must be maintained *permanently*.

Enrollment Records

Each Sponsor must have enrollment documentation for all participants claimed for meal reimbursement. All participants, including drop-ins must be enrolled for care. Afterschool At-Risk Meals and Snacks Programs, Outside School Hours Care Centers, and Homeless and Emergency Shelter Programs are exempt from having enrollment records.

CACFP Child Enrollment Forms

Current and complete CACFP Child Enrollment Forms must be on file for all participants to show that parents/guardians have enrolled their child/children in the CACFP.

Afterschool At-Risk Meals and Snacks Programs, Outside School Hours Centers, Homeless and Emergency Shelter Programs and Adult Day Service Programs are exempt from collecting CACFP Child Enrollment Forms.

See Chapter 5 Enrollment, Attendance & Meal Count Records for more information on CACFP Child Enrollment Forms.

Confidential Income Statements (CIS)

Current, complete and Sponsor-approved *CIS* forms must be on file for all participants approved in the Free or Reduced-Price categories on the One Month Enrollment Report (OMER).

Afterschool At-Risk Meals and Snacks Programs, Homeless and Emergency Shelter Programs are exempt from collecting CIS and developing an OMER. Head Start Program sites are exempt from collecting CIS and developing an OMER if they ***are not*** claiming sibling or community slot meals.

See Chapter 3 Eligibility Determination for more information on *Confidential Income Statements*. See Chapter 4 The One Month Enrollment Report for more information on the One Month Enrollment Report. See Chapter 17 Head Start for more information on the Head Start eligibility requirements.

Reimbursement Claim

Every month Sponsors claiming meals for reimbursement must complete and submit the ODE CACFP *Reimbursement Claim* online in CNPweb, the ODE CNP database system. See Chapter 6 Reimbursement Claims for more information on reimbursement claims.

Reimbursement Claim Records

Records must support all reimbursement claims. Claims and supporting records should be kept in a separate file or folder for each month. These include, but are not limited to:

- Daily attendance records for the claim month
- Daily point-of-service meal count records for the claim month
- Menus for the claim month, including required supporting documentation
- CACFP Child Enrollment Forms (if required)
- The CACFP Child Enrollment Roster, if required (for the OMER month only)

- Monthly For-Profit Eligibility documentation (if required)

See Chapter 6 Reimbursement Claims for more information on reimbursement claim records.

Nonprofit Food Service Documentation

Sponsors must keep records of operating and administrative costs to demonstrate that all reimbursement funds received are used to administer the CACFP. Operating costs are allowable costs or expenses for the preparation and service of CACFP meals. See Chapter 7 Non-Profit Food Service for more information on nonprofit food service accountability.

Medical Statements for Food Substitutions

A completed *Medical Statement for Food Substitutions form* is required for any participant who is served meals that contain a substitute due to a medically documented reason when the substitution eliminates a required meal pattern food component. See Chapter 8 Meal Service Requirements for more information on food substitutions for medical reasons.

Infant Feeding Benefit Notification and Acknowledgement

Sponsors must notify parents/guardians of their right to receive formula and food for their infant while in care using the *Infant Feeding Benefit Notification and Acknowledgement* form . Parents/guardians of infants must be offered at least one USDA-approved infant formula and other infant foods as specified in the CACFP infant meal pattern when enrolling their infant for care. Sponsors must maintain a signed *Infant Feeding Benefit Notification and Acknowledgement form* on file for each infant in care.

See Chapter 9 Infants for more information on requirements for feeding infants in the CACFP.

CACFP Agreement Changes

Sponsors must submit all CACFP sponsor and site information changes for ODE CNP approval. All Sponsor information is maintained in the electronic data base, CNPweb at https://cnp.ode.state.or.us. Changes that require regular and timely updates to the CNPweb system include, but are not limited to, items such as:

- Change in key sponsor contacts, including claim contact, board chair, owners, Authorized Representative and Food Program Coordinator
- Address changes
- Changes in licensing and inspection dates
- Change in site capacity
- Change in meal types being claimed for reimbursement
- Months of operation

- Ages in care
- Adding or dropping a site
- Change in meal times
- Change in vendors

See Chapter 2 Application for more information on changes to the approved State Agency-Sponsor Agreement.

Procurement Records

Procurement is the process of acquiring, by lease or purchase, goods and services such as food, equipment, bookkeeping, and auditing. The purpose of an effective procurement procedure is to ensure that such goods and services are obtained efficiently, economically and in compliance with state and Federal law.

All CACFP Sponsors are required to follow the procurement regulations as outlined in USDA FNS instruction 796-2, Rev. 3, *Financial Management—Child and Adult Care Food Program.*

See Chapter 14 Procurement for more information on procurement and the documentation required.

Training Documentation

Annual and new employee training must be documented with specific training information. See Chapter 12 Training Requirements for more information on training records.

Audit Reports

Sponsors that expend a total dollar amount equal to or more than $500,000 per year from all combined Federal sources are required to have an annual audit completed within nine (9) months after the close of the organization's fiscal year. ODE CNP may also require audits from For-Profit Sponsors. See Chapter 20 Audits, Administrative Reviews & Serious Deficiencies for more information on audit record-keeping requirements.

ODE CNP Correspondence

Sponsors must maintain all ODE CNP correspondence including administrative reports, policy memos and any general correspondence received.

Site Monitoring Documentation

Multi-site Sponsors must maintain documentation of required site monitoring reviews and any subsequent follow-up actions and visits. See Chapter 13 Multi-Site Sponsors for more information on site monitoring records.

Civil Rights Documentation

Sponsors must maintain formal documentation of a Sponsor's Civil Rights complaint policy and procedure, and documentation of any Civil Rights complaints and follow-up action. See Chapter 11 Civil Rights for more information on Civil Rights recordkeeping requirements.

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Section A – New Applicants: Getting Started in the CACFP

The CACFP is a voluntary, Federally funded program. By agreeing to participate, Sponsors accept final administrative and financial responsibility for the operation of the program according to Federal and state laws, regulations, and policies.

To participate in the CACFP, Sponsoring organizations must sign a *State Agency-Sponsor Agreement* and submit all required information. ODE CNP reviews forms and documentation to determine if Sponsoring organizations have the financial viability, organizational capability, and internal controls for accountability to successfully operate the CACFP. This section provides an overview of the necessary steps for Sponsoring organizations to complete the initial application.

The Five–Step Application Process

After a potential applicant contacts ODE CNP to determine initial eligibility, the applicant must successfully complete the following steps in the application process to become a Sponsor in the CACFP:

Step 1: Screening

Step 2: Training

Step 3: Application

Step 4: Pre-Approval Review

Step 5: ODE CNP approves or denies application

Step 1: Preliminary Application

After a potential applicant has contacted ODE CNP regarding how to become a Sponsor in the CACFP, they will be connected with a Child Nutrition Specialist who will gather initial information to determine if the potential applicant may qualify to participate in the CACFP. If the initial screening determines that the potential applicant may be qualified for participation, the potential applicant will be assigned to a Child Nutrition Specialist for the application process.

Step 2: Training

The assigned Child Nutrition Specialist will provide the applicant instructions for taking the online, webinar-based ODE CNP New Applicant Trainings. The training covers basic CACFP requirements

It is important that the organization officials who will have the ultimate authority to administer the CACFP take the New Applicant Training. (Example: Sponsor's CACFP director and/or chief officer). All For-Profit owners must take the New Applicant Training. Other program staff members who have CACFP responsibilities may take the ODE CNP training, although this is not required.

Step 3: Application

The assigned Child Nutrition Specialist will provide the applicant with the full online and off-line application instructions and location of required documents.

Additionally, applicants are given the following forms to get them started on record keeping:

- *Confidential Income Statement (CIS)*
- *CACFP Child or Adult Enrollment Roster*
- *Meal Count* forms
- *Sample Menu Form*
- *Combination Food Recipe Form*
- *Medical Statement for Food Substitutions*
- *Infant Records*
- *Site Monitoring Report* form
- *Civil Rights*
- *Racial Ethnic Data Collection*

The assigned Child Nutrition Specialist will work with the applicant to complete all required online and off-line application materials. The following official forms must be completed and submitted to ODE CNP (The hyperlinked forms below are Located on the CNPweb packet page):

- *New Program Checklist*
- *State Agency-Sponsor Agreement*
- *Management Plan for Center Sponsors*
- *Budget for Center Sponsors*
- *Outside Employment Policy*
- *CNPweb User Authorization Request & Certification Form(s)*
- *CNPweb Add Site/Modify Site Form(s)*
- *CNPweb New Sponsor Information Form*
- *Other forms as required*

Additional information required for application:

- Federal IRS tax exemption letter for Non-Profit Sponsors with 501(c)(3) status or a letter from a sponsoring religious organization

For-Profit Sponsors must submit an eligibility certification (See Chapter 18 For-Profit Programs)

- Minority and grassroots contacts

Vended Meal Agreement—if meals are contracted from a food service management company, school district, or other vendor (See Chapter 14 Procurement)

- Child Care Division (CCD) licenses for each site or, if exempt from CCD licensing, documentation exemption and documentation of current satisfactory inspections from local health and fire departments
- *Sample Menu Form*

Completing the Management Plan

An important part of the application is the Management Plan for CACFP. ODE CNP requires detailed information about a Sponsors administrative structure including the following:

- Positions/titles of staff assigned to CACFP functions
- An organizational chart
- List of officers required for private Non-Profit organizations
- List of Responsible Individuals required for public Non-Profit organizations (Responsible Individuals are persons who bear responsibility for the operation of the CACFP)
- List of Responsible Individuals and list of organization's owners of record for For-Profit organizations as recorded in the Secretary of State Corporation Division Business Registry
- Certification that officers, Responsible Individuals, or owners (as applicable) do or do not have a business-related criminal record
- Birthdates of all officers, Responsible Individuals, or owners listed
- Organization's CACFP procedures and forms
- CACFP administrative budget

Application Review by ODE CNP

The assigned Child Nutrition Specialist will review the application for completion and for compliance with regulations and policies. Further information or clarification may be requested. If the application meets regulatory requirements and is approved by ODE CNP, a pre-approval visit will be scheduled. If an application is not completed in a timely manner or does not demonstrate the applicant's ability to operate the CACFP, the application will be denied.

Step 4: Pre-Approval Review

Once accurate and complete application materials are received, a specialist from ODE CNP will make an appointment to review the Sponsor's operation prior to final approval.

Applicants must implement all meal and record keeping requirements prior to the pre-approval visit or approval of the application will be delayed or denied. The pre-approval review will include:

- Determination that facilities are viable for the type and number of meals for which the applicant requested approval
- Meal observation to ensure that food components, serving sizes, and meal service meet CACFP requirements
- Check of CACFP records and systems
- Compliance assessment of Civil Rights requirements
- Check for implementation of Management Plan as submitted
- Technical assistance, as needed, to improve program quality

Step 5: ODE CNP Approves or Denies the Application

After the Pre-Approval visit, ODE CNP will either approve or deny the applicant's application. If approved, the applicant will now be a CACFP Sponsor and ODE CNP will provide technical assistance on submitting monthly claims through ODE CNP' s online system, *CNPweb*.

Denial of participation in the CACFP is an appealable action. If ODE CNP determines that an application is denied, the applicant will be provided with the *Child and Adult Care Food Program APPEAL PROCEDURE 7 CFR 226.6(k)*

Section B – Renewals

Renewals

ODE CNP sends an application renewal packet and instructions to each Sponsor prior to the beginning of each fiscal year. The CACFP operates on the Federal fiscal year that begins on October 1 and ends September 30. Failure to submit a complete and correct renewal application by the deadline may result in delay or disruption of reimbursement, or ultimately in termination of the *State Agency-Sponsor Agreement*. The deadline for submitting renewal applications is published annually.

Section C – Safety and Sanitation Approval for Sites

All sites participating in the CACFP can qualify by one of the following methods:

1. Maintaining a current Child Care Division (CCD) Certificate or CCD exempt; *or*
2. Obtaining/maintaining current Approval from another Federal, State or local government entity; *or*
3. Completing CACFP Alternate Approval requirements

Please refer to the descriptions below and the enclosed CACFP Site Approval Decision Flowchart at the end of this chapter to determine the appropriate method by which to qualify sites.

Child Care Division Certification

All sites that are required by law to be CCD-licensed must have a current CCD certificate to receive CACFP reimbursement. For Child Care Division requirements, please contact the Child Care Division at 1-800-556-6616 or (503) 947-1400.

Programs that believe they are CCD-license exempt must contact CCD to verify their exempt status. If the program is determined to be CCD-license exempt, they must obtain written confirmation from CCD of the exempt status.

For more information about CCD go to their webpage at:

http://www.oregon.gov/EMPLOY/CCD/Pages/CCD_forms.aspx

Other Federal, State or Local Approval

Some sites, while exempt from CCD licensing, have government oversight. Some of these sites may qualify for CACFP if the site is exempt from Child Care Division licensing, and is approved by one of the following entities:

- Federal Head Start approval
- Oregon Department of Education (ODE) Pre-Kindergarten approval
- Federal or State-approved Even Start programs
- School district operated child care or afterschool programs.

Note: If a school district sponsors a non-school district operated site, such as a Boys and Girls Club, that site must meet the CACFP Alternate Approval requirements or qualify by one of the other methods on this list.

- ODE-approved 21st Century School programs during the funding period.
- Oregon Department of Human Services license for a Child-Caring Agency that provides non-residential day treatment for children *
- Tribal approval – Some Oregon tribes have an approval process that may meet the Federal requirements. For more information on qualifying a site through this means, please contact Lynne Reinoso, at (503) 947-5892, or lynne.reinoso@state.or.us . Tribes will be required to

submit written procedures and requirements to receive a tribe-issued license or certificate. Approval will be evaluated and approved on a case-by-case basis.

- ODE-approved special education preschools

*A copy of the approval or certificate for these sites must be submitted with new site applications and annually with CACFP renewal materials.

Alternate Approval

The CCD license-exempt sites and sites qualifying under "Other Federal, State and Local Approval" must meet at least one of the following exclusion criteria:

- Are primarily educational and provide care to children 36 months old or older, but not yet attending kindergarten, for less than four hours a day.
- Are primarily supervised, child-focused training in a specific subject, including, but not limited to, dancing, drama, music, or religion. This exclusion applies only to the time children are involved in training.
- Are primarily incidents of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group. This exclusion applies only to the time engaged in the group athletic or social activities and if the children can come and go as they please.
- Are operated by a school district, political subdivision of this state, or a government agency, or
- Are operated on an occasional basis by a person, sponsor, or organization not ordinarily engaged in providing child care.
- Operate as a parent cooperative for no more than four hours a day; or
- Provide care while the child's parent remains on the premises and is engaged in an activity offered by the facility or in other non-work activity.

ODE CNP's alternate approval process requires documentation of a satisfactory sanitation inspection and documentation of a current satisfactory fire/safety inspection at each feeding or serving site. Sanitation inspections must be conducted annually. Fire inspections must be conducted every two years. Sponsors are responsible for requesting and paying for all inspections and re-inspections, if re-inspection is necessary. Use the Sanitation Inspection Request form to request the annual sanitation inspection for all sites. ODE CNP will request this information from you annually.

Sanitation Inspections

Food service safety and sanitation is a critical element of the CACFP. Children under five years old are especially susceptible to food-borne illnesses because their immune systems are not fully developed. The CACFP also serves disabled and frail elderly adults who are more vulnerable to food borne illness than their healthy peers.

The local (county) Environmental Health Department or the Oregon Department of Human Services,

Environmental Health Field Services Unit will conduct the sanitation inspections. An optional Facility Food Service Sanitation Evaluations Report for use in facilities exempt from Child Care Division licensing is provided in At a minimum, the sanitation inspection will determine if a site is in compliance with State Food Code law in the following areas:

- Foods obtained from approved sources
- Potentially hazardous foods stored/prepared/held/served at proper temperatures
- Leftovers properly cooled
- Dishwashing facilities adequate for washing, rinsing, and sanitizing
- Hand washing sinks available in the food service area and supplied with hand soap and paper hand towels
- Personal hygiene practices of food service staff
- Other sanitation issues including a safe water source, vector controls, chemical storage, refuse disposal, and sewage disposal
- Kitchen/food prep area sanitary

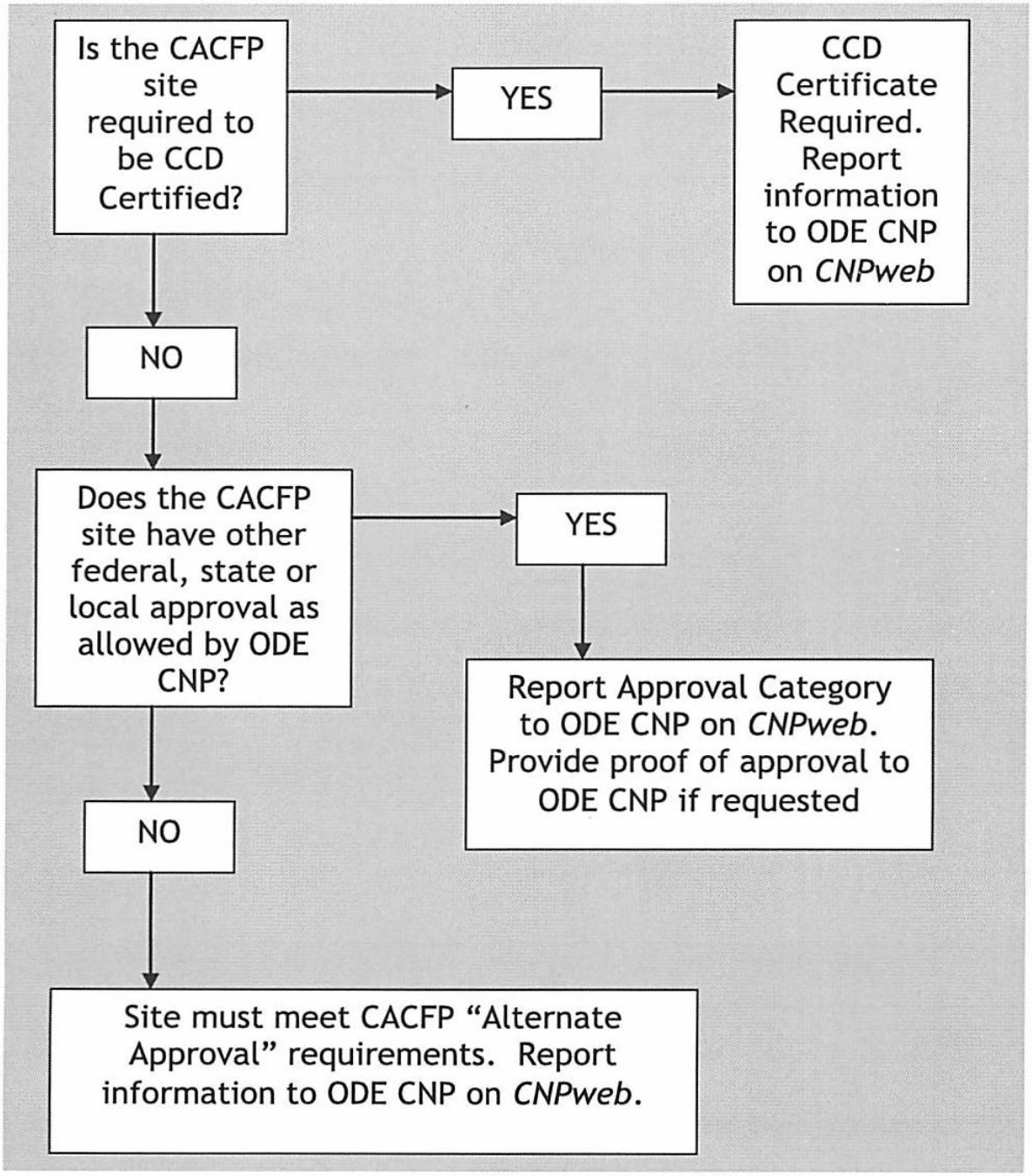
Sites that have one or more critical violations will be scheduled for a re-inspection visit by the health department that conducted the original sanitation inspection. Sponsors are responsible for working with their sanitarian/inspector to correct critical violations. Sites currently participating in the CACFP must correct violations and have a current, satisfactory food safety and sanitation inspection to be approved as CACFP feeding or serving sites.

Sponsors requesting to add new sites or new Sponsors seeking approval to operate the CACFP at new sites with uncorrected critical violations after re-inspection will be denied approval to participate for those sites

Fire Inspections

Sponsors must provide documentation of a current satisfactory fire/safety inspection at all feeding and serving sites. Fire and building safety inspections must be current (within the past 24 months from date of submission) and must be satisfactory (have no uncorrected violations). The local Fire Department conducts fire/safety inspections. Sponsors are responsible for working with the fire inspector to correct any fi re/safety violations.

CACFP Site Approval Decision Flow Chart



Section D – Program Closure

Sponsors may choose to close their State Agency-Sponsor Agreement at any time. The reasons for closing an agreement are varied and ODE CNP will work with a Sponsor to assist them in this process. Please contact your assigned Child Nutrition Specialist as early in the decision process as possible. This will allow sufficient time to provide you with any technical assistance that may be necessary to allow the process to move forward in a timely manner.

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Sponsors are required to determine participants Free, Reduced-Price or Above Scale eligibility annually. This is based on Federal guidelines.

This chapter applies to Child Care Centers, Outside School Hours Centers, Adult Day Service Centers, and Head Start Sponsors (Oregon Head Start and OHS Pre-K) that are **claiming sibling and/or community slot meals.** See Chapter 17 Head Start for further instructions.

This chapter does not apply to Afterschool At-Risk Meals & Snacks sites or to Homeless and Emergency Shelter programs.

Section A – Determining the Eligibility Category: Free, Reduced-Price, or Above Scale

Each July 1 the Federal government sets the income guidelines for determining the following eligibility categories: Free, Reduced-Price, and Above-Scale. The guidelines are based on household income and household size. Low-income households meeting Federal guidelines are categorized as eligible for "Free". Households with slightly higher income are categorized as eligible for "Reduced-Price". Households with incomes above the Reduced-Price guidelines are categorized as eligible for "Above-Scale".

Sponsors will determine which eligibility category participants are by using one of the following types of eligibility documentation. Each type of documentation is described in more detail below:

- Household income
- Categorical eligibility: TANF, SNAP, FDPIR
- Automatic eligibility: Head Start, Even Start, Migrant, OHS Pre-K
- Other shared CNP sponsor eligibility documentation (see ***Confidentiality*** below)
- School district eligibility documentation
- Supplemental Security Income (SSI)—Adults, only
- Medicaid/Oregon Health Plan—Adults, only

Confidential Income Statements

The Sponsor must distribute *Confidential Income Statements* (*CIS*) and the Letter to Households to all participants at the time of enrollment and annually, thereafter. Adult Day Service Program Sponsors see Chapter 21 Adult Day Services for exceptions to this requirement.

The Sponsor then collects those CIS that are voluntarily returned by parents/guardians or participants. The *CIS* that have been returned are reviewed by Sponsors and an eligibility determination is made based on the information provided for current the participant(s) listed on the *CIS*.

The Sponsor must keep all completed *CIS* forms and other Free or Reduced-Price eligible documentation on file. These documents will be used to develop the One Month Enrollment Report (OMER). See Chapter 4 The One Month Enrollment Report for more information on OMER.

Other Allowable Eligibility Documentation

The following participants may be classified in the Free category without a *CIS* form on file:

- Participants who are enrolled Head Start or Oregon Head Start Pre-K (OHS Pre-K) for the current school year with a written statement/letter from the Head Start or OHS Pre-K certifying the child's enrollment in Head Start/OHS Pre-K.
- Participants in Even Start programs with a written statement/letter from the Even Start program certifying the child's enrollment in Even Start.
- Participants living in households where a school-age member receives free meals at school either through direct certification or income application with a written statement/letter from the school district certifying the student's free-meal qualification.
- Migrant children are automatically free with documentation of their migrant status from a school district or other government agency.
- Participants who are homeless or at risk of homelessness as determined by a school district's homeless coordinator or other community homeless liaison makes a determination of homelessness and provides a list of all participants determined homeless.

School District eligibility documentation: A school district may provide a letter or other written statement providing the eligibility determination made by the school district for enrolled students. This documentation may be used by CACFP Sponsors in place of collecting CIS from the families listed in the school district documentation.

Direct Certification Eligibility Notification Letters: School districts send letters of eligibility for free meals to families who qualify based on a process called Direct Certification. If a parent or guardian presents a sponsor with a Direct Certification letter, the sponsor may make a copy and retain it on file in place of having the parent/guardian complete a CIS form.

If a sponsor has questions regarding any other eligibility documentation submitted by a parent or guardian, please contact your assigned Child Nutrition Specialist.

Note: If a household is receiving Employment Related Day Care (ERDC), a CIS form is required because the household does not automatically qualify as Free-eligible.

Adult Participants: See Chapter 21 Adult Day Services for other allowable eligibility documentation.

Eligibility for Free Meals in a Disaster

Children Experiencing Homelessness in a Disaster: Children residing in, or evacuated from, disaster areas may be determined homeless under the McKinney-Vento Homeless Assistance Act. These children are automatically eligible for free meals in the Child Nutrition Programs. A school district's homeless coordinator or other community homeless liaison makes a determination of homelessness and provides a list of all children determined homeless due to a disaster situation. The Sponsor must certify these children for free meals.

In cases where a household from a designated disaster area moves in with another household, the community homeless liaison may determine the displaced individuals homeless under the McKinney-Vento Homeless Assistance Act. Displaced children and adult participants in CACFP are automatically eligible for free meals in

centers even if they are temporarily residing with another family. The host family may include the displaced family members and any income provided to them when applying for Free or Reduced- Price eligibility.

Sponsors that require eligibility information can receive certification of the participant's homeless status from the agency that assisted with the evacuation or that is providing shelter. If the child is not residing in an emergency shelter, the Sponsor should have an adult living with the child complete an income eligibility form indicating that the child is homeless. No further information is required to certify the child's eligibility.

Disaster Benefits from the Supplemental Nutrition Assistance Program: Children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits are categorically eligible for free meals in the Child Nutrition Programs. Certification of these children may be accomplished through direct contact with the SNAP agency or by an application submitted by a household with a case number.

Duration of Eligibility: Children certified for free or reduced price meal benefits because of a disaster situation remain eligible for free meal benefits for 12 months.

Eligibility Categories

Eligibility categories determine reimbursement rates for meals. The household eligibility category is determined by having the household complete a *Confidential Income Statement (CIS).* The Sponsor's unique reimbursement rate is determined by the number of participants in each eligibility category. Sponsors receive:

- The highest reimbursement for meals served to participants approved in the Free category;
- Slightly less reimbursement for meals served to participants approved in the Reduced-Price category; and
- The lowest reimbursement for meals served to participants approved in the Above-Scale category.

How long is the CIS valid?

The CIS must be updated annually and eligibility is valid for only 12 months. The *CIS* is considered current and valid until the last day of the month in which the form was dated and signed by the Sponsor's approving official one year earlier (e.g., a CIS signed and dated by a sponsor on January 12, 2012, is considered valid until January 31, 2013).

Most Sponsors find it easiest to collect new *CIS* forms from households in July or August when ODE CNP issues the new Federal income guidelines, the *CIS* forms and the Letter to Households for the new fiscal year. Sponsors distribute and collect *CIS* forms and the Letter to Households through October 31 to ensure all *CIS* forms voluntarily returned by parents/guardians or participants are approved, signed and dated by the Sponsor's Eligibility Official by October 31.

CIS submitted with "Zero" Income

When a household submits a *CIS* with "zero" income entered in Section 4 and does not provide a current Supplemental Nutrition Assistance Program (SNAP) or TANF (Temporary Assistance for Needy Families) case number or an indication that the household receives FDPIR benefits, sponsors may approve the *CIS* in the Free category. "Zero" income *CIS* forms are valid for 12 months from the date the Sponsor's Eligibility Official signs and dates the form

Note: Parents/guardians or participants must enter "zero" (0) or mark the box in Column 6 "Check if no income" in Section 4 for all household members listed. The *CIS* is considered *incomplete* if the section is left blank without other categorical eligibility information entered in Section 3.

Confidentiality

All information on the *CIS* is confidential. Sponsors must have systems to ensure that no one is allowed access to these documents other than authorized Sponsor representatives, ODE CACFP authorized staff or auditors, and USDA staff.

Child Nutrition Program (CNP) Sponsors may share eligibility determination information with other CNP Sponsors, but are not required to do so. ODE CNP recommends that sponsors develop a policy regarding when, or if, they will share eligibility information with other CNP Sponsors. If a sponsor decides they will share this confidential information, they should have a written procedure regarding the process for the transfer of the information to another CNP Sponsor.

Information contained on the *CIS* may not be disclosed to any person or program that is not a CNP Sponsor without signed authorization from the adult household member. Prior to disclosing any information, contact your Child Nutrition Specialist.

For-Profit Centers Using Free/Reduced-Price Eligibility

For-Profit centers are required to validate that in the month preceding initial application or reapplication and each month thereafter they qualify to claim meal reimbursement at each approved site that meets the 25% Eligibility criterion. See Chapter 18 For-Profit Programs for more information on the 25% Eligibility criterion.

Pricing Programs

Pricing programs must collect *CIS* forms from participants throughout the year. See Chapter 24 Pricing Programs for more information on eligibility determination requirements for Pricing Programs.

Head Start Programs Claiming Siblings and/or Community Slots

Head Start Programs that plan to claim sibling and/or community slot meals must create an One Month Enrollment Report (OMER) for each ODE CNP approved site that will be claiming such meals. In order to create an OMER for these sites an eligibility determination must be made for each sibling and/or community slot participant.

Siblings: of Head Start-enrolled children are not automatically eligible for free meals. If a Head Start Program will be claiming meals for siblings of Head Start enrollees, then Head Start programs must distribute *CIS* and Letters to Households to each family with siblings whose meals will be claimed for reimbursement. Head Start Programs will then collect all *CIS* voluntarily submitted by parents/guardians. The *CIS* that have been returned are reviewed by Sponsors and an eligibility determination is made based on the information provided for the sibling participant(s) listed on the *CIS* during the month of October. Any sibling participants who do not have a Sponsor-approved *CIS* on file will be considered to have an eligibility determination of Above Scale.

Community Slots: Some Head Start Sponsors claim meals for participants whose slot is paid for by a funding source other than Head Start or Oregon Pre-K. *If this is the case, the participant is not automatically eligible*

for free meals. Sponsors must distribute CIS and Letters to Households to these families.

Head Start Programs will then collect all *CIS* voluntarily submitted by parents/guardians of community slot participants. The *CIS* that have been returned are reviewed by Sponsors and an eligibility determination is made based on the information provided for the community slot participant(s) listed on the *CIS* during the month of October. Any community slot participants who do not have a Sponsor-approved *CIS* on file will be considered to have an eligibility determination of Above Scale.

Section B – Distributing and Completing Confidential Income Statements

Sponsors may choose not to distribute or collect *CIS* forms from participants, and claim all meals in the Above-Scale category. Sponsors that claim one or more participant in the Free or Reduced-Price categories must follow the steps below:

Distributing the CIS and Letter to Households

ODE CNP updates the *CIS* and *Letter to Households* annually after receiving the new form requirements from USDA. The update occurs every July 1. The updated form and letter are posted on the ODE CNP website and Sponsors are notified of the update.

Sponsors must distribute current *CIS* forms and the *Letter to Households* to all enrolled participants at enrollment and annually, thereafter, unless exempt as noted at the beginning of this chapter. ODE CNP does not have a specific requirement for the date of the annual renewal of eligibility for all enrolled participants. Sponsors may determine the schedule for distribution of new *CIS* and *Letters to Households* that best suits their operation.

Distribution of the new forms sometime during the period of July-September each year may help ensure that a Sponsor has the maximum number of *CIS* returned by parents/guardians or participants to allow Sponsor eligibility determination and approval by October 31. *CIS* must be approved, signed and dated by the Sponsor eligibility official no later than October 31 of each year to be valid for the October One Month Enrollment Report (OMER).

The current *CIS* forms and *Letter to Households* in both English and Spanish can be found on the Child Nutrition web site.

The forms have been translated into many other languages that can be obtained on the USDA web site at:

http://www.fns.usda.gov/cnd/Care/Benefit_Forms/Translations.htm

Parents/ guardians or adult participants should complete and return the *CIS* form to the Sponsor. If the *CIS* form is not completed and returned by the household, the Sponsor must categorize the participant Above-Scale.

Note: The *Letter to Households* provided to each parent/guardian or participant does not need to be collected, they are only for informational purposes to the households informing them of program benefits.

As new participants enroll, Sponsors must include the *CIS* form *and* the *Letter to Households* as part of the enrollment material. When Sponsors approve a new *CIS*, the expired form should be filed in an "Inactive *CIS*" folder or other filing location. All expired forms must be retained for three years plus the current fiscal year.

Completing CIS Forms and Determining Eligibility

Only completed and Sponsor-approved *CIS* forms are valid. Completion of Section 6, Racial or Ethnic Group is optional and households are not required to complete this portion. A complete *CIS* includes all of the following information for each of the three eligibility types:

Categorical Eligibility

CIS approved based on the household providing a case number for SNAP, or TANF, or an indication the household receives Food Distribution Program on Indian Reservations (FDPIR) benefits:

- Participant(s) first and last name
- Type of benefits received (SNAP or TANF) with current case number or an indication that the household receives FDPIR benefits
- Name and signature of adult household member or signature of adult participant
- Date signed by adult household member or adult participant
- Eligibility reason used to approve the *CIS*
- Approved eligibility category
- Signature and date of Sponsor Official determining eligibility

Income Eligibility

CIS approved based on household income and current Federal income guidelines:

- Participant(s) first and last name
- Name of all household members, (the household may or may not choose to include foster children as household members.)
- Household income by source listed individually by household member (Monies provided to the household for the care of the foster child are not listed as part of household income)
- Name and signature of adult household member or adult participant
- Date signed by adult household member or adult participant
- Last four digits of the Social Security Number (SSN) of adult household member or adult participant signing the *CIS*
- Eligibility reason used to approve the *CIS*

- Approved eligibility category
- Signature and date of Sponsor Official determining eligibility

Households receiving Family Subsistence Supplemental Allowance (FSSA), combat pay, or Deployment Extension Incentive Pay (DIEP) from the Department of Defense should not include the FSSA, combat pay, or DIEP in household income.

Foster Children

Foster children are categorically eligible for free meals if the sponsor obtains documentation from an appropriate State or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the State or that the foster child has been placed with a caretaker household by a court.

If the household completes a *CIS* for a foster child it must include:

- Participant(s)first and last name
- Participant's monthly personal use discretionary income. If a foster child does not receive "personal use" income, the parent/guardian must write "$ 0." This income would be listed in Section 4, Column 5 on the *CIS* as Other Monthly Income.
- Signature and date signed by foster parent or caseworker
- Signature and date of Sponsoring Official determining eligibility

Households with more than one foster child must complete a separate *CIS* for each foster child. Foster children who are siblings and reside in the same foster home may be included on the same form. Do not include monies given to the household for care of the foster child in the foster child's income.

Adult Programs

Sponsors of Adult Day Service programs, see Chapter 21 Adult Day Services for additional information on determining adult participant eligibility with *CIS*.

Section C – Approving Confidential Income Statements

Enrollment in a center or participation in CACFP cannot be contingent upon the parent/guardian or adult participant completing the *CIS*. Sponsors are not required to have a *CIS* for every participant and *parents/guardians or adult participants cannot be required to submit a CIS.*

When the Sponsor receives a completed *CIS* from a parent/guardian or adult participant, an eligibility official of the Sponsor must review, approve, sign and date in the appropriate space on the front of the form.

Only complete *CIS* forms containing all required information can be approved as Free or Reduced-Price-eligible. Refer to the current fiscal year Letter to Households for instructions on information required on the *CIS* from the household. Current forms can be found on the Child Nutrition web site.

If a parent/guardian or adult participant chooses not to complete a *CIS* form or will not include the last four digits of the required Social Security Number (SSN), if required; or, check the box indicating the signer has no SSN, the Sponsor must classify the participant as Above-Scale.

Sponsor officials may not complete any part of the household section of a *CIS* for a parent/guardian or adult participant unless the parent/guardian or adult participant cannot read or write; has a disability and requires assistance; or, requests or requires Sponsor assistance to complete the *CIS* for any other reason identified by them.

Sponsor Approval Section

Sponsor officials approve the *CIS* following these steps:

1. Qualifying based on SNAP/TANF or FDPIR

    a. If the household is qualifying based on SNAP/TANF or indicates they receive FDPIR, check the Free eligibility box and qualify *all* children in the household as having Free eligibility

    b. Check either the SNAP/TANF or FDPIR box as the basis of the eligibility.

    c. Sign and date the form.

2. Qualifying by Income

    a. If the household is qualifying based on income, record the total monthly income. If the household records income as being received weekly, every two weeks, twice a month or yearly, convert the income to monthly. Use the conversion factors on the back of the *CIS* form to make the change.

    b. Record the number of people in the household. Be sure all household members are listed on the form by name.

    c. Determine the correct eligibility category using current household income by month and size of household compared to the Federal income guidelines. Qualify the family as Free, Reduced or Above Scale by checking the appropriate box and check Household Income as the basis for the eligibility.

    d. Sign and date the form.

3. Qualifying Foster Children

    a. If the household is qualifying a foster child, record the foster child's personal discretionary income on Section 4, Column 5, Other Monthly Income. The personal-use discretionary income is the dollar amount, if any, the foster child receives for his/her own use. It is not the dollar amount provided to the foster family for the participant's care.

b. If the foster child has no personal-use income, write 0.

c. Qualify the foster child's eligibility as free and check the foster child box as the basis for the eligibility.

d. Sign and date the form.

The Sponsor Approval Section includes a 2nd Check Initial line. Having all CIS forms reviewed by a second person is recommended. The individual completing the second review should initial in this section.

Section D - Common Errors That Can Be Costly

During announced or unannounced administrative reviews, ODE CNP staff will review *CIS* forms used to create the One Month Enrollment Report (OMER) for completion and accuracy. If errors are found resulting in over-claims, the Sponsor may be required to return funds to ODE CNP.

ODE CNP will classify participants as Above-Scale when the following information is missing from the approved *CIS* on file:

- Income information for households *not* receiving SNAP, TANF, or FDPIR
- Last four digits of the Social Security Number of the person signing the *CIS* (or a checkmark that the signer has no SSN) for income eligibility *CIS* forms
- A valid SNAP or TANF case number for categorical eligibility *CIS* forms
- All household members not listed by name on income eligibility *CIS* forms. (Households may or may not include foster children when qualifying by income.)
- Signature of parent/guardian or adult participant, as applicable
- Date parent/guardian or adult participant signed the form

Other errors that may result in administrative review findings:

- Total income added incorrectly
- Number of household members added incorrectly
- Using an outdated form (from a previous fiscal year)
- Free, Reduced-Price, or Above-Scale category not checked by Sponsor
- Participant placed in the wrong eligibility category
- *CIS* not approved, signed, and dated by Sponsor Eligibility Official
- *CIS* signed by the Sponsor's Eligibility Official more than 12 months ago
- Parent/guardian or adult participant was not given a copy of the *Letter to Households*

- Lost or otherwise missing *CIS* forms not on file for participant categorized as Free or Reduced-Price eligible

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CHAPTER 4 THE ONE MONTH ENROLLMENT REPORT (OMER)

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This chapter does not apply to Afterschool At-Risk Meals & Snacks sites and Homeless and Emergency Shelter programs.

This chapter applies to Head Start Sponsors (Oregon Head Start and OHS Pre-K) that are **claiming sibling and/or community slot meals.** See Chapter 17 Head Start for further instructions.

Section A – The Percentage Reimbursement Method

ODE CNP uses the percentage reimbursement method to determine Sponsor's unique reimbursement rate. Meal reimbursement is based on each Sponsor's percentage of Free, Reduced-Price and Above-Scale participants who are enrolled during the month of October.

Each Sponsor's unique percentages are calculated by ODE CNP, based on the One Month Enrollment Report (OMER) submitted on the October reimbursement claim in CNPweb. The OMER percentages are in effect for the entire fiscal year. For most Sponsors, October's enrollment is representative of enrollment patterns for the rest of the year.

Occasionally enrollment patterns change markedly after October, resulting in a significant difference in the percentages upon which reimbursement is based. In those cases, Sponsors may request permission in writing to submit a new OMER. If granted, ODE CNP will use the updated data from that new OMER month forward, to calculate the percentages that determine reimbursement. Sponsors must submit requests in writing to their ODE CNP assigned Specialist.

Section B – Developing The One Month Enrollment Report

The OMER specifies the number of center participants in each eligibility category that were enrolled in the report month. The OMER must include all enrolled center participants, including infants and drop-ins. Sponsors are required annually to use October as an OMER month and must fill in the OMER numbers on the October reimbursement claim in CNPweb. After the October reimbursement claim is submitted, the on-line claiming system "locks in" the October OMER numbers for the rest of the Program year unless the Sponsor is approved to use revised numbers.

Infants

Child Care Centers that have infants in care during the report month must include them in the OMER, even if the parent/guardian has declined the center provided food and formula.

Records Needed to Develop the OMER for Each Approved Site

- *CACFP Child Enrollment Roster* or the CACFP Adult Enrollment Roster for adult programs these forms capture participant's name and eligibility category designation--Free, Reduced-Price or Above-Scale--for the OMER month. These are required forms.*

***Note:** Sponsors who use an electronic database system capable of creating a CACFP Child or Adult Enrollment Roster may request approval to utilize an alternate roster form. Sponsors must submit a copy

of the proposed roster form to their assigned Specialist for approval *prior to use.* Roster forms should be in Excel, and must include all data elements contained in the ODE CNP form.

- Enrollment documents from each site for the OMER month--usually October. (See Chapter 5 Enrollment, Attendance & Meal Count Records for requirements for each program type)

Approved *CIS* forms or approved alternate eligibility documentation (Chapter 3 Eligibility Determination for additional information on eligibility documentation)

Create a CACFP Child or Adult Enrollment Roster

1. Collect all required documents based on site type.
2. Create the *CACFP Child Enrollment Roster* / CACFP Adult Enrollment Roster by entering the name of each enrolled participant recorded on the OMER month enrollment documents for the site on the Enrollment Roster.*
3. Check to make sure the Enrollment Roster does not include participants who did not have enrollment documents on file with the Sponsor in the OMER month.
4. Mark the appropriate eligibility category box for each participant on the Enrollment Roster (Free, Reduced-Price, Above-Scale) based on their complete, accurate and approved CIS or approved alternate eligibility documentation.
5. Mark participants who do not have a complete, accurate and approved *CIS,* or approved alternate eligibility documentation in the Above-Scale category.
6. Note the date the CIS was signed by the Sponsor official *or* the date on approved alternate eligibility documentation in the column headed “Sponsor Official CIS Determination Date.
7. The CACFP Enrollment Roster forms will automatically total the Free, Reduced-Price and Above Scale eligible participants in the One Month Enrollment Report (OMER) block at the top of the form.
8. Double-check the Enrollment Roster for accuracy.

Head Start programs see Chapter 17 Head Start for additional information on Enrollment Rosters and OMER.

Adult Programs see Chapter 21 Adult Day Services for additional information on Enrollment Rosters and OMER.

***Note for Multi-site Sponsors:** If a participant attends more than one site during the OMER month, the participant should be included on the CACFP Enrollment Roster for one site, only. The Sponsor may choose which site’s CACFP Enrollment Roster will include the participant’s name.

Report the OMER

For currently participating programs:

1. Report the numbers totaled for each category (Free, Reduced-Price and Above-Scale) in the OMER block on the CACFP Enrollment Roster on the October CNPweb Site Claim under: **Center Operating and Enrollment Data (Must reflect the claiming period)** in fields 1-4.

2. For months other than October, CNPweb will enter the numbers as recorded on the October Site Claim.

For new programs:

1. Report the numbers totaled for each category (Free, Reduced-Price and Above-Scale) in the OMER block on the CACFP Enrollment Roster for the first approved month of operation on the CNPweb Site Claim under: **Center Operating and Enrollment Data (Must reflect the claiming period)** in item numbers 1-4.

Section C – Common Errors That Can Be Costly

During administrative reviews, ODE CNP will reconstruct the OMER from enrollment records; the CACFP *Enrollment Roster;* and a review of *CIS* forms and alternate eligibility documentation. The following are some errors that will require ODE CNP to adjust the OMER, which may affect the amount of reimbursement.

- Counting a participant who was not enrolled in October in the OMER
- Not counting all participants (including infants and drop-ins) who were enrolled in October
- Not having complete, current enrollment documents for all participants
- Not having a correctly completed and approved *CIS* form or other alternate eligibility documentation for each participant counted in the Free or Reduced-Price categories
- Using *CIS* forms that were signed by the Sponsors eligibility official more than 12 months before the OMER month
- Incorrectly recording the eligibility category on the *CIS* form or on the CACFP Child Enrollment Roster
- Incorrectly transcribing the totals for Free, Reduced-Price and Above-Scale eligible participants from the OMER block on the CACFP Enrollment Roster to the CNPweb site claim for an approved site.

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CHAPTER 5 ENROLLMENT, ATTENDANCE & MEAL COUNT RECORDS

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Section A — CACFP Child Enrollment Form

Note: This section does not apply to Outside School Hours centers, Afterschool At-Risk Meals and Snacks programs, Homeless and Emergency Shelters and Adult Day Service Programs.

A completed CACFP Child Enrollment Form is required for every child in care, including Head Start programs, infants and drop-in children. Meals may not be claimed for CACFP reimbursement without a complete and current CACFP Child Enrollment Form on file. Sponsors are required to use the ODE-developed CACFP Child Enrollment Form

CACFP Child Enrollment Forms must be completed annually. They are effective from the first day of the month in which the form was signed by the parent or legal guardian through the last day of that same calendar month twelve months later.

At a minimum, a completed enrollment form must include:

1. Child's first and last name
2. Days normally in care
3. Hours normally in care
4. Meals normally received while in care
5. Parent or guardian signature
6. Date signed by the parent or guardian

Routine child schedule changes during the year do not require an updated CACFP Child Enrollment Form.

Section B – Daily Attendance Records

Centers are required to maintain accurate and legible daily attendance records for all participants in care. They must include:

- Date
- First and last name
- Arrival and departure times or other ODE CNP approved code (bus schedule, etc.)
- Participants who arrive and depart more than once during the day (for example, school age children in care at the center before and after school) must have both arrival times and both departure times recorded.
- Adult participant signatures in adult day service centers

Attendance records show participants were in care and are used to support monthly meal counts. They are also used to conduct a five-day reconciliation during site monitoring or for other internal control purposes. Sponsors should maintain completed attendance records in a monthly file with other CACFP monthly records

CCD-licensed centers should follow CCD rules for recording daily attendance.

Arrival/Departure

Sponsors must have a system to record accurate attendance times when center staff, parents, guardians, or adult participants forget to sign in and out. The In/Out times should be recorded as soon as possible after a participant arrives or departs and be signed or initialed by a center staff member.

For more information on attendance record requirements specific to the following programs:

- Afterschool At-Risk Meals & Snacks Sponsors see Chapter 15 Afterschool At-Risk Meals & Snacks Program.
- Head Start Sponsors see Chapter 17 Head Start.

Section C – Meal Counts

A maximum of two meals and one snack or two snacks and one meal per participant per day may be claimed for reimbursement regardless of the length of time a participant is in attendance. Sponsors may claim only one meal for reimbursement per participant per meal service. Sponsors may claim reimbursement only for the meal types (breakfast, lunch, supper, and snack) approved by ODE CNP on the Sponsor Site Information sheets in CNPweb.

Sponsors should maintain completed point-of-service meal count forms and summary or meal count consolidation sheets in a file with other monthly CACFP records.

Afterschool At-Risk Meals Snacks Programs see Chapter 15 Afterschool At-Risk Meals & Snacks Program for meal count requirements.

Homeless and Emergency Shelter programs see Chapter 16 Homeless & Emergency Shelters for meal count requirements.

Point-of-Service Meal Counts

Meal counts must be taken and recorded at the “point-of-service” for the specific meal service style chosen by the Sponsor (see Chapter 8 Meal Service Requirements for meal service styles). The point-of-service is when the participant has received a reimbursable meal in a cafeteria line, or when the participant is seated at the dining table with the complete reimbursable meal set on the table. The point-of-service meal count must be taken before or as the participant leaves the cafeteria line, or before the participant leaves the table. Meal counts may not be taken after participants leave the table. Participants who come to the table, with the intention of eating, and are served a reimbursable meal may be included in the meal count even if they do not eat.

Meal Count Methods

The staff supervising the meal usually records the point-of-service meal counts. Sponsors may use one of two

methods for the meal count:

- **Actual Count:** The point-of-service "actual count" method records the reimbursable meals served to each participant, by name (first and last). The *Daily Meal Count - Actual Count Method* form is available to use or Sponsors may develop their own "actual count" form.

Sponsors who are approved to serve more than two meals and one snack or two snacks and one meal are *required* to use the "actual count" method. There must be a procedure in place describing how the Sponsor will note on the meal count record which meals are to be claimed for reimbursement for an individual participant when that participant is present, served and counted for more than two meals and one snack or two snacks and one meal on any one day.

Head Count: The point-of-service "head count" method tallies the meals by counting the number of participants receiving a reimbursable meal and documenting the number on the *Daily Meal Count - Head Count Method* form.

The following are examples of meal count methods that are not acceptable:

- Counting the number of meals prepared or sent by the kitchen;
- Determining the meal count by subtracting the number of entrees left over after the meal service from the number of entrees prepared;
- Counting the number of meals ordered from a vendor;
- Counting meals after the meal is completed based on teachers' memory or daily attendance records; and
- Counting the number of trays or plates on which food is served.

Keep meal count forms in a notebook or folder or on a bulletin board or clipboard so they are easy for the staff assigned to take the meal count to find and record meal counts at the required point of service. Sponsors should verify the accuracy of the claim for reimbursement, comparing all meals claimed.

Meals that Cannot be Counted or Claimed for Reimbursement

The following meals may not be counted for claiming during a point of service meal count:

- Meals that do not meet the meal pattern requirements as described in Chapter 8 Meal Service Requirements
- Meals served with missing or non-creditable components to participants who do not have a complete, accurate Medical Statement for Food Substitution on file
- Meals served to teachers, helpers, non-participant adults, other site staff
- Meals served to Parents or guardians
- Meals served to participants who do not have the required, current CACFP enrollment documents on file with the Sponsor

Section D – Common Errors That Can Be Costly

During administrative reviews, the ODE CNP reviewer will carefully compare CACFP Child Enrollment Forms and attendance records to the point-of-service meal count records. If the ODE CNP reviewer finds the Sponsor claimed reimbursement for meals that were not supported by CACFP Child Enrollment Forms and attendance records, the ODE CNP reviewer must disallow the meals. For example, if the ODE CNP reviewer found that the Sponsor was reimbursed for meals when attendance records were missing arrival or departure times, the meals would be disallowed and the Sponsor would owe money to ODE CNP.

The following CACFP Child Enrollment Form, attendance and meal count errors are sometimes found during administrative review:

- CACFP Child Enrollment Forms are not current or are missing
- Sponsor does not use ODE CNP's Child Enrollment Form (CEF) but uses a Sponsor-developed version of CEF
- Recording attendance before the participant arrives
- Recording attendance after the participant leaves
- Recording participant's anticipated or estimated arrival or departure time rather than the actual time
- Not recording split attendance for participants who leave and return the same day.
- Not recording arrival and departure times for staff members' children who are in care
- Not recording the arrival and departure of participants who are transported by bus or van
- Not properly recording a point-of-service meal count
- Claiming a greater number of meals than are supported by attendance records
- Claiming more than two meals and one snack or two snacks and one meal per participant per day
- Addition errors in consolidating meal counts when preparing the reimbursement claim
- Missing dates on enrollment records, attendance records and meal count records.

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CHAPTER 6 REIMBURSEMENT CLAIMS

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Section A – Preparing for the Monthly Reimbursement Claim

Sponsors need the following records to prepare a monthly reimbursement claim for the sponsor and each participating site:

- Daily attendance records for the claim month
- Daily point-of-service meal count records for the claim month
- Menus for the claim month, including required supporting documentation
- CACFP Child Enrollment Forms (if required)
- The CACFP Child Enrollment roster, if required (for the OMER month only)
- Monthly For-Profit Eligibility documentation (if required)

ODE CNP recommends Sponsors review the actual menu served before including meals in the monthly claim for reimbursement to ensure all meals served were reimbursable. Sponsors should verify the accuracy of the claim for reimbursement by ensuring all meals claimed have supporting attendance record documentation.

At the end of each week or month add the total number of reimbursable breakfasts, lunches, suppers and snacks served to participants. Do not count more than two meals and one snack, or two snacks and one meal for any single participant on a given day. Most Sponsors use a summary sheet to tally counts from each site or classroom. Have a second staff person check meal count tallies before submitting the reimbursement claim.

Afterschool At-Risk Meals and Snacks programs may claim one At-Risk Snack and one At-Risk supper per participant per day. See Chapter 15 Afterschool At-Risk Meals & Snacks Program for more information.

Homeless programs may claim up to three meals (breakfast, lunch, or supper) or two meals and one snack per participant per day. See Chapter 16 Homeless & Emergency Shelters for more information.

Section B – How to Submit a Claim

ODE CNP has a web-based Sponsor database system called "CNPweb". To be reimbursed for meals and snacks served; Sponsors must complete and submit a monthly on-line Sponsor Claim, which includes individual Site Reimbursement Claims for each approved site. Sponsors may only submit claims for the months checked on each Site Information Sheet and approved by ODE CNP in CNPweb. Sponsors may submit the claim manually or through an electronic upload.

To submit claims on-line, individual users must have a secure user ID and password to access CNPweb. The user ID and password are assigned when the Sponsor submits a CNPweb User Authorization & Request form. Current Sponsors must use the CNPweb User Authorization & Request form to add new users. To delete users, Sponsors must use the User Authorization Termination form. The user ID and password are equivalent to an original signature on a paper claim for purposes of official documentation. When using the user ID and password, the user is certifying the information transmitted electronically is complete, accurate and all required documentation is on file with the Sponsor.

Each user must have a unique user name and password known and used only by them. ODE CNP does not maintain a list of passwords. Sponsors are encouraged to record their unique user ID and password and keep them in a secure location for reference.

To maintain system security ODE CNP recommends limiting the total number of system users to those staff with an official need to work in the system.

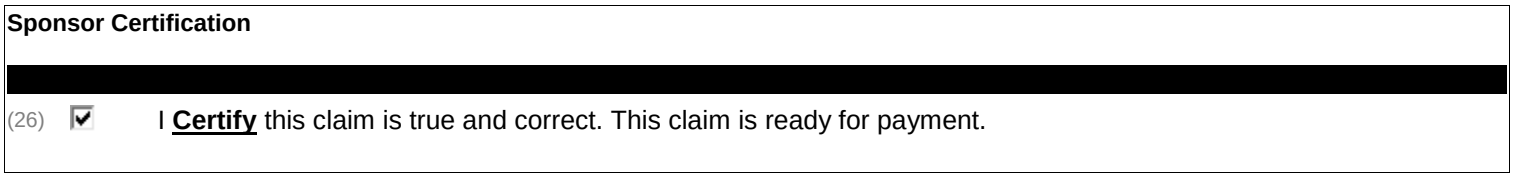
To Complete and Submit a Monthly Reimbursement Claim in CNPweb

The CNPweb Quick Reference Guide--CACFP (Located on the CNPweb packet page), provides step-by-step instructions for filing a claim in CNPweb. For instructions on how to submit the claim through an electronic upload, contact your assigned Child Nutrition Specialist.

Once the monthly claim is complete and submitted the claim should be in either "Pending Approval" or "Approved" status, and no changes may be made to it until after the claim has been move to Paid status by ODE CNP. To make revisions after payment of this claim has been made, see the To Revise a Monthly Claim section.

If the Post Confirmation box that appears after you have clicked "submit" when completing the claim tells you that the claim is in "Error" status or "Pending Submission", you *have not* submitted the claim for payment. You must do one of the following to complete submission

> "*Error" status for a Site claim:* you must open the Site claim page and determine what information is missing. Once all required information is entered, click "submit". The site claim should now show a status of "Complete".
>
> *"Error" status for a Sponsor claim*: you must open the Sponsor claim page and determine what information is missing. Once all required information is entered, click "submit" if you need to keep the claim in PENDING SUBMISSION status. If you are done with all entries and revisions, check the box in field 26, the Sponsor Certification (see below), and click "Submit".



> The Sponsor claim should now show a status of "Pending Approval".

You may review the amounts and statuses of past and current claim payments by clicking on the **Payments** tab on the **Sponsor Summary** page.

CNPweb guides and resources may be found on the Packet tab of your CNPweb Sponsor Summary page.

To View Reimbursement Value for Your Monthly Claim in CNPweb

On the **Sponsor Summary-Claims** page, click **View** for the Sponsor level monthly claim.

Scroll to the bottom of the claim form and click **View Summary**. The CNPweb displays the Sponsor Claim

Summary page with the claim payment information.

Click the "**here**" link at the bottom of the page to display the Sponsor Summary - Claims page.

**Note: If the Sponsor Claim form was in Error status before, this action may remove the Error status, but it does not submit the Claim to ODE CNP for Payment.

Section C – When to Submit a Reimbursement Claim

Sponsors are responsible for submitting reimbursement claims before the due date. ODE CNP recommends Sponsors submit original claims by the 10th of the month following the claim month.

The deadline for submitting an original claim is 60 days following the end of the claim month. The official submission date of a claim is the date the sponsor-level claim was certified and submitted on-line in CNPweb.

CNPweb will not accept entry of claims after the dates shown in the chart below. Refer to Section F for submission of late claims.

Special Circumstances—Disaster Response

In disaster situations, ODE CNP may approve Sponsors to submit claims beyond the 60/90-day requirement. Claims submitted outside of the 60/90-day requirement, as a result of a disaster, are not subject to the one-time exception for late submissions.

If Sponsors need to reconstruct claims that have not been submitted due to loss of current records, they must consult with ODE CNP. ODE CNP may approve such requests in consultation with the FNS Regional Offices.

Section D – Due Dates

Reimbursement Claim Due Dates

The CNPweb claims system will automatically adjust due dates during Leap Years.

Month	Original Claim	Revised Claim
January	April 1	April 30
February*	April 29	May 29
March	May 30	June 29
April	June 29	July 29
May	July 30	August 29

June	August 29	September 28
July	September 29	October 29
August	October 30	November 29
September	November 29	December 29
October	December 30	January 29
November	January 29	February 28
December	March 1	March 31

*Leap Year: Please check your CNPweb claims page carefully for the revised dates during a Leap Year.

Section E – Revisions

When errors have been made on the original claim submitted, Sponsors may submit a revision to that claim. Revised claims for an upward adjustment in reimbursement must be submitted within 90 days after the end of the claiming month (see ***Reimbursement Claim Due Dates*** chart above). Revised claims for a downward adjustment may be submitted at any time.

To revise monthly claims in CNPweb please see the CNPweb Quick Reference Guide--CACFP (Located on the CNPweb packet page)

Section F – Late Claims

Original claims may not be entered into CNPweb after the 60-day claim period. Revised claims for upward revisions may not be entered after the 90-day period has expired.

Program Regulations state that "... a final claim for reimbursement shall be postmarked and/or submitted to the state agency no later than 60 days following the last day of the full month covered by the claim. Claims not postmarked and/or submitted within 60 days shall not be paid with program funds unless the Oregon Department of Education (ODE) determines that an exception should be granted..."

You may make an exception request for:

1 **Circumstances beyond your control** - At any time, if your claim was late due to circumstances genuinely beyond your control, you may submit the claim with documented written evidence. We will analyze the evidence and make our determination as to whether the circumstances warrant payment. If we determine they do not, you may still request a one-time exception for circumstances within your control.

2 **Circumstances within your control** (One-Time Exception) - A center/ sponsor may request a one-time exception for the submission of a late claim that was within their control. Such an exception will be

granted for only **one late monthly claim within a 36-month period** per program (NSLP, SBP, SFSP, CACFP). If you submit more than one late claim, the month with the greatest value will be considered. Once this exception is granted, no future payment under this provision will be made within the subsequent 36-month period.

An exception request for a late claim submission for either circumstance must include:

- Original claim for reimbursement
- Written description of events and circumstances that prevented claiming compliance, in sufficient detail to enable a fair decision
- Acceptable corrective action plan (CAP):

1. Actions to be taken to avoid any future late claim submissions for the same or other causes;
2. A statement that says, "I understand that if this exception request

   is granted, the exception has been used for a three-year period and that no future payment of late claims, originals or upward revisions can be made to our program during this period"; and,
3. The signature of the person who signed the agreement with ODE CNP to operate your program or the signature of the person currently occupying that position.

- Approval in writing of the request submission by the Superintendent, School Board or Board Chair or owner of the Sponsoring agency.

Upon receipt of your exception request, ODE CNP will review it to determine whether it sufficiently addresses the reason for lateness and the actions to remedy the late submission. If your CAP is approved, your late claim will be processed for payment. If it is not approved, ODE CNP will advise you as to which deficiencies need to be addressed.

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CHAPTER 7 NON-PROFIT FOOD SERVICE

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Section A – Overview

All CACFP Sponsors must maintain a non-profit food service and keep documentation of food service expenses. Acceptable documentation includes itemized receipts, invoices, and payroll records. Details of allowable and unallowable food service expenses are included in this chapter and in the FNS instruction 796.2, Rev.3., *Financial Management—Child and Adult Care Food Program.*

Annual Budget

Sponsors with more than one site must submit an annual budget to ODE CNP in the annual CACFP agreement renewal materials. The annual budget includes operating costs and administrative costs. Budgets must be submitted in the ODE CNP required Excel workbook form located on the CNPweb Sponsor Summary Packet tab. Follow the ODE CNP multi-site budget guidance and instructions.

Administrative Oversight

Sponsors must maintain administrative oversight of the CACFP. Sponsors may not contract out for the management of the CACFP. See Chapter 14 Procurement for more information. If you have additional questions, contact your assigned Child Nutrition Specialist.

Administrative Reviews

During administrative reviews, ODE CNP Child Nutrition Specialists will compare food service expenses with the amount of reimbursement received in a test month. Food costs and other allowable costs must equal or exceed the CACFP reimbursement received for the test month. See Chapter 20 Audits, Administrative Reviews & Serious Deficiencies for more information.

Section B – Food and Non-Food Supply Costs

CACFP Allowable Food Service Expenses

Sponsors must follow FNS instruction 796.2, Rev.3.and ODE CNP budget guidance and instructions to determine allowable food service expenses.

Sponsors must maintain documentation for all food service expenses. Sponsors *must* be able to document that *all* CACFP reimbursement funds are used for allowable CACFP food service expenses and that no profit is made. CACFP reimbursement funds cannot be used to pay for any other Sponsor program expenses.

ODE CNP recommends that Sponsors should separate receipts and invoices into monthly folders or envelopes. A chronological file of invoices for all allowable food service expenses is also acceptable.

CACFP Sponsors operating other Child Nutrition Programs, such as National School Lunch or Summer Food Service Programs, are required to maintain separate food service accounting documenting the CACFP.

Food service expenses must be allowable, reasonable and necessary as described in FNS instruction 796.2, Rev.3 *Financial Management—Child and Adult Care Food Program*. Examples of allowable and unallowable

CACFP food service costs include:

Allowable Costs	Unallowable Costs
• Creditable foods served to the participants	• Food purchased for personal use, meals for meetings, restaurant meals, and non-creditable foods such as candy, pop, and potato chips.
• The cost of obtaining food used in the CACFP meal service.	• The value of donated food. However, you must keep documentation of donated foods that specify the food item(s), fair market value or shared maintenance fee paid, and date received.
• The costs for distributing, transporting, handling, and storing purchased and donated food.	
• Non-food supplies including paper towels, dishwashing detergent, sanitizers, cleanser, napkins, plates, cups, utensils, and small appliances (less than $500 per unit).	• Non-food supplies such as toilet paper, toothpaste, supplies for arts and crafts, or items of clothing.

For information on procuring and purchasing CACFP goods and services see Chapter 14 Procurement.

How to Document Donated Food

Sponsors may use donated foods that are creditable in the CACFP meal pattern. If received, ODE CNP would expect that donated foods would be a small part of the overall food used in the program. It is our hope that Sponsors would access these foods with care leaving donated foods at the Food Bank available for others in need and for programs who do not receive USDA funding to purchase food for participants in care.

If donated foods are received, Sponsors must include and track the value of the donations in their food service expenses and budget.

Sponsors must keep documentation of donated food and supplies. The documentation must show:

- Item name and/or description
- Quantity received
- Date received
- Name and signature of the donor or information contained on donor's receipt or letterhead

- Estimated value of the donated item(s)
- Any maintenance fees paid in order to receive the donated items

Section C – Food Service Labor Costs

Allowable Food Service Labor Costs

Food service labor costs include wages, salaries, employee benefits, and payroll taxes paid by Sponsors for labor needed for the operation of the CACFP food service. Food service labor costs include:

- Menu planning,
- Purchasing food and food service supplies,
- Preparing and serving meals,
- Clean up,
- On-site supervising of food service, including supervising the meal, and
- Preparing daily menu production records.

For staff that works part time on food service or related CACFP duties and part time on other Sponsor Program duties, the Sponsor may only use their CACFP reimbursement to cover the portion of their labor costs equal to the actual hours of their time spent on CACFP activities. Time may not be allocated on a percentage or other basis.

Unallowable Food Service Labor Costs

The value of donated labor is not allowable. If a portion of food service staff's salary is paid through another source (government or private), that portion is not allowable. See the ODE CNP budget guidance and instructions and FNS instruction 796.2, Rev.3, *Financial Management—Child and Adult Care Food Program.*

Required Documentation for Food Service Labor

- Payroll records
- Time sheets that show the actual hours of time spend on CACFP, when an employee has other non-CACFP job duties.

Section D – Administrative Costs

Administrative costs are associated with planning, organizing, and managing the food service operation. Administrative activities include:

- Developing a CACFP management plan, budget, and staffing plan
- Conducting site monitoring reviews
- Recruiting, hiring, and training staff who will perform CACFP functions
- Procuring facilities and equipment
- Negotiating food contracts with vendors
- Staff training
- Compiling daily records to complete the monthly reimbursement claim
- Attending CACFP training

Sponsors *cannot* contract out for the management/administration of the CACFP. The items listed above are examples of the administrative functions that Sponsors cannot contract out. If you have additional questions regarding what is considered management/administration in CACFP, contact your assigned Child Nutrition Specialist.

Allowable Administrative Costs

The following are allowable administrative costs that must be documented with payroll records, rental agreements, mileage documentation, and itemized receipts, as applicable:

- Labor (salaries, fringe benefits, and taxes) for CACFP administrative work
- Rental of office space or office equipment
- Mileage allowance for site visits for CACFP site monitoring reviews or training
- Cost incurred for telephone, fax, and postage for administering the CACFP
- Printing necessary for CACFP needs

Administrative labor must be documented with payroll records showing actual hours worked on CACFP job duties, or timesheets that show time worked on CACFP job duties. Time may not be allocated on a percentage or other basis.

Section E – Purchased Goods and Services

Chapter 14 Procurement has detailed information on the procurement of goods and services. See this chapter for more detail on CACFP requirements.

If a CACFP Sponsor purchases meals or services, it may use only the portion of the cost of a purchased good or service that is related to CACFP food preparation and meal service to document a nonprofit food service.

Examples of allowable purchased goods and services include:

- Food equipment rental
- Rental of food service facilities
- Vended meals
- Laundry of towels and aprons related to the CACFP
- Trash service related to the CACFP
- Janitorial service related to the CACFP
- Security related to the CACFP
- Insect and rodent control services
- Minor repair of food service equipment
- Preparation of invitation for bids

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CHAPTER 8 MEAL SERVICE REQUIREMENTS

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Section A – General Requirements for Reimbursable Meals

Sponsors may claim reimbursement for a maximum of either two meals and one snack or two snacks and one meal per participant per day. Meals claimed for reimbursement must meet CACFP meal pattern requirements and must be served to enrolled participants in an approved day care setting. Meals and snacks served in restaurants are not reimbursable.

Homeless programs see Chapter 16 Homeless & Emergency Shelters for more information on meal requirements.

Sponsors can claim reimbursement only for the meal type's specified in the Sponsor's approved Site Information Sheet in CNPweb. The following meal types are eligible for reimbursement through the CACFP:

- Breakfast
- Morning snack
- Lunch
- Afternoon snack
- Supper
- Evening snack

Meal Times

Meals that are claimed for reimbursement must be served at traditional meal times. ODE CNP defines traditional meal times within the ranges indicated below:

- Breakfast shall not begin after 9:00 a.m.
- Lunch: 11:00 a.m. - 1:30 p.m.
- Supper: 5:00 p.m. - 7:00 p.m.
- Snacks: Snacks should be timed between regularly scheduled meals to allow hunger to develop before the snack and again before the next scheduled meal service.

Afterschool At-Risk Meals & Snacks programs see Chapter 15 for more information on meal times.

Sponsors may request non-traditional meal times by entering the time on the CNPweb Site Information Sheet prior to making the change. Your assigned Child Nutrition Specialist will contact you for further information and approve the meal-time, if approvable.

Water Availability

Throughout the day, including at meal times, water should be made available to children to drink upon their request, but does not have to be available for children to self-serve. While drinking water must be made available for children during meal times, it is not part of the reimbursable meal and may not be served in lieu of fluid milk.

Caregivers should not serve young children too much water before and during meal times; excess water may lead to meal displacement, reducing the amount of food and milk consumed by the children. Sponsors are encouraged to serve water with snacks when no other beverage is being served, and in lieu of other high calorie, sweetened beverages (juice drinks, soda, sports drinks, etc.) that are served outside of meal times.

Water can be made available to children in a variety of ways, which include but are not limited to, having cups available next to the kitchen sink faucet, having water pitchers and cups set out, or simply providing water to a child when it is requested.

Section B – Meal Patterns

Afterschool At-Risk Meals & Snacks programs see Chapter 15 Afterschool At-Risk Meals & Snack Program for information on meal patterns. Adult Day Service programs see Chapter 21 Adult Day Services for information on meal patterns. For infant meal pattern information, see Chapter 9 Infants.

General Information

The CACFP has Federally mandated meal patterns to meet the nutritional requirements. The meal pattern is made up of four food components, with minimum portion sizes required for a reimbursable breakfast, lunch, supper and snack for specific age groups of participants.

Meals and snacks planned with the CACFP meal patterns supply the types and amounts of foods that help meet children's nutrient and energy needs. The meal patterns reflect the amount of food required for normal growth and development of children, and to meet needs of participant adults. Children should be encouraged, but never forced, to eat all foods offered.

Serve at least the minimum required portion sizes of all meal pattern food components to each age group of children served. Prepare enough food to accommodate participants who require larger portions and additional servings.

The child meal pattern divides participants' ages 1 through 12 years into 3 age groups:

- 1 through 2 years
- 3 through 5 years

- 6 through 12 years

Meal Components

Adult programs please refer to Chapter 21 Adult Day Services.

The Child Meal Pattern includes four components, or food groups, which make up the CACFP meal pattern requirements:

- Grains/Breads
- Meat/Meat Alternate
- Vegetable/Fruit
- Milk.

Meals must contain the following food components and food items:

Breakfast—three meal pattern components are required:

- Fluid Milk – one serving
- Grains/Breads – one serving
- Vegetable/Fruit – one serving

Lunch or Supper—four meal pattern components/five food items are required:

- Fluid Milk – one serving
- Grains/Breads – one serving
- Meat/Meat Alternate – one serving
- Vegetable/Fruit – two servings of different vegetables and/or fruits

Snack—two of the four meal pattern components are required:

Snacks with only two food items from the same component group are not reimbursable. For example, a snack made up of only meat and cheese is not reimbursable. A snack made up of only

a banana and apple juice is not reimbursable.

Snacks with two different beverages (such as milk and juice) as the only components are not reimbursable.

Meal Pattern Flexibility During a Disaster—ODE CNP Approval Required

Child Nutrition Programs policies are designed to allow flexibility and support

continuation of meal benefits to participants in disaster areas. There are existing

flexibilities in meal service requirements and administrative procedures that make it

easier for Sponsors to operate and respond to disaster situations.

Meal Component and Meal Service

Flexibility is allowed with regard to time of meal service and, if applicable, use of offer versus serve. These modifications may be made *only* with ODE CNP approval.

If emergency conditions exist that prevent Sponsors from obtaining fluid milk, ODE CNP may allow service of meals without milk or with an alternate form of milk, such as canned or dry milk [7 CFR 210.10(m)(2)(i); 7 CFR 225.16(f)(6); 7 CFR 226.20(e)].

If changes to other meal component requirements are needed, Sponsors must consult with ODE CNP.

Section C – Crediting Foods

Creditable foods are foods that may be counted toward meeting meal pattern requirements for a reimbursable meal.

Non-creditable foods (sometimes called “other foods”) are foods that do not meet any meal pattern component requirement. Non-creditable foods may be served in addition to required meal pattern components in reimbursable meals, unless the food is specifically prohibited in the CACFP. See the list of *Non-creditable Foods in CACFP* for participants age one and older.

The *USDA Food Buying Guide (FBG)* *is the ultimate reference for crediting meal components in CACFP meals. The on-line guide is updated frequently and Sponsors should use the online guide as a reference.

Use the *FBG* to determine how much food to purchase or prepare for the number of portions planned, or how to credit one portion of a recipe. The *FBG* is divided into sections according to meal pattern components: Meat/Meat Alternate, Vegetables/Fruits, Grains/ Breads, and Milk. Each

section provides information on how to determine the creditable amount or the number of servings of a given size from each purchase unit of the food. For example, the *FBG* specifies that one pound of raw ground beef with no more than 20% fat will provide 11.8 one ounce portions of cooked, drained lean meat.

Note: Section 5 in the *FBG* titled, *Other Foods* contains yield information for foods that are not creditable in the CACFP. Foods in this section do not count toward reimbursable meals.

*If you have a hard copy of the USDA Food Buying Guide in a three ring binder, you will need to go to the link provided above to print the current set of replacement pages that will provide all updates to the Guide.

Crediting Grains/Breads

Breads and grain foods must be whole grain or enriched, or made from whole-grain or enriched meal and/or flour. Whole grain meal or flour is made by grinding the entire grain kernel. Bran and germ are credited the same as enriched or whole-grain meal or flour. Cereal grains must be whole-grain or enriched or fortified.

The primary grain ingredient (the first grain ingredient listed) on the ingredient statement of commercially manufactured Grain/Bread foods must state it is whole grain or enriched to be creditable. If the primary grain ingredient appears to be whole grain but it is not designated as whole grain on the product label, and the primary grain ingredient is not enriched, the Sponsor must obtain documentation from the manufacturer stating that the primary grain ingredient is whole grain or enriched before crediting the food toward the Grains/Breads meal pattern component.

The FDA Standard of Identity for 'corn meal' and 'corn flour' was revised in 2006. The terms 'corn meal' and 'corn flour' on an ingredient label no longer qualify as whole grains. To be a creditable Grain/Bread the ingredient label must contain one of the following terms:

- 'Whole corn' (or other 'whole' corn designations, such as whole grain corn, whole ground corn, whole cornmeal, whole corn fl our, etc.)
- 'Enriched' corn (or other 'enriched' corn designations such as enriched yellow cornmeal, enriched corn flour, enriched corn grits, etc.)

Grain/Bread items must serve the customary function of bread in a meal. For a lunch or supper, this means that the item must be served as an accompaniment to the main dish (Example: dinner roll), or served as a recognizable, integral part of the main dish (Examples: spaghetti pasta with meat sauce, or a main dish pie crust).

The *Easy to Use Grains and Breads Chart* categorizes products into groups according to the amount of grain in each item and lists creditable serving sizes for each group.

For Grain/Bread items not on the USDA chart, creditable serving sizes can be determined based on the grain content specified by a recipe or Manufacturer's Product Analysis Sheet MPAS). Contact your Child Nutrition Specialist for assistance with crediting Grain/Bread food items that are not listed on the USDA chart.

One-quarter (1/4 or .25) of a serving of a Grain/Bread food item is the minimum amount allowable to be credited toward the meal pattern component requirement.

Crediting Meat/Meat Alternates

Meat includes lean meat, poultry or fish. Meat alternates include cheese, eggs, cooked dry beans or peas, nuts and seeds and their butters, and alternate protein products (APP). Yogurt is creditable as a Meat/Meat Alternate for participant's age one year and older. Meat/Meat Alternate foods must be served in a main dish, or in a main dish and one other item, to meet the Meat/Meat Alternate meal pattern component requirement.

To be counted toward meeting any part of the Meat/Meat Alternate requirement, a food item must provide a minimum of ¼ ounce cooked lean meat or meat equivalent. The rest of the required Meat/Meat Alternate serving must be met by adding other Meat/Meat Alternate foods.

A serving of cooked meat is considered to be lean meat without bone.

A serving of yogurt includes commercially prepared plain or flavored yogurt, unsweetened or sweetened. Frozen yogurt, yogurt bars and yogurt-covered snack bars are not creditable as a Meat/Meat Alternate.

Nuts and seeds may fulfill no more than one-half of the Meat/Meat Alternate requirement for lunch and supper but may fulfill all of the Meat/Meat Alternate requirement for a snack. One ounce of nuts or seeds is equal to one ounce of cooked lean meat. Acorns, coconut and chestnuts are not creditable as Meat/Meat Alternates.

Shelf-stable, dry, or semi-dry, meat snacks made from meat, poultry or seafood do not credit in any meal served under the Department of Agriculture's (USDA) Child Nutrition (CN) Programs. If you have questions about a specific item, contact your assigned Child Nutrition Specialist.

Alternate Protein Products (APP) are creditable as Meat/Meat Alternates only as described in the USDA Food Buying Guide. If you have questions about a specific item, refer to the *USDA Food Buying Guide (FBG)* If you have additional questions, contact your assigned Child Nutrition Specialist.

Crediting Vegetables/Fruits

Two servings of different vegetables and/or fruits must be served at each lunch and supper meal to meet the Vegetable/Fruit meal pattern component requirement.

Cooked dry beans or peas may be counted as a Vegetable/Fruit component *or* as a Meat/Meat Alternate component, but cannot be counted toward both meal pattern component requirements in the same meal.

A minimum of 1/8 cup of vegetable or fruit must be served to count toward the Vegetable/Fruit meal pattern requirement when served in combination dishes or when used as garnishes. For example, vegetable soup must have at least 1/8 cup of vegetables per serving to count toward the Vegetable/Fruit meal pattern component requirement. Lettuce on a sandwich must be at least 1/8 cup equivalent to count toward the Vegetable/Fruit meal pattern requirement.

Mixed fruit or vegetable food items may be counted toward only one of the two required Vegetable/Fruit servings for lunch and supper meals. For example, fruit cocktail may count as only one fruit serving; mixed peas and carrots may count as only one vegetable serving.

A serving of cooked vegetables means *drained* vegetables. A serving of cooked, canned, or frozen, thawed fruit means fruit with its juices. Home canned vegetables and fruits are not creditable. Snack type items like corn nuts, soy nuts, etc. are not creditable.

Fruit and vegetable juice must be 100 percent juice or CN labeled. It may be fresh, canned, frozen or reconstituted from concentrate to its full-strength form. Full-strength fruit and vegetable juice is creditable toward the Vegetable/Fruit meal pattern component under the following conditions:

- Fruit and vegetable juice must be pasteurized.
- Fruit or vegetable juice may be used to meet no more than one-half of the minimum Vegetable/Fruit meal pattern requirement for lunch or supper meals.
- Fruit juice may not be credited toward fulfilling the Snack meal pattern requirement when milk is the only other component served.
- CN labeled fruit juice blends are credited as stated on the CN label statement

Crediting Milk

Fluid milk must be served to meet the Milk meal pattern component requirement. Milk must be pasteurized, vitamin A and D fortified, and meet State standards for fluid milk. Flavored or unflavored whole milk, reduced fat (2%) milk, low-fat (1%) milk, skim (nonfat) milk, cultured buttermilk, lactose-reduced milk, lactose-free milk, or acidified milk are creditable.

Breast milk is considered fluid milk in the CACFP meal pattern. Breast milk is a creditable milk for children over one year of age if the sponsor provides all other meal components. The breast milk is creditable whether the mother supplies the sponsor with expressed breast milk or arrives at the center to breastfeed their child.

Whole, fat free, 1% or 2% milk may be served to participants' *age one through twenty three months*. The American Academy of Pediatrics and ODE CNP recommend that whole milk be served to participants from 1 year of age through twenty three months

Sponsors may serve only 1% milk or fat free milk to participants starting on their second birthday. Meals served with 2% or whole milk to participants after their second birthday will not be creditable for reimbursement unless there is a valid Medical Statement for Food Substitution on file for any participant(s) requiring a higher fat milk. See Section D Medical Exceptions to the Meal Pattern for further instructions.

For breakfast meals, a serving of fluid milk can be served as a beverage, used on cereal, or used in part for each purpose.

When milk is one of the two components served for a snack, juice may not be the only other component served.

Milk used in cooked cereals, puddings, soups, or other foods may not be credited toward the Milk meal pattern requirement.

Combination Foods

Combination foods contain foods from more than one food group (Examples: casserole dishes, soups, and breaded meat items). Combination food dishes may be used for no more than two different meal pattern components in a meal.

Combination foods may be homemade or commercially prepared. Homemade combination foods are those that are assembled from multiple ingredients in a kitchen serving the Sponsor's site(s), whether the kitchen is operated by the Sponsor or operated by the vendor from whom the Sponsor is purchasing meals.

To count a homemade combination food item toward meal pattern component requirements, the Sponsor must have a *written recipe* documenting the amount of all ingredients in the product. Refer to Chapter 10 Menu Records, for specific details on recipe documentation.

For commercially prepared combination food items on the menu, the Sponsor must have one of the following on file:

- A Child Nutrition (CN) Label
- Documentation from the food manufacturer in the form of a *Manufacturer's Product Analysis Sheet* (MPAS) that certifies the amount of creditable ingredients in the product
- Product label for meat/meat alternate items with a Standards of Identity.

Child Nutrition (CN) Labels

The CN labeling program is offered by USDA Food and Nutrition Service as a voluntary technical assistance program for food companies that manufacture combination meat and poultry products or fruit juice products containing at least 50% full-strength juice. CN labeled products are not typically found in neighborhood grocery stores but are available through food brokers and food service distributors. Large warehouse-type food stores may also carry some CN labeled products.

CN labeled food products always have a *CN logo* and a *CN label statement* printed on the product package. The *CN logo* is a distinct box around the CN label statement with the letters "CN" printed midway on each side of the box. (See Example below) The *CN label statement* is inside the box and includes the following information:

- The product identification number;
- A statement of the product's contribution toward meal pattern requirements, i.e. the statement will identify the contribution of a specific portion of a combination meat product toward the Meat/Meat Alternate, Grains/Breads, and/or Vegetable/Fruit component of the meal pattern requirements;
- A statement that the product's CN labeling was authorized by USDA FNS; and,
- The approval date.

A sample CN logo:

CN

XXXXXX*

This 2.31oz fully cooked Beef Patty with Textured Soy Flour provides 2.00 oz equivalent meat/meat alternate for the Child Nutrition Meal Pattern Requirements. (Use of this logo and statement authorized by the Food and Nutrition Service, USDA XX-XX**)

CN CN

CN

* CN identification number
** Month & Year of approval

See Appendix C of the Food Buying Guide for more information about what the CN label tells you.

The CN label statement on commercial food products carries a warranty, meaning that if the food item is used in accordance with the manufacturer's directions, the Sponsor will not have an audit claim against it for the CN labeled product for noncompliance with the meal pattern requirements. The CN label is only valid when the label is attached to the purchased product. Sponsors must keep the actual CN label from the original package for the product to be valid for CACFP crediting purposes. If the sponsor purchases meals from a vendor, the sponsor must obtain an original CN label as described above.

Sponsors are only required to keep one CN label for each CN-labeled item that is menued

regardless of the number of times the item appears on the menu. If a different brand of the same type of CN-labeled menu item is purchased (e.g., breaded chicken patties) the Sponsor must keep an original CN label from the new brand as well as the CN label from the brand previously served.

Note: Some CN labeled food products require a very large portion size to meet minimum Meat/Meat Alternate meal pattern requirements. For this reason, some CN labeled food products may not be good menu items for Child and Adult Care Food Programs serving young participants. Be sure to check CN labels for serving sizes to determine if the product is suitable for your Program.

Manufacturer's Product Analysis Sheet (MPAS)

Commercially prepared combination foods without CN Labels or the original product label showing the product meets USDA Standards of Identity must have a completed and signed MPAS on the manufacturers' letterhead that demonstrates how the commercially prepared combination food contributes to the meal pattern requirements.

A MPAS must be an *official product analysis sheet* from the food manufacturer, not an analysis or a product specification sheet from a salesperson. The MPAS for a commercially prepared combination food product must include:

- A list of all ingredients, i.e. grain products must be specified whole grain or enriched;
- The *ingredient weight* per serving of each ingredient to be credited;
- The weight of the creditable ingredients specified as raw or cooked weight; and,
- The weight or volume of the product serving size, or the number of pieces per serving.
- A signature of the manufacturer's representative stating the information provided is true and correct.

The manufacturer must indicate how the claimed credit was determined. It is never acceptable for a manufacturer to simply state that the product provides a certain amount of credit for the child nutrition meal pattern. For example; fruit filled pancakes may not provide meat/meat alternate because it is not clear how the product contributes to the meat/meat alternate component.

Standard of Identity Product Labels

A *Standard of Identity* has been established by USDA for some commercial combination food products. A *Standard of Identity* specifies all ingredients and their quantities in order for a product to bear a *specific name*. For example, if a product is named "Chile con carne," which has a standard of identity, all chili con carne products will have the same primary food ingredients in the specific quantities required. The *Food Buying Guide for Child Nutrition Programs* (FBG) provides meat/meat alternate crediting information for some standardized combination foods.

Crediting information is provided for the meat/meat alternate component only and has been summarized from the FBG for Sponsors on the Standard of Identity Chart. The list is inclusive of all USDA evaluated products, except for combination fish products (breaded fish products do not have a *Standard of Identity* and may not be credited without a CN label or an MPAS).To credit the product for a second component, Sponsors must obtain a Manufacturer's Product Analysis Sheet from the manufacturer that documents the quantity of the other meal pattern component per serving.

To credit commercial combination foods in the Child and Adult Care Food Program (CACFP) meals without a CN label or MPAS, the following requirements must be met:

- The name of the food on the product label must *exactly* match the name

  of the product listed in the FBG or on the summary list.
- Sponsors must maintain on file an actual product label or a photocopy of the product label that shows the product name exactly matches the name in the FBG on the summary list.
- The product is credited toward the meat/meat alternate component only.

Note: The product portion size needed to fulfill the minimum meat/meat alternate requirement may be unreasonably large for the age group served. Sponsors may choose to not serve the product or may serve a smaller portion with an additional meat/ meat alternate food item that, together, provides the full minimum quantity required.

Section D – Exceptions to the Meal Pattern

There are three circumstances that allow exceptions to the meal pattern:

1. Medically Certified Special Dietary Needs
2. Disabilities
3. Milk substitutions, with or without a disability

Food Substitutions for Participants with Special Dietary Needs

USDA Child and Adult Care Food Sponsors *may* make food substitutions for individual participants who are medically certified as having a special medical or dietary need. These needs may be:

- Elimination of a required component of the CACFP meal pattern
- Changes to the minimum required portions for the participant's age
- Changes to the required meal frequency pattern

When a participant has special medical or dietary needs that requires changes to meal components or the meal pattern the special dietary need must be supported by a *Medical Statement for Food Substitutions Form* completed and signed by a *recognized medical authority.*

There are specific requirements for requests for substitutions for the required milk component. See the section below: ***Milk Substitution for Participants with or without a Disability***

ODE CNP recognizes the following medical authorities:

- Licensed physicians (Medical Doctor, MD; or, DO)
- Physician's Assistants (PA)
- Registered Dietitians (RD)
- Nurse Practitioners (NP)
- Registered Nurses (RN)
- Naturopathic Physician (ND)
- Doctor of Osteopathy (DO)
- Naturopathic Doctor of Osteopathy (NDO).

The *Medical Statement for Food Substitutions Form* must include:

- Statement of the medical or other special dietary condition which restricts the

participant's diet; and,

- The food or foods to be omitted from the participant's diet; and, the food or choice of foods to be substituted; or
- The change to portion size(s) required and the portion size(s) to be served; or,
- The meal frequency pattern change required and the specific meal frequency pattern to be followed

When the Sponsor chooses to honor requests for substitutions to the regular (planned) CACFP meals for non-disabled participants as authorized by a recognized medical authority on the *Medical Statement for Food Substitutions Form*, the Sponsor cannot require the parent/guardian or adult participant to pay for substitute foods, require the parent/guardian or adult participant to provide substitute foods prescribed by the recognized medical authority or pay for any costs incurred in changing portion sizes or the meal pattern.

There are specific menu documentation requirements for meals served with substitutions. See Chapter 10 Menu Records for the instructions for these requirements.

The Sponsor may not claim meals for reimbursement when a substitution to the regular CACFP meal pattern results in a missing meal component and there is no completed *Medical Statement for Food Substitutions Form* on file authorizing the food substitution.

Food Substitutions for Participants with Disabilities

Federal law *requires* USDA Child and Adult Care Food Programs to make food substitutions for required meal components for participants who are unable to eat the regular CACFP meal because of a disability when the disability restricts their diet, and a licensed physician (M.D. or D.O.) certifies the need.

Documentation must be on file authorizing food substitutions that eliminate required meal pattern components in reimbursable meals or require a reduction of portion size or a change in meal frequency. The documentation must be provided and signed by a licensed physician (M.D. or D.O.) and must include:

- The child's or adult participant's disability and the major life activity affected by the disability;
- An explanation of how the disability restricts the child's or adult participant's diet;
- The food or foods to be omitted from the child's or adult participant's diet;
- The food or choice of foods that must be substituted;
- The portion sizes to be served, if a change is required; and,

- The meal frequency pattern to be followed, if a change is required.

The food substituted for the disability may or may not meet CACFP requirements.

The Sponsor cannot require the parent/guardian or adult participant to pay for substitute foods, require the parent/guardian or adult participant to provide substitute foods prescribed by the licensed physician for a participant with a disability, or pay for any costs incurred in changing portion sizes or the meal pattern.

Milk Substitution for Participants with or without a Disability

Parents/guardians or adult participants may request in writing non-dairy milk substitutions *that are nutritionally equivalent to milk* without providing a medical statement for participants who are disabled or not disabled. They may complete the Parent/Guardian Request for Non-Dairy Beverage Substitution Form. The written request must identify the medical or other special dietary need that restricts the diet of the participant. Contact your Child Nutrition Specialist for a current list of approved milk substitutes that are nutritionally equivalent to milk.

Sponsors who do not have Internet access should contact their assigned Child Nutrition Specialist.

Meals containing non-dairy beverages that are not nutritionally equivalent to milk may be reimbursable ***only for disabled*** children or adults, who have a Medical Statement for Food Substitutions Form on file signed by a licensed physician (M.D. or D.O.)and clearly stating the disability (see above under Food Substitutions for Participants with Disabilities).

Section E – Special Situations

Meals Eaten at Another Location

Meals or snacks served at an alternate location (e.g., field trip) provided by the Sponsor and supervised by the Sponsor's staff may be claimed for reimbursement. To be claimed for reimbursement, meals must meet CACFP meal pattern requirements.

Caution must be taken to ensure that potentially hazardous foods are stored and served according to local public health policies. Check with your county health officials to confirm the food safety requirements for transporting and consuming food off-site.

Meals packed by the Sponsor and sent with a participant to eat at another location without the supervision of the Sponsor's personnel are not eligible for CACFP reimbursement. Meals purchased at restaurants or fast food establishments may not be claimed for reimbursement.

Food Provided by Parents/Guardians

Generally, food provided by parents/guardians may not be counted as fulfilling meal pattern component requirements in the CACFP. If parents provide an additional food, such as a dessert item, and the Sponsor provides the required components, the meal may be claimed for reimbursement. Such foods should be served after the required components to help ensure that the foods in the CACFP meal pattern are eaten first and the children's nutritional needs are met before additional foods are offered. Parents/guardians cannot be required or coerced to provide any food(s) for their child who is participating in the CACFP.

Exceptions to Food Provided by Parents/Guardians

Meals may be claimed for reimbursement when parents/guardians provide a required component in the following instance:

- When there is a signed *Medical Statement for Food Substitutions Form*, parents/guardians may choose to provide one food substitution.

In some situations, infant meals may be reimbursed when the parent/ guardian provides some of the required meal components. See Chapter 9 Infants for more information on infant meals.

Donation of Leftover Foods--Food Donation Policy

ODE CNP is committed to preventing hunger and to responsible stewardship of Federal dollars. Child Nutrition Program policy aims first to limit food waste and unnecessary costs. If a CACFP Sponsor has leftover food on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers.

Nevertheless, because of unforeseen circumstances, occasionally there will be leftover food. All alternatives permitted by Program regulations and State and local health and sanitation codes should be exhausted before discarding food. Options may include using leftovers in subsequent meal services; offering *sharing tables (Afterschool At-Risk Programs see Chapter 15 Afterschool At-Risk Meals & Snack Program);* or, transferring food to other sites, if a multi-site Sponsor.

Where it is not feasible to reuse leftovers, excess food may be donated to a nonprofit organization, such as a community food bank, homeless shelter, or other nonprofit charitable organizations.

Traditional Native American Foods

Fresh grown fruits and vegetables and freshly caught fish are allowable in CACFP if these foods meet the policies of the State and local (county) Environmental Health Department regarding food safety.

Meat and meat products must be USDA inspected in order to be allowable in CACFP. USDA's Food Safety and Inspection Service (FSIS) has mandatory inspection authority over all food

products from cattle, sheep, swine, goats, horses, mules, and other equines, chicken, turkeys, ducks, geese, guineas, ratites (emu, ostrich, and rhea) and squab. Additionally, FSIS does voluntary inspection of reindeer, elk, deer, antelope, water buffalo, bison, migratory water fowl (such as ducks and geese), game birds and rabbits.

Traditional Native American foods that are not creditable under CACFP may be served as *additional* foods with a meal or snack that meets the minimum meal pattern requirements. These foods must be served in addition to, not in place of, the required components of the meals and may not be purchased with CACFP funds.

Section F – Styles Of Meal Service

For all meal service styles, food components must be served in sufficient amounts to meet minimum portion requirements. All components must be served together either on the table or given to each participant at the beginning of the meal. For example, milk or fruit cannot be served later in the meal than the other components.

Sponsors may choose one of the following methods of serving CACFP meals:

Restaurant Style Meal Service

In restaurant style meal service (or preset meal service), all food components are portioned and served on the plate and in the cup for each participant. Minimum portion sizes of each required component must be served together to each participant at the beginning of the meal.

The point of service meal count is taken when all meal components are placed on the table and the participants are seated at the table with a complete meal in front of them.

Family Style Meal Service

Family style meal service allows participants to eat together and to make food choices based on individual appetites and food preferences. It promotes mealtime as a learning experience to help participants develop positive attitudes toward nutritious foods, share in group eating situations, and develop good eating habits.

Family style meal service operates as follows:

- All required meal components are placed on the table at the same time.
- Adequate amounts of each food item must be placed on the table or be readily available within the same room where the meal service is held to provide at least minimum portions for each participant and supervising adult to be served.
- Participants may serve themselves from serving dishes that are on the table.
- Adults supervising the meal help those participants who are not able to serve themselves.
- Participants are allowed to make choices selecting foods and in the size of the serving.
- A supervising adult must be seated at each table to actively encourage participants to take the full required portion of each food component. The supervising adult must offer the food item again later in the meal if participants initially refuse the food or take a very small portion.
- The point-of-service meal count should be taken at the time participants are seated at the table with all required components placed on the table.

Family style meal service can be conducted in a variety of ways. For example, participants may help in preparing for the meal by clearing the table and setting places, sharing conversation during the meal and cleaning up after the meal.

Family style meal service allows flexibility in the size of initial servings because more food must be *readily available* for each table, but is not required to be on the table. This flexibility must be exercised in compliance with the following practices:

1) Sufficient amounts of prepared food must be placed on each dining table or be *readily available* to provide the full required portions of all food components for all participants and any adults supervising and eating the meal at the table. *Readily Available* means: All required food components, in amounts sufficient to offer each participant and supervising adult a full portion of each food item, must be available in the same room where the meal is being served.

2) Family style meal service allows participants to make choices in selecting foods and the size of the initial servings. Participants should initially be offered the full required portion of each meal component, but may choose less. Participants must be able to serve themselves with minimal assistance from the supervising adult.

3) The supervising adult(s) are responsible to actively encourage each participant to accept service of the full, required portion for each food component of the meal pattern. The supervising adult(s) should offer a food component again during the course of the meal to participants who initially refused the food component or took less than the full portion. Adult staff should model good eating habits while supervising participants at the dining table.

Combination Restaurant and Family Style Meal Service

Some Sponsors find a combination of restaurant style and family style best meets the participants' needs. Combination meal service operates as follows:

- The full minimum required portion of one or more components are served restaurant style to each participant.
- The remaining components are served on the table in communal serving dishes or pitchers adhering to all of the Family Style Meal Service requirements.
- All components must be offered to participants at the same time. For example, it is not acceptable to serve participants the Meat/Meat Alternate and Vegetable/Fruit components and wait for five minutes before setting the Grains/Breads and the Milk components on the table.
- In this meal service style, all the rules governing each service style apply to the foods served using that method. For example, if staff pours milk into glasses, at least the minimum required amount must be poured for each child and offered when the rest of the meal components are served.
- The point-of-service meal count must be taken when the participants are seated at the table, have been served the full minimum portions of the items served restaurant style, and the remaining items are placed on the table.

Cafeteria Style Meal Service

In cafeteria style, participants select food from a cafeteria line. Food is not available at the dining table. Cafeteria meal service operates as follows:

- Participants must select the minimum required amounts of all required components their first time through the cafeteria line.
- Adults must supervise the cafeteria line to ensure each participant selects at least the minimum required portions of all required food components.

- The point-of-service meal count must be taken when the participant has a complete, reimbursable meal in hand, and before or as they leave the cafeteria serving line.

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CHAPTER 9 INFANTS

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Section A – Infant Meal Patterns

Infants have unique nutritional and developmental needs, so the CACFP has a separate meal pattern for infants. The USDA defines “infant” for purposes of the CACFP as infants from birth through 11 months of age. Infant feeding requirements apply to participants through the infant’s 11th month of age.

Sponsors who have infants in care must offer the benefits of the program to all infants regardless of whether the parents or guardians choose to accept or decline the benefits.

Sponsors must distribute all required forms to parents or guardians for their infants and retain all required records whether Sponsors choose to claim the infant meals for reimbursement, or not.

Infant Meal Pattern

Sponsors must offer the infant meal pattern to all infants in care. The specific amount and type of food required for reimbursable meals changes as infants get older. Infants are grouped into three age categories for infant meal pattern purposes:

- Birth through 3 months
- 4 through 7 months
- 8 through 11 months

Developmental and nutritional needs of each infant vary. Caregivers should consult with the parent or guardian about the introduction of solid foods. Solid foods may be served when the infant is 4 to 7 months of age, but are not required meal components until the infant is 8 months old. Solid foods are optional from 4 to 7 months of age to encourage caregivers to add these foods only when the infant is developmentally ready for them.

Reimbursable meals for infants may contain breast milk, approved iron-fortified infant formula or both—supplied by the caregiver or by the parent. To receive reimbursement for the meal, the caregiver must always offer the infant a complete reimbursable meal based on the meal pattern requirements for the age of the infant.

Formula or breast milk mixed into infant cereal may not be credited toward meeting the minimum portion size of fluid formula or breast milk required on the meal pattern.

Child Care Food Program



Age:	0 to 3 Months	4 to 7 Months	8 to 11 Months
BREAKFAST			
Iron Fortified Formula (IFF) or Breast Milk	4-6 oz		
IFF or Breast Milk		4-8 oz	
IFF or Breast Milk			6-8 oz
Iron Fortified Infant Cereal (IFIC)		0-3 tbsp*	2-4 tbsp
Fruit and/or vegetable			1-4 tbsp
SNACK			
Iron Fortified Formula (IFF) or Breast Milk	4-6 oz		
IFF or Breast Milk		4-6 oz	
IFF, Breast Milk or Fruit Juice			2-4 oz
Bread or Crackers			0-1/2 Slice or 0-2 Crackers*
LUNCH/SUPPER			
Iron Fortified Formula (IFF) or Breast Milk	4-6 oz		
IFF or Breast Milk		4-8 oz	
IFF or Breast Milk			6-8 oz
Iron Fortified Infant Cereal (IFIC)		0-3 tbsp*	2-4 tbsp
or Meat or Poultry or Fish or Egg Yolk			1-4 tbsp
or Cooked dry Beans or Peas			1-4 tbsp
or Cheese			1/2-1 oz
or Cottage Cheese			1-4 oz
or Cheese Food or Cheese Spread			1-4 oz
Fruit and/or vegetable		0-3 tbsp*	1-4 tbsp

POINTS TO REMEMBER **Optional***

- Keep Menu Records
- The required amount of each food must be offered
- Use full strength juice
- No Yogurt
- No Honey
- No Egg White
- No cows milk under 12 months
- Infants are fed on demand

This institution is an equal opportunity provider.

Transitional Period

A one-month period, between 12 and 13 months, is allowed for participants to transition from infant formula to cow's milk. Meals containing infant formula served to 12-month-old participants qualify for reimbursement without a *Medical Statement for Food Substitutions*. Children over 13 months old who require infant formula for special dietary or medical reasons must have a completed *Medical Statement for Food Substitutions Form* on file in order for the Sponsor to claim the meals for reimbursement. Participants who are fed breast milk may be served breast milk in place of fluid milk in the meal pattern in any age group in CACFP and the meals are reimbursable.

Crediting Foods

To claim an infant's meal for CACFP reimbursement, the specific foods served must be creditable. Many foods that are allowed in older children's meal patterns are not creditable for infants. Dry infant cereal must be iron fortified and served with a spoon. Commercial infant foods may not combine components. Only plain fruits, vegetables, and meats are creditable infant meal pattern components.

Commercial strained baby food meat products such as beef and beef gravy, chicken and chicken gravy, lamb and lamb gravy, ham and ham gravy, turkey and turkey gravy, and veal and veal gravy are reimbursable even if they do contain additional ingredients, such as corn starch and/or broth.

Non-Creditable Foods

Some examples of non-creditable foods for infants:

- Commercial baby food with DHA additive
- Home canned infant foods
- Honey
- Yogurt (Infants birth to 7 months. Infants 8-11 months may have plain yogurt)
- Muffins
- Doughnuts
- Whole eggs, egg whites
- Hot dogs
- Vegetable juice
- Nuts or seeds
- Nut or seed butters

- Ready-to-eat cold cereals
- Commercial breaded products (fish sticks, chicken nuggets)
- Cow's milk

For a complete list of *Non-Creditable Infant Foods in CACFP*.

Meal Times and Service

Sponsors are not required to feed infants only at the traditional meal times scheduled for older children. Infant meals must be served consistent with the infant's eating habits. Infants who regularly do not consume all required components at one sitting may be offered the remainder of the required components at subsequent sittings.

When the infant has been offered some of the required components of a meal/snack, the rest of the required food components for that meal/snack must be offered before the next scheduled meal/snack to qualify the meal for reimbursement. For example, if you offer an infant a partial meal and the infant falls asleep before you offer her/him all the required components, and the infant doesn't wake up until the next scheduled meal/snack service, you should offer the meal/snack being served at the time the infant wakes. The incomplete meal served to the infant before she/he fell asleep may not be claimed for reimbursement.

Some breastfed infants regularly consume less than the required amount of breast milk per feeding. A serving of less than the minimum amount of breast milk may be offered with additional breast milk offered if the infant is still hungry.

Even though infants should be fed "on demand", only the meal types approved for reimbursement on the Sponsor's CNPweb Site Information Sheet(s) may be claimed for reimbursement. For example, if "PM Snack" is not an approved meal type for a site, then PM snacks cannot be claimed for reimbursement, even if the infant is fed mid-afternoon. To change the type of meals offered to better fit infant feeding needs, Sponsors must enter the requested changes on the appropriate Site Information Sheet(s) in CNPweb and submit them to ODE CNP for approval prior to recording and claiming meals for reimbursement.

Infant Menus

Sponsors must keep separate menus for infant meals. Because infant diets vary, foods offered must be recorded for each individual infant. The menus must document the infant's name and date of birth, the menu date, the type of meal (breakfast, lunch, or snack), and all actual food items, brand of formula or breast milk served for each meal of snack. A sample *Daily Infant Menu Record* form is provided on the Child Nutrition Program Website. See Section D of this chapter for more information on infant menu records.

Food Substitutions

Decisions concerning nutrition during the first year of life are for the infant's health care provider and parents or guardians to make together. Modifications or substitutions to the CACFP infant meal pattern are allowed when supported by a completed *Medical Statement for Food Substitutions*. The statement must be kept on file by the Sponsor.

Food Provided for Infants by Parents/Guardians

Sometimes parents or guardians want to provide specific food(s) for their infant. The rules for parents/guardians providing food for infants are based on respecting that parents/guardians' are most knowledgeable about their infant's individual feeding needs and preferences, and their developmental readiness for adding new foods.

Infant meals claimed for reimbursement must contain all the required meal pattern components for the age of the infant being served, whether supplied by the parent/guardian or supplied by the Sponsor. Parents or guardians cannot be required or coerced to supply formula or solid foods for their infant who is participating in the CACFP. When the parent or guardian supplies formula or food for their infant, it must be documented on the infant menu record as "PS" for the parent-supplied item(s). See Section D of this chapter for more information on infant menu record requirements.

The chart "Is This Infant Meal Reimbursable" describes when meals are reimbursable if parents/guardians provide food for their infant. In all cases, the following rules govern reimbursable infant meals:

- When the parent/guardian provides infant formula, it must be an approved formula unless there is a completed *Medical Statement for Food Substitutions* on file.
- When the parent/guardian provides food and/or formula, and the meal pattern requires more than one component, the Sponsor must provide at least one component and all required components must be included in the meal.
- When the parent/guardian chooses to provide all of their infant's food, the meals are not reimbursable.

Sponsors may have a written policy that doesn't allow parents/guardians to provide food or formula for their infant.

Section B – Breast Milk

Breast milk is creditable as part of the CACFP meal pattern for infants 0-3 months only when the

breast milk is “expressed”. The caregiver must prepare and feed the expressed breast milk to the infant for the Sponsor to claim reimbursement. Reimbursement for this type of infant meal recognizes the labor involved in serving meals to infants. Expressed breast milk fed to infants must be documented on menu records as “EB”. See Section D of this chapter for more information on infant menu record requirements.

Sponsors cannot claim reimbursement for infant meals when breastfed breast milk is the only component offered. However, a meal is reimbursable for infants over 3 months of age who are developmentally ready for solid foods, if the Sponsor furnishes at least one other meal pattern component in addition to the breastfed milk.

Expressed breast milk provided by the mother should be properly identified and labeled with the infant’s name and the date the milk was collected. Breast milk identified for a particular infant should only be served to that infant. Breast milk should be stored and handled according to applicable state and local laws and regulations governing health and safety standards.

Section C – Infant Formula

Sponsors with infants in care must offer to provide at least one infant formula to infants who are not breastfed, or when a supplement to breastfeeding is needed. The infant formula offered by the Sponsor must be iron-fortified and must be approved by USDA. A parent or guardian may decline the offered infant formula and supply another infant formula or breast milk. Sponsors are not required to offer more than one approved infant formula.

Cows’ milk in any form (whole, 2%, 1%) may not be served to infants under 1 year old without a completed *Medical Statement for Food Substitutions* on file. Infant formulas served in regular CACFP infant meals must be iron-fortified.

Serving Formula

The Oregon Child Care Division (CCD) requires that infant formula provided by the center must be commercially prepared and iron-fortified. Formula prepared from powder or concentrate must be diluted according to manufacturers’ instructions. When formula is prepared on site, it must be mixed in a kitchen approved by the local county sanitarian or health official, and the center must have a written plan for mixing formula and sanitizing bottles and nipples. The plan must be approved in writing by the county sanitarian or health official. Formula should be refrigerated, if required. Consult with a CCD certifier for questions about this rule.

Creditable Formula

Creditable formula is either an approved, iron-fortified formula intended for dietary use solely as a food for normal, healthy infants; or a formula that is authorized in writing by a recognized medical authority. Low-iron formulas do not meet CACFP requirements and may be served only when a

completed *Medical Statement for Food Substitutions* is on file for the infant.

To determine if an infant formula is creditable, refer to the *Approved Formula List* If the formula is not on the *Approved Formula List*, the Sponsor must obtain written approval from ODE CNP before the formula can be offered in the CACFP. If the formula supplied by parent/guardian is not on the *Approved Formula List*, the Sponsor must obtain written approval from ODE CNP before claiming the infant's meals for reimbursement. To request approval for a formula not on the *Approved Formula List*, submit the exact name of the formula (including the manufacturer's name) and a copy of the formula nutrition label to your Child Nutrition Specialist.

Sponsors may be reimbursed for meals and snacks served to infants that contain parent-provided, USDA approved formula as the only required component. This recognizes the non-food related cost of serving infants.

Section D – Infant Feeding Recordkeeping Requirements

In addition to all other recordkeeping requirements (CACFP Child Enrollment Forms, attendance records, and meal counts) Sponsors have specific recordkeeping requirements for infants. Sponsors are responsible for collecting and maintaining the following CACFP infant records:

- *Infant Feeding Benefit Notification and Acknowledgement form*
- *Daily Infant Menu Record*

Infant Benefit Notification and Acknowledgement Form

Sponsors must distribute the *Infant Feeding Benefit Notification and Acknowledgement form* to each parent or guardian enrolling an infant for care. The form notifies parents/guardians of their right to have the Center supply formula and food for their infant according to the CACFP infant meal pattern. The parent/guardian signs the form acknowledging they have been offered CACFP benefits for their infant.

The *Infant Feeding Benefit Notification and Acknowledgement form* provides a place to list a milk-based and a soy-based Center supplied formula. Sponsors are only required to supply *one* USDA-approved iron-fortified infant formula choice. However, Sponsors may choose to offer more than one formula.

Sponsors *must* list at least one formula on the Infant Benefit Notification and Acknowledgement Form before giving the form to a parent or guardian. Forms distributed to parents or guardians without a formula name listed are incomplete forms.

Sponsors must collect and maintain signed *Infant Feeding Benefit Notification and Acknowledgement forms* for all infants in care. The Sponsors must give the parent or guardian a copy of the signed form. The signed *Infant Feeding Benefit Notification and Acknowledgement form* must be on file before an infant's meals/snacks can be claimed for reimbursement.

Daily Infant Menu Records

Separate menus must be kept for infant meals. Infant menus must document:

- The infant's name and date of birth
- The menu date (month, day and year)
- The type of meal (breakfast, lunch, or snack)
- All actual food items served
- Identify the brand of formula or that breast milk was served
- If food or formula is supplied by the parent/guardian

Daily infant menu records must record the specific foods offered. The ODE CNP CACFP Daily Infant Menu Record form documents the amount of formula/ breast milk and food sponsors must offer, therefore Sponsors do not need to record the amount offered if serving at least the minimum. If sponsors use their own form to record individual daily infant menus, then the amount of formula/breast milk and food offered must be recorded. If Sponsors choose to modify the forms for their use, all required information must be recorded.

ODE CNP does not require Sponsors to record the amount of food consumed by infants, although many Sponsors choose to record this information for parents. If the amount of food consumed by infants is recorded on the CACFP *Daily Infant Menu Record* form, then the amount of food offered must also be recorded even if Sponsors are using the CACFP *Daily Infant Menu Record* form.

Expressed breast milk offered to infants must be documented on the infant's menu record as "EB" each time expressed breast milk is offered as part of a reimbursable infant meal or snack.

When the infant is breastfed by mom, document it on the infant's menu record as "BF". Meals and snacks with only "BF" documented (no other component offered) may not be claimed for reimbursement.

Food and formula supplied by the parent/guardian must be designated on the infant's menu record with "PS" for *parent-supplied* in addition to the actual food item or formula supplied. For example, if the parent supplies jarred baby food peaches, the infant menu record must document *"PS, peaches"* for the meal or snack when the item was offered. Staff must designate "PS" every time a required meal pattern component is supplied by the parent/guardian.

Staff may not write "PS" on top of the infant menu to cover meals and snacks provided for the entire day, week or month. The "PS" designation is used to verify at least one meal pattern component is supplied by the Center when determining reimbursable meals. If "PS" is not documented on the infant menu, ODE CNP will assume the food or formula was supplied by the Center.

One Month Enrollment Report (OMER)

Sponsors must include all enrolled infants in the OMER month in the OMER, regardless of whether the infant's meals are claimed for reimbursement. See Chapter 4 The One Month Enrollment Report for more information on developing the OMER.

Daily Meal Count Records

Because infants eat "on demand", infant meals must be recorded using a system that ensures only infants who receive a reimbursable meal are counted in the daily meal count. The *Daily Infant Menu Record* forms are designed to document each complete reimbursable meal for each infant before the meals are tallied and included in the claim for reimbursement.

Section E – Claiming Infant Meals

Sponsors may claim infant meals beginning on the date the parent or guardian signed the *Infant Feeding Benefit Notification and Acknowledgement form*. Sponsors may not claim reimbursement for meals served to an infant without a signed *Infant Feeding Benefit Notification and Acknowledgement form* on file.

Infant meals should be included when consolidating meal counts for all site participants prior to entering the meal totals onto the Sponsor's CNPweb Site Claim. They are not recorded separately on the reimbursement claim. Infants are reimbursed at the same reimbursement rate as other Sponsor participants.

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CHAPTER 10 MENU RECORDS

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Section A – Developing Menus

When children are offered well-prepared foods in a variety of colors and flavors, they are more likely to taste, eat and enjoy them. Children who regularly consume a variety of foods also have a better chance of getting the nutrients needed for healthy growth and development. See the *Menu Evaluation Checklist* for some best practice menu planning recommendations.

Cycle Menus

A cycle menu is a series of menus planned in advance, served for a specific time period, and then repeated. ODE CNP recommends cycles of four to six weeks. Some Sponsors use a different cycle menu for each season of the year to include seasonal foods. For example, a summer cycle menu may include tomatoes, berries, melons, and other fruits and vegetables in season. Cycle menus save time and money by allowing menu planners to:

- Plan accurately
- Predict food costs
- Reduce waste
- Repeat grocery orders
- Vary meals
- Make food shopping and preparation more efficient

Section B – Menu Record Requirements

Sponsors must maintain menu records. All program records, including menu records, must be kept for three fiscal years, plus the current fiscal year (October to September.) Menu records must show the Sponsor is meeting program meal requirements. Menu records must be on file for all meals claimed for reimbursement and must be made available to reviewers during Administrative Reviews. The following menu records are required:

1. *Menus* – menus must show:
    - Date (month, day, year the meals were served)
    - Site location(s)
    - Actual food items served for each meal or snack each day
    - Substitutions made to the planned menu

- CP (Commercially Prepared) or HM (Home Made) notations for combination food items on menus provided to ODE CNP or USDA during an administrative review

Note: See the *Sample Menu Form*. A *Sample Menu Form* for Sponsors of Afterschool At-Risk Meals and Snacks programs is provided on our Child Nutrition Programs website.

2. *Infant Menus* – Separate menu documentation is required for each infant. Infant menus must document:

   - Date (month, day, year the meals were served)
   - Infant's name and birth date
   - Brand of formula offered, if infant is on formula
   - Notation that infant is to be served breast-milk if infant is served expressed breast-milk or breastfed by the mother
   - Actual food served for each meal/snack each day (including designation if formula, expressed breast milk (EB) or breast-fed (BF) by mom)
   - If food or formula was supplied by parent/guardian (PS)

Note: See Chapter 9 Infants for more information on daily infant menu records. See Exhibit 23.15 for sample *Daily Infant Menu Record* forms.

3. *Recipes for homemade combination food items* - Recipes must document:

   - Name of recipe matching the item as listed on the menu
   - All ingredients with weight or volume amounts (ounces, pounds, cups, etc.)
   - The form of each ingredient (cooked, raw, chopped, shredded, etc.)
   - Serving size of the finished product for each age group served
   - Yield (total number of servings the recipe makes, or total measured amount such as 1 gallon, two 11" x 13" pans cut in 24 pieces, etc.)
   - The meal component contribution (select only two: Meat/Meat Alternate, Grains/Breads, or Vegetables/Fruits)
   - Child Nutrition (CN) labels, Manufacturer's Product Analysis Sheets (MPAS), or Standard of Identity product labels for any commercial combination food used as an ingredient in the recipe (Example: Sloppy Joe made with pre-cooked beef taco

crumbles)

- Complete instructions for the preparation and service of the food item
- An optional Recipe form to document homemade combination food recipes is provided on the Child Nutrition Programs website.

Note: *CACFP Child Care Recipes: Food for Health and Fun* is a USDA resource containing crediting information for 180 recipes. All the recipes contribute to reimbursable meals. ODE CNP recommends Sponsors use these recipes whenever possible.

Note: ODE CNP recommends that recipe crediting source(s) used to determine creditable amounts of components in each serving of the recipe be documented. The *USDA Food Buying Guide* is the approved resource for crediting homemade combination food recipes. See Chapter 8 Meal Service Requirements for more information about the *USDA Food Buying Guide.*

4. *Child Nutrition (CN) labels*—original CN labels cut from the original product packaging must be kept on file for all CN-labeled products served as part of a reimbursable meal or snack. See Chapter 8, Section C for more information.

5. *Manufacturer's Product Analysis Sheet (MPAS)*—commercially prepared food items that do not have a CN Label must have a complete MPAS on file for any food item that is served and counted toward required meal pattern components. See Chapter 8, Section C for more information.

6. *Standard of Identity Product labels* – Required for all commercial combination food items that have a Standard of Identity and are served and counted toward required meal pattern components. See Chapter 8, Section C for more information.

Section C – Administrative Review Disallowances for Menu Record Deficiencies

During administrative reviews, ODE CNP Child Nutrition Specialists observe a meal service and examine menu records. When menu records are not available to support the meals claimed for reimbursement, those meals will be disallowed and the Sponsor will be required to pay back reimbursement monies received for the disallowed meals. Menu record deficiencies resulting in disallowed meals are:

- Missing date on menus or undated cycle menus
- Missing supporting documentation or incomplete menu records for all required meal pattern components for all meal types claimed
- Missing Child Nutrition (CN) Labels, Manufacturer's Product Analysis Sheets or Standard of Identity Product labels for commercial combination foods
- Missing recipes for homemade combination foods
- Food receipts do not clearly show that food items recorded on the menu were purchased during the time period covered by the test month for the administrative review

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CHAPTER 11 CIVIL RIGHTS

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Section A – Offering The CACFP In A Non-Discriminatory Manner

Civil Rights regulations are intended to assure that benefits of the Child and Adult Care Food Program (CACFP) are made available to all eligible persons. This includes:

- Making every effort in recruitment and enrollment procedures to allow equal participation by all eligible participants and potential participants regardless of race, color, national origin, sex, age, or disability.
- Distributing the *Confidential Income Statements (CIS)* and the Letter to Households and approving *CIS* in a way that is fair to all and does not discriminate based on race, color, national origin, age, sex, or disability.
- Serving meals in a way that allows equal participation regardless of race, color, national origin, age, sex, or disability.

Discriminatory practices

Discrimination is when an individual or a group of individuals are:

- Denied a benefit or service that others receive,
- Delayed receiving a benefit or service that others receive, or
- Treated differently than others.

When individuals or a group of individuals in a protected class (race, color, national origin, age, sex or disability) complain they have been discriminated against, it is the Sponsors responsibility to assist the complainants to report the alleged incident(s), investigate the incident in a fair and impartial manner, and to work with ODE CNP and/or the USDA to resolve the complaint.

Examples of discriminatory practices include:

- Refusing to allow an eligible child or adult to be enrolled based on his/ her disability
- Failing to provide participants with disabilities reasonable accommodations to receive benefits
- Serving meals at a place, time, or in a manner that discriminates based on race, color, national origin, sex, age, or disability
- Selectively distributing *CIS* forms to only some households (For example, distributing *CIS* forms only to those households the Sponsor thinks will qualify for Free or Reduced-Price eligibility)
- Failing to apply the same eligibility criteria to all potential participants

- Failing to provide materials that give non-English speaking persons full and equal opportunity to receive benefits

Obligation to Offer Infant Meals in the CACFP

All CACFP Centers must offer CACFP to all enrolled participants including infants.

See Chapter 9 Infants for more information on feeding infants on CACFP.

Section B – Collecting Racial and Ethnic Data

Collecting racial and ethnic data is required as part of the new sponsor and renewal application. It must be collected and reported annually. Sponsors must maintain racial/ethnic data for three years plus the current fiscal year. All racial/ethnic data are confidential and should be stored in a way that protects each participant's privacy. To collect and report racial/ethnic data, follow the steps below.

Collecting and Reporting Racial/Ethnic Data

The following information is required to be collected on the preliminary application, and then annually during the renewal process, on the "Racial Ethnic Annual Data Collection Form—Child and Adult Care Food Programs" (see the back of the form for Racial and Ethnic category definitions):

1. Determine and record the number of potentially eligible beneficiaries by the USDA racial-ethnic categories for the area served by each site. Sponsors may use the county-level census data or other data.

2. Collect actual participant data by racial-ethnic category for each CACFP site. Sponsors may collect racial/ethnic data of the participants from information provided on *Confidential Income Statements* by the household member completing the *CIS*. Since the racial/ethnic section on the *CIS* is optional for the household to complete, it may not be provided. If the racial/ethnic information is not provided by the household on the *CIS*, or the Sponsor does not distribute *CIS*, visual identification may be used to determine a participant's racial/ethnic category.

Once the Racial Ethnic Annual Data Collection Form has been completed, it is to be maintained with all documents for three years plus the current program year. The form is ***NOT*** to be sent to ODE CNP.

Section C – Public Notification

Each year at the beginning of the CACFP fiscal year, ODE CNP sends out a statewide public media release listing all Sponsors participating on the CACFP. The public notification describes program benefits and includes the USDA nondiscrimination statement.

Sponsors that are approved for CACFP participation in the middle of the program year must fulfill the requirement for public notification of program benefits by submitting a public news release to their local media from which the Sponsor's program draws attendance. The news release must include the USDA nondiscrimination statement.

News Media Notification

In addition to the ODE CNP annual public notification, Sponsors may submit a public release to their local news media describing their specific program. Any news media release describing the CACFP must include the appropriate USDA nondiscrimination statement.

Minority and Grass Roots Organizations

All CACFP Sponsors are required to contact minority and grassroots organizations to recruit potential participants. Organizations to contact may include, but are not limited to, schools/colleges, early intervention, health care systems, child care provider organizations, religious organizations, and community and cultural outreach programs.

Section D – Complaint Procedure

Sponsors are required to develop and implement a written procedure to handle any discrimination complaint that may be received. Any person who believes he or she has been discriminated against in the CACFP based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action. Complainants may choose to directly contact USDA with their complaint, they may notify ODE CNP or they may notify the Sponsor of their complaint.

Sponsors must give complainants a *Civil Rights Complaint Form* to complete and document all potential complaints in a *Civil Rights Complaint Log* . If the complainant completes a *Civil Rights Complaint Form,* he or she can return the completed form to the Sponsor, send it to ODECNP, or send it to USDA. Sponsors must forward all discrimination complaints received to the Oregon Department of Education within three days. The Civil Rights complaint should contain the following information:

- Name, address, telephone number of the complainant, if provided by complainant (complainants are not required to provide this information)
- Specific location and name of Sponsor or entity delivering the service or benefit
- The nature of the incident, action or method of administration that led the complainant to feel discriminated against

The Sponsor's written Civil Rights complaint procedure must describe:

- Where the *Civil Rights Complaint Forms* and *Civil Rights Complaint Log* will be kept at each site and at the administrative offices
- Who is trained on the Sponsor's Civil Rights procedure
- How Civil Rights complaints will be recorded in the *Civil Rights Complaint Log*
- Procedures for receiving and forwarding an alleged civil rights complaint See the *Civil Rights Complaint Procedure*.

Section E – Civil Rights Training

All Sponsor staff involved in CACFP functions must receive annual training on Civil Rights requirements.

Staff training

The Sponsor must provide Civil Rights training to all staff involved in CACFP functions. Initial and annual Civil Rights training must be documented. Required training topics are:

- What is discrimination?
- Collecting and recording racial and ethnic data
- Where to display *And Justice for All* posters
- What is a Civil Rights complaint

- How to handle a Civil Rights complaint

Sponsors may use the *Civil Rights Training for Staff Form* or they may develop one of their own. Sponsors are encouraged to use the training webinars on Civil Rights located on the CACFP website.

Section F – Non-Discrimination Statement

Sponsors must display the non-discrimination poster, *And Justice For All,* where parents, adult participants and the general public can see and read it. Whenever the CACFP or USDA is mentioned on Sponsor materials, the non-discrimination statement must be included on these published materials. Information that is directed to parents, employees, potential participants/ employees or other public groups and that mentions the CACFP or USDA meals must also include the non-discrimination statement. Informational materials that require the statement include:

- Employee handbooks
- Enrollment forms
- Menus sent home or posted for public view – Always require the nondiscrimination statement, even if USDA - CACFP is only implied.
- Newsletters
- Brochures
- Parent handbooks
- Print or broadcast advertisements
- Flyers
- Websites

The non-discrimination statement has two formats—Long Form and Short Form. The *Non-Discrimination Statement—Long Form* is required on all documents that are longer that one 8-1/2" x 11" sheet printed on both sides. The long form is required on all websites or other social media postings.

The *Non-Discrimination Statement—Short Form* may be used on any document that is one page or less (contained on an 8-1/2" x 11" sheet printed on one or both sides).

The non-discrimination statement must be in a font size that is equal to, or larger than, the majority of the text in any document, printed or electronic.

USDA Non-Discrimination Statement – Long Form

The box below contains the official USDA non-discrimination statement for Oregon. Both paragraphs must be included verbatim on any document where the long form is required:

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call, toll free, (866) 632-9992 (Voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice users). USDA is an equal opportunity provider and employer.

USDA Non-Discrimination Statement – Short Form

Material that is one page or less *and* is too small to include the full non-discrimination statement may use the following abbreviated statement:

This institution is an equal opportunity provider.

Sponsors may choose to replace the word *'institution'* with their organization/ business name.

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CHAPTER 12 TRAINING REQUIREMENTS

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Section A – Training Requirements

Federal regulations require the ODE CNP to provide training and technical assistance to CACFP Sponsors. ODE CNP provides annual training for current sponsors and training for new sponsors and new staff.

CACFP Sponsors are required to provide and document:

- Annual staff training
- New staff training

Sponsors are required to provide adequate training to all staff who are involved with CACFP operations and record keeping.

ODE CACFP Annual Training

Each year the person(s) who administers or oversees the CACFP must participate in the ODE CNP-sponsored CACFP Annual Training. Mandatory annual training is usually conducted in the summer. ODE CNP notifies Sponsors of the dates and requirements for the Annual Training and provides registration information. Annual Training includes changes in policy and procedures, provides program updates, and focuses training on administrative review findings from the current fiscal year.

ODE "New Sponsor" and "Returning Sponsor" Training

ODE CNP training sessions are available on the ODE CACFP website. These training sessions provide information on all basic CACFP administrative and operational requirements.

New applicants to CACFP will be assigned to a Child Nutrition Specialist who will work with the applicant to identify all required training sessions for their program type as part of the application process.

For current Sponsors, the training sessions provide immediate access to all training information for program operation. The training sessions may serve as a refresher for current staff or provide new staff with thorough training in the specific CACFP tasks that will be assigned to them.

Topics covered include administration of the CACFP, record keeping requirements, meal pattern requirements, and Civil Rights requirements.

Sponsor or Applicant staff required to view the web-based training sessions include:

- Staff of organizations planning to apply for participation on the CACFP
- Current Sponsors required by ODE CNP to view training sessions as part of corrective action required due to findings during an administrative review

- Current Sponsors with a change of CACFP staff or staff in need of refresher training
- All owners of For-Profit organizations planning to apply for participation in the CACFP

Sponsor's Annual Staff Training

Sponsor Officials (Authorized Representative and/or Food Program Coordinator as listed on the Sponsor Information Sheet in CNPweb) are responsible for providing annual CACFP training to all pertinent staff who do not participate in the ODE CNP Annual Training.

Pertinent staff that must be trained annually include:

- Cooks and Assistant Cooks
- Teachers and Assistant Teachers who supervise and/or serve meals
- Staff that develop and plan menus
- Administrative staff who approve *Confidential Income Statements,* develop the OMER, and/or distribute and collect enrollment information and *Infant Feeding Benefit Notification and Acknowledgement forms*
- Staff who perform site monitoring reviews
- Clerical staff who compile monthly meal counts and complete reimbursement claims
- Financial officers who document nonprofit food service

To determine staff training needs, review past training documentation, monitor a meal service, monitor record keeping, and read recent ODE CNP memoranda and correspondence. Sponsors may use all training sessions and other training tools posted on the CACFP website to assist Sponsors with their internal CACFP training. Contact ODE CNP for more information.

Annual internal staff training is a *minimum* requirement. ODE CNP encourages Sponsors to train staff more frequently or on an ongoing basis.

Additionally, ODE CNP periodically issues new or revised policy through memoranda and revisions to this manual that may require Sponsor to provide additional training to staff during the year.

Training Sponsor's New Staff

In addition to annual training, all Sponsors must have a procedure for training new staff on CACFP requirements soon after they are hired. To provide adequate back-up, more than one staff person should be thoroughly trained in each CACFP function.

Sponsors of multi-site programs must provide training to staff at new sites before claiming meals at those sites.

Training Documentation

All training must be documented with the following:

- The date (month, day and year)
- Time (start and end)
- Location of training
- The name of the trainer
- The topics covered
- The names, positions and signatures of staff in attendance
- The training material(s) used

Sponsors may use the *CACFP Staff Training form* to document staff training or they may develop a form of their own. If a sponsor chooses to develop their own form or training documentation, the sponsor-developed documents must contain all required information as outlined above.

Training Topics

Minimum training requirements for staff assigned CACFP duties must include all information appropriate to each assigned task. The topics that may need to be included for any individual or group of employees are:

- Meal pattern requirements for the ages of participants
- Serving sizes for the different age groups
- How to serve meals to participants
- How and when to record attendance
- How and when to take point-of-service meal counts
- How to approve *Confidential Income Statements*
- How to develop the One Month Enrollment Report (OMER)
- How to ensure meals provided by vendors meet CACFP requirements

- Meal service styles (family, restaurant, cafeteria, combination style)
- Civil Rights requirements
- Accommodating children with special dietary needs
- Menu planning

If a Sponsor has infants in care, the following are required training topics for staff assigned CACFP duties for infants:

- *Infant Feeding Benefit Notification and Acknowledgement forms*
- Meal pattern requirements for infants
- Recording daily menu requirements for infants
- How and when to record meal count for infants
- Creditable foods in infant meals

Recommended training topics for CACFP staff include:

- Sanitation requirements
- Encouraging healthy eating habits
- How to incorporate more whole grain foods, vegetables and fruits into menus
- How to use menu production records to plan for meals and shopping
- Ways to encourage participant milk consumption
- Kitchen safety
- Developmentally appropriate physical activities for young children

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CHAPTER 13 MULTI-SITE SPONSORS

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Section A – General Requirements

A Sponsoring organization is entirely responsible for the administration of the CACFP in all of its facilities. This responsibility cannot be contracted out to another entity.

When submitting an initial application for CACFP participation, Sponsors of multi-site programs must fill out a *CNPweb Add Site/Modify Site Information Form* (Located on the CNPweb packet page) for each site. A site is generally defined as having its own physical address and/or requiring its own Child Care Division (CCD) license. Multiple classrooms within one building are not considered separate sites.

Annual Budget

All multi-site sponsors are required to submit a budget to ODE CNP each year. ODE CNP may also request a budget revision when there are significant changes to the program.

Affiliated and Unaffiliated Site Identification

Sponsors must identify on the CNPweb Site Information Sheet whether the site is 'affiliated' or 'unaffiliated'. The definitions as written in USDA FNS Instruction 796.2 Rev. 3 "Financial Management—Child and Adult Care Food Program" are:

- **Affiliated center** is a child or adult care center that is owned in whole or in part by a CACFP sponsoring organization.
- **Unaffiliated center** is a participating sponsored child or adult care center that is legally distinct from its sponsoring organization.

School districts with unaffiliated sites are exempt from this requirement.

Sponsoring an Unaffiliated Site - Additional Responsibilities

Sponsoring organizations that plan to provide services to unaffiliated sites must:

- Complete and submit to ODE CNP the *Child and Adult Care Food Program (CACFP) Agreement Between Sponsoring Organization and Unaffiliated Child Care Center* (Located on the CNPweb packet page)

- Submit a *CACFP Centers Budget form* (Located on the CNPweb packet page)for sponsors of unaffiliated sites
- Disburse funds to the unaffiliated sites within 5 days of the receipt of the reimbursement from ODE CNP

Adding a Site

Sponsors may not claim meals served at a site until all required documents are submitted and approved by the assigned Child Nutrition Specialist. It is important to submit the required documents to the assigned Child Nutrition Specialist well in advance of the proposed start date. The specialist will notify the sponsor in writing, of the approved claim start date.

Sponsors must submit to ODE CNP:

- CNPweb *Add Site/Modify Site Information Form* (Located on the CNPweb packet page) if a site is to be added.
- The Site Information Sheet on CNPweb.
- Site Pre-Approval Review documentation. The site start date for claiming meals cannot be before the site Pre-Approval Review date.
- Documentation of training for staff at new site.
- Other ODE CNP required documents such as a vended meal agreement or menu, or a *Child and Adult Care Food Program (CACFP) Agreement Between Sponsoring Organization and Unaffiliated Child Care Center* (Located on the CNPweb packet page). Claims may not be made before the signature date on this agreement.

Single-site Sponsors who Become Multi-site Sponsors

If the addition of a site converts a single-site sponsor into a multi-site sponsor, you *must* submit all documents outlined above *and* the following to ODE CNP prior to the approval of additional sites:

- A new management plan with the section on Site Monitoring completed
- A Budget

The Sponsor must also conduct a documented follow-up review within the first four weeks of CACFP operation at the new site(s). This documentation will be kept on file with the sponsor and unless requested, will not be submitted to ODE CNP.

Dropping or Inactivating a Site

If a Sponsor decides to drop or inactivate a site they must do the following:

- Submit to ODE CNP a CNPweb *Inactivate Site Programs Form* (Located on the CNPweb packet page)
- Go into the Site Information Sheet in CNPweb for the site to be dropped and unclick all claim months for which they will not be filing a claim
- Make an entry in the "General Comments" section at the bottom of the Site Information Sheet explaining the reason for the inactivation or closure and stating the last date on which reimbursable meals will be served
- Submit the Site Information Sheet for approval by ODE CNP

Disbursement of Funds to Unaffiliated Sites

Sponsors must disburse CACFP reimbursement funds to each unaffiliated site within five working days after they are received from ODE CNP. The Sponsor may not retain more than 15% of reimbursement for administrative costs.

School districts with unaffiliated sites are exempt from this requirement.

Section B – Site Monitoring Requirements

Sponsors with more than one site (multi-site) must conduct site monitoring reviews.

Sponsors must use the ODE CNP *Site Monitoring Report for CACFP* form.

Sponsors must thoroughly train site monitors in CACFP requirements. The training must be documented and the training records must be kept on file with the Sponsor's training records.

Sponsors must conduct regular reviews at all sites to determine compliance with meal patterns, record keeping, and other CACFP requirements. Site staff may not monitor their own site.

At a minimum, each site must have a monitoring review three (3) times a year with no more than six months between reviews. Two of the three reviews must be unannounced.

Sponsors are required to vary the timing of unannounced reviews so they are unpredictable to sponsored facilities.

Site Monitoring Reviews

Monitoring reviews must include a meal observation and review of records to assess:

- Meal components
- Meal times
- Portion sizes
- Meal service style
- Meal count procedures
- Other Federal, State or Local approval (if applicable)
- Food safety and sanitation
- Daily attendance records
- Five-day reconciliation
- Menus
- *Medical Statements For Food Substitutions* forms
- *Infant Benefit Notification and Acknowledgement* forms and infant menu records, if applicable
- *And Justice For All* poster and *Building for the Future* flyer displayed where they can be read

Any problems or non-compliance findings during a site monitoring review must be followed up to ensure they have been corrected. The *Site Monitoring Report for CACFP* form must state the time frame for any required follow-up.

Sponsors are not required to annually review all meal services being claimed at each site, however, throughout the year the sponsor must review all meal service types claimed by the sponsor.

The percentage of all reviews conducted by the sponsor at the mealtimes should be *roughly proportional* to the percentage of each meal type claimed by its sites. For example, if 20 percent of the meals claimed by the sponsor in the prior year were breakfasts, a sponsor is required to conduct roughly (not exactly) 20 percent of this year's reviews at breakfast.

ODE CNP will determine whether the sponsor has made a reasonable effort to monitor all of the meal services being claimed by its facilities during an administrative review.

Five-Day Reconciliation

As a part of the site monitoring review, the monitor must complete a review of five consecutive operating day's records for the current or previous month to determine whether the meal counts are accurate based on the attendance records for the five-day period. If the attendance and meal count records are sent to the central office on a daily or weekly basis, the site monitor may conduct the five-day reconciliation as a "desk audit".

To conduct the five-day reconciliation:

- If the site uses an actual count form: Cross check the attendance records with the meal count records for *at least 10 percent* of the number of participants enrolled at the site (no less than five participants); compare the participants present according to attendance records, to the meals and snacks claimed for those participants for the five consecutive day period. Only participants present during the meal times should have meal counts on record.
- If the site uses the head count form: Cross check the attendance records with the meal count records; compare the total number of participants present to the meals and snacks claimed for the five consecutive day period. There cannot be more meals claimed for reimbursement than participants present at the meal time for any particular day and meal. If the site has multiple classrooms, the five-day reconciliation must be conducted for a minimum of one classroom.

All sites:

- Disallow any meals claimed that are not supported by attendance records.
- Document all meals disallowed and required corrective actions on the Site Monitoring Report. All follow-up and corrective action taken must be documented.
- Notify the appropriate staff if meal disallows are found so the disallowed meals will not be included in the monthly reimbursement claim.

The five-day reconciliation of attendance and meal counts conducted during site monitoring reviews does not replace the accuracy checks to ensure the validity of the reimbursement claim prior to submission of the claim.

Vendor Contracts

If a Sponsor purchases meals from a vendor, the monitor must check that the vended meals at each site comply with all CACFP requirements and that they are consistent with the *Vended Meal Agreement* (Located on the CNPweb packet page). Food Service Management Companies and other vendors cannot monitor the sites or administer the CACFP. See Chapter 14 Procurement for more information on vendor contracts.

Civil Rights

Civil Rights compliance must be checked during monitoring reviews. The monitor must note any problems observed, and implement and maintain effective corrective action.

Site Monitoring Documentation

Sponsors must document all site monitoring reviews by completing a *Site Monitoring Report for CACFP*. The report must show the location and date of each site review, the meal observed, what was assessed, problems observed, corrective actions required, any training that was provided, and follow up action(s), if any. Site monitoring reviews should last through the entire meal session, so the monitor can observe the complete meal service, including point-of-service meal counts.

Follow-up Reviews for Issues Documented

If the monitor notes issues that need follow-up, a date for follow-up must be recorded on the original report, and the follow-up review *must* be conducted and documented with resolutions noted.

Review Averaging

All multi-site Sponsors must conduct an average of three site monitoring reviews of each CACFP approved site each year. Review Averaging allows Sponsors to focus more on sites that need additional oversight (due to staff turnover, etc.) and less time on sites that have demonstrated history of CACFP compliance and have not had staff changes.

Sponsors exercising this option must have a monitoring schedule in place at the beginning of each fiscal year that includes rationale as to why a site may be receiving more or less than three reviews.

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CHAPTER 14 PROCUREMENT

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Section A – General Information

Procurement is the process of acquiring, by lease or purchase, goods and services such as food, equipment, bookkeeping, and auditing. The purpose of an effective procurement procedure is to ensure that such goods and services are obtained efficiently, economically and in compliance with state and Federal law.

All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards of OMB Circular 3016.36. Transactions must also follow state and local rules if more restrictive. All CACFP Sponsors are required to follow the procurement regulations as outlined in USDA FNS instruction 796-2, Rev. 3, *Financial Management—Child and Adult Care Food Program.*

ODE CNP has developed a Procurement Roadmap to assist sponsors which is included in Section C of this chapter. The Roadmap provides a step-by-step decision-making process for sponsors.

Section B – How to Procure

Determining a Cost Threshold

When obtaining goods and services with Federal funds Sponsors must ensure that procurement procedures are exercised in an effective manner and in compliance with Federal laws.

The cost threshold set by Federal procurement law for Sponsors determines whether Sponsors can use the small purchase procurement procedure or if they must use one (1) of the large purchase procurement procedures (see Section C Procurement Methods).

Sponsors may have more restrictive procurement guidelines than those set by Federal procurement law. Sponsors must determine the appropriate procurement procedure for their organization. Besides the Federal and individual procedures Sponsors must review the Oregon rules and regulations.

Section C – Procurement Method

The Procurement Method to be used for a given purchase is determined by examining the manner in which goods and services have been purchased in the past. Sponsors will examine past procurement patterns, vendors used and total dollar amounts spent for each type of good and service in addition to the total dollar amount paid to an individual vendor during a single fiscal year.

Depending on the program type and the type of purchase, Sponsors must use one (1) of the following four (4) methods of procurement. They are divided into small and large procurement procedures as follows:

Small Procurement Procedures

When the total cost of a good or service, or a group of similar items is less than $150,000 or under the Sponsor's threshold, whichever is lower, the small procurement procedure is used. This procedure is sometimes known as a price quote or a Request for Quote (RFQ) or comparison shopping.

The small procurement procedure requires the sponsor to obtain price quotations from an adequate number of qualified sources (for example, three vendors).

Large Procurement Procedures

If the cost of a single good or service, or group of similar goods or services, is at or above $150,000 or over the Sponsor's threshold, whichever is lower, one (1) of the large procurement procedures must be used:

Competitive Sealed Bids also known as Invitation for Bid (IFB): This method is used when the only variable is the price of a product being purchased because the award must go to the lowest qualified bidder who meets the terms and conditions. The IFB requires clear, concise specifications. Sealed bids are accepted or rejected with no negotiation.

Competitive Negotiations also known as Request for Proposal (RFP): This method is used when price is not the only consideration. When the goal or objective is clear, but the good or service could be provided in a variety of ways and the purchaser is willing to evaluate multiple criteria, the RFP is appropriate. The RFP method requires more time for development, evaluation, and selection than the IFB.

Noncompetitive Negotiation: This procurement method can only be used under the following circumstances:

- After conducting an IFB and competition is inadequate (Example, if only one bidder responds to the IFB).
- An emergency exists where competitive procurement (IFB or RFP) would take too long.
- With prior authorization from ODE CNP the Sponsor can use noncompetitive negotiation.

Procurement Documentation

A Sponsor must develop and have on file written procurement procedures (7CFR 226.22(e)) for how the organization will:

- Purchase goods and services
- Advertise (if needed) the goods and services it plans to purchase

- Select and evaluate various bids or proposals submitted by potential vendors
- Evaluate potential vendors (e.g., the criteria that will be used for evaluation, such as integrity, compliance with public policy, past performance, and financial and technical resources)

Sponsors must maintain documentation on file for every procurement transaction made with CACFP reimbursement funds. This documentation would include, but is not limited to:

- Copies of the documentation of the prices submitted by potential vendors
- Names of the vendors who submitted price quotations that were compared
- Identifying which vendor was chosen
- Stating why that vendor was chosen

Request for quote (RFQ) documents need not be complex but must provide sufficient information to permit an eligible vendor to respond. At a minimum, include:

- A description of the goods or services needed, including quantity
- The date by which the goods or services must be provided
- Request for written price(s) or quote(s) including the time period during which the price(s) or quote(s) valid
- If Sponsors obtain prices and quotes orally, by phone or in person, they must maintain written documentation identifying the pertinent details of the transaction including:
- The name of the Sponsor representative soliciting the information
- The names of the vendor solicited and the vendor representative providing the price or quote
- The date the information was provided
- The goods or services to be purchased, including quantities upon which the price or the quote was provided
- All terms or conditions imposed by either party
- The time period during which the price or quote will be honored by the vendor

Sponsors must maintain documentation of the entire procurement process on file for three years plus the current fiscal year. During administrative reviews or audits, ODE CNP will review procurement documentation for purchases made with program funds.

Combination Funding

A program receiving a combination of funding from different sources with different cost threshold requirements must adhere to the lowest cost threshold. If a Sponsor has questions regarding which cost threshold applies to their program, they should contact their assigned Child Nutrition Specialist.

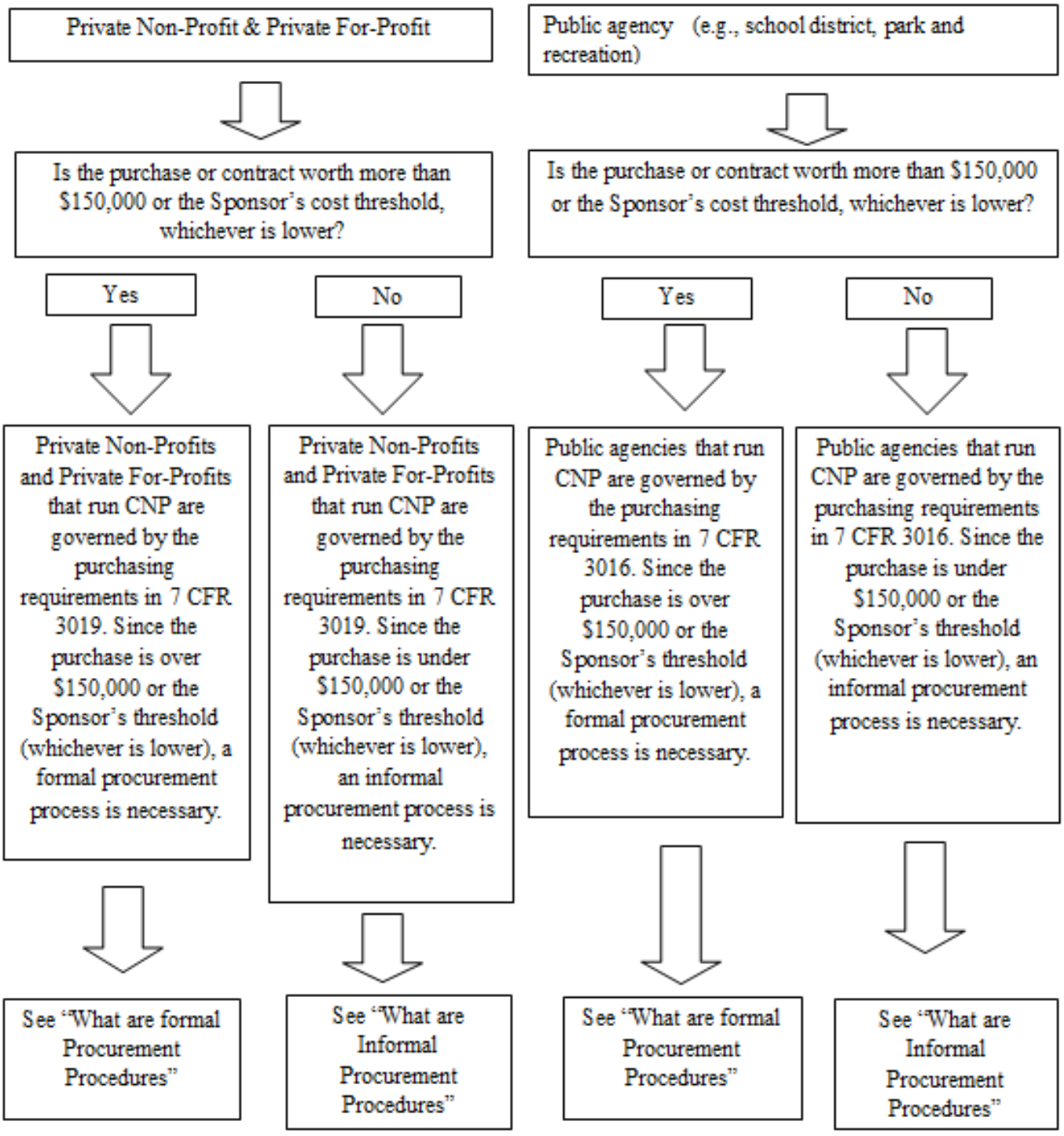
Procurement Roadmap

The *Procurement Roadmap* below will help Sponsors determine which procurement method they should use for a given purchase:

Procurement Roadmap

Child Nutrition Program (CNP) Sponsors use Federal Funds. Therefore, all purchases must be competitively procured. You must also follow state and local rules, if more restrictive. This includes School Nutrition Programs, Summer Food Service Program, and the Child and Adult Care Food Program.

What is the Purchasing Agency?



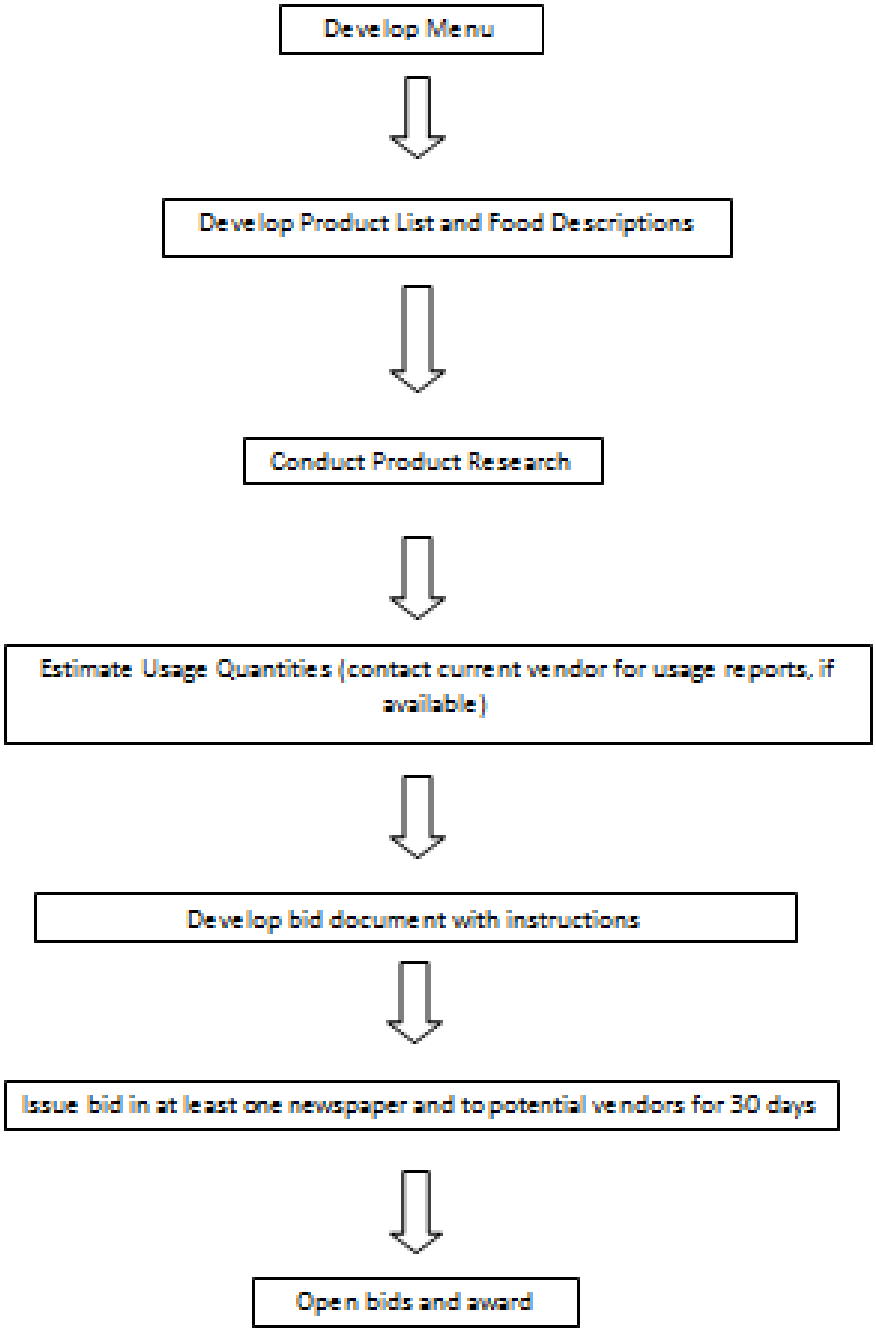
What are Formal Procurement Procedures?

There are two types of Formal Procurement:

1. Invitation for Bid (IFB), or sealed bid method - Bids are publicly solicited and the contract is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions, is lowest in price. Bids must be publicly advertised and solicited from an adequate number of known vendors.

2. Request for Proposal (RFP), or competitive proposals - Conducted with more than one source submitting an offer, and either a fixed-price or cost reimbursement type contract is awarded. Request for proposals will be publicized and must identify all evaluation factors. Sponsors must have a method for conducting evaluations of the proposals received and for selecting awardees. Awards are made to the most responsible vendor whose proposal is most advantageous to the program, with price and other factors considered.

Recommended Purchasing Path

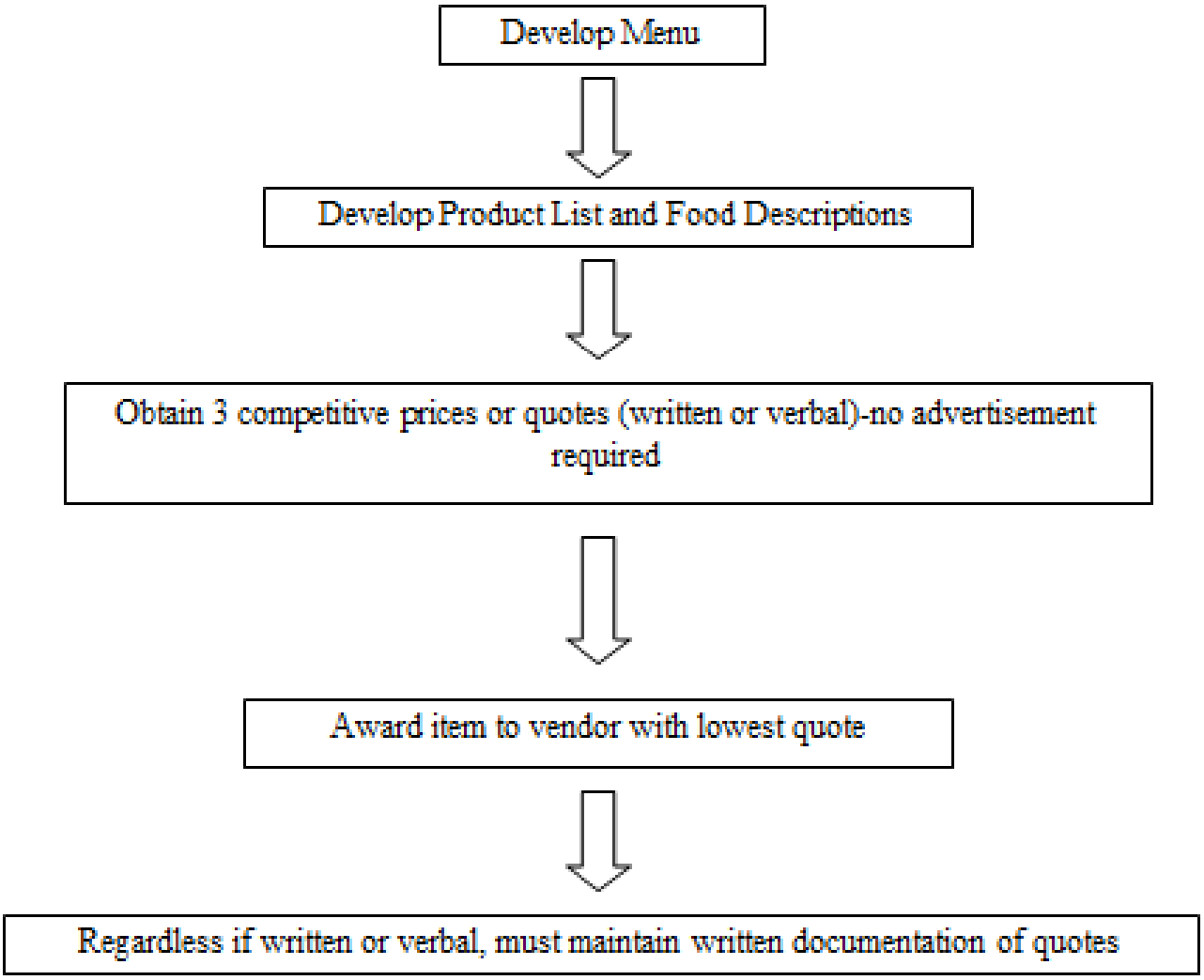


What are Informal Procurement Procedures?

Price or rate quotations from at least three qualified sources are necessary. All non-profit and for-profit child nutrition funds must use this method.

Public Sponsors: If public sponsors make a purchase using district/agency general fund dollars, purchases below $5,000 are not required to obtain competitive quotes but it is recommended. Price quotes can be verbal or written but either way documentation of quotes must be maintained.

Recommended Purchasing Path



What if I attempt to procure something and nobody responds or the item is only available from one store?

Procurement by noncompetitive proposals is solicitation of a proposal from only one source, or after solicitation of a number of sources, which is determined inadequate competition. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals, and one of the following circumstances applies:

- The item is available only from a single source
- The public emergency for the requirement will not permit a delay resulting from
- competitive solicitation
- The awarding agency (ODE CNP) authorized noncompetitive proposals
- After solicitation of a number of sources, competition is determined inadequate

Open and Free Competition

Regardless of the method used, purchasing transactions must be conducted in a manner that provides maximum open and free competition. Procurement procedures may not restrict or eliminate competition. Examples of restrictive competition include:

- Placing unreasonable requirements on potential vendors in order to disqualify them
- Organizational conflicts of interest between the Sponsor and vendors/bidders
- Unnecessary experience and bonding requirements

Use of Small and Minority Firms

Small and minority firms, women's business enterprise and labor surplus areas firms are to be used when possible.

Geographic Preference

Defining the geographic area that is considered to be local is up to the purchasing institution. The purchasing institution may specifically identify the geographic area within which unprocessed, locally raised and locally grown agricultural products will originate. The purchasing institution must not define local in a manner that unnecessarily restricts free and open competition. Purchasing institutions are encouraged to purchase unprocessed locally grown and locally raised agricultural products so procurement may give preference to agricultural products that are grown or raised in the local area. Bids/quotes still must be obtained from several sources to ensure free and open competition.

Section D – The Oregon Cooperative Procurement Program (ORCCP)

The Oregon Cooperative Procurement Program (ORCCP) allows all CACFP Sponsors access to state contracts to purchase goods and services. Current sponsors using the state contract save time and money. For information on this program please contact Kelly Stevens at (503) 378-3876. The uses of this program will simplify purchasing goods and services. (http://cms.oregon.egov.com/DAS/EGS/PS/docs/orcpp)

Section E – Vended Meals

Sponsors may contract with vendors to purchase meals and snacks. The decision to purchase meals from a vendor will depend on a variety of factors including each facility's availability of food service equipment, space, personnel, and budget. Meals may be purchased either in bulk or as pre-plated, individual meals. The contract may be for food preparation, only, or for preparation and delivery. A vendor may be:

- A private Non-Profit organization
- A Local Education Agency (LEA), or any other public entity
- A catering company
- A Food Service Management Company (FSMC) acting as a food vendor only—see *Section D Food Service Management Companies* below for specific requirements

Sponsors need to follow procurement procedures for competitive procurement for obtaining CACPF meals. See Section B How to Procure above. Sponsors will need to submit a draft copy of the Request(s) for Proposal to ODE CNP for review before soliciting vendor proposals.

Contracted Meal Service Requirements and Limitations

Sponsor and the successful proposer must enter into formal agreement and use the required *Annual Vended Meal Agreement form (located on CNPweb packet page)*. A draft copy of the *Annual Vended Meal Agreement* will be sent to ODE CNP for approval *before the Agreement is fully executed*.

Signing an *Annual Vended Meal Agreement* with a vendor does not relieve the Sponsor of its CACFP responsibilities of managing, monitoring, and record keeping, including compliance with meal patterns and portion sizes

Sponsor & Vendor Responsibilities

Sponsors and vendors have specific responsibilities when entering into a *Vended Meal Agreement* or a LEA-FSMC Contract.

Sponsor Responsibilities:

- Review all menus prior to ordering to assure compliance with all Program requirements
- Receive copies of recipes, original CN Labels, Standard of Identity labels (copies or originals) and Manufacturer's Product Analysis Sheets (MPAS) for combination foods on menus and review for creditability before meals are delivered or served. This documentation must be on file with the Sponsor prior to receiving and serving vended meals.
- Work with the vendor to adjust menus as necessary to meet Program requirements
- Receive and retain all *Daily Vendor Receipts*
- Ensure Sponsor and Vendor representatives sign and date *Daily Vendor Receipts*
- Examine meals as delivered for acceptability; document any discrepancies with food items or number of meals received at the time of receipt on the *Daily Vendor Receipt*.
- Keep documentation of delivery times and temperatures of foods as meals are delivered
- Work with vendor to rectify any problems with service, food quality, frequent substitutions, or inadequate meals
- Pay vendor billing invoices as agreed upon in the *Annual Vended Meal Agreement* or LEA-FSMC Contract.

Vendor Responsibilities:

- Work with the Sponsor to plan meals meeting all CACFP requirements
- Provide copies of recipes, original CN Labels, Standard of Identity labels (copies or originals) and Manufacturer's Product Analysis Sheets (MPAS) for combination foods for review prior to the delivery of meals
- Provide wholesome foods
- Deliver meals on time and as agreed in the *Annual Vended Meal Agreement*
- Sign and date *Daily Vendor Receipts* at the time of delivery
- Keep delivery records showing time and temperatures of foods delivered

- Work with the Sponsor to make adjustments to menus and service, as needed
- Send billing invoices as agreed upon in the *Annual Vended Meal Agreement* or LEA-FSMC Contract.

Menus & Menu Records

The Sponsor is responsible for making sure all purchased meals and snacks are reimbursable. The Sponsor must review and approve menus submitted by the vendor. A Sponsor staff person who is knowledgeable of CACFP meal pattern, menu documentation and portion size requirements should review the menus for compliance with program requirements. See Chapter 8 Meal Service Requirements for more information on meal requirements.

The Sponsor is responsible for obtaining all required menu documentation from the vendor to support reimbursable meals prior to receiving and serving vended meals. This documentation is to be maintained on file by the Sponsor. See Chapter 10 Menu Records for more information on menu records requirements.

When planned meals do not meet all Program requirements the Sponsor staff person should consult with the vendor to modify the menu.

Daily Vendor Receipts

Daily Vendor Receipts are necessary to document that food delivered from the vendor is consistent with the provisions of the *Annual Vended Meal Agreement*. Federal regulations specify that payment cannot be made for meals that:

- Do not meet meal pattern requirements
- Food that is spoiled or unwholesome at time of delivery.

Daily Vendor Receipts provide documentation for this requirement. *Daily Vendor Receipts* must include:

- Date of delivery
- List all food delivered in item count, weight or volume amount
- Provide instructions for portion sizes and serving details
- Document accurate food delivery time and temperatures
- Be signed and dated on delivery by the Vendor representative
- Be signed and dated on delivery by the Sponsor representative

- Verify consistency with provisions of the LEA-FSMC contract, if applicable

Sponsors may use the ODE CNP *Daily Vendor Receipt,* or develop their own daily vendor receipt. The Sponsor must maintain all *Daily Vendor Receipts* with other CACFP records.

Monitoring Delivered Meals

A trained Sponsor staff person should receive the food to verify the information on the *Daily Vendor Receipt* is accurate, determine if substitutions have been made and are acceptable, and to document and report any problems to the Sponsor.

Sponsor officials must routinely monitor meals provided by vendors. Multi-site Sponsors must do this as a part of their required site monitoring visits. Single-site Sponsors should document regular monitoring of vended meals. ODE CNP recommends the following checklist be used by all Sponsors:

- Does the approved menu represent the meals actually delivered?
- Are all required meal pattern components included?
- Are there frequent substitutions to the approved menus? If so, is the variety and acceptability of the menu maintained?
- Do all meals for the current month meet CACFP requirements?
- If meals are delivered, are meals or meal components counted at delivery, and any discrepancies recorded on the *Daily Vendor Receipt* or menu record?
- Are *Daily Vendor Receipts* maintained on file with the Sponsor?
- Are meals delivered at the agreed upon time?
- Are foods delivered and held at the required temperatures?
- Do all combination food items have a recipe, original CN label, Standard of Identity label or MPAS on file documenting creditable food components?
- Does the quality of food meet the specifications described in the LEA-FSMC contract or *Annual* V*ended Meal Agreement*?

Back-up System

The Sponsor must have a backup system in place in the event the vendor does not provide sufficient amounts of food or milk for all the participants present, or is unable to make a scheduled delivery due to unforeseen circumstances. A back-up system must be evident to ODE CNP during an administrative review.

Vendor Records

The Vendor must agree to maintain all records (invoices, receipts, recipes, original CN labels, Standard of Identity labels, MPAS, etc.) that are necessary to meet CACFP record keeping requirements. Records must be available to ODE CNP during administrative reviews or upon request.

To demonstrate the CACFP meal pattern requirements are being met, the Vendor must:

- Provide *Daily Vendor Receipts*
- Menus on a monthly, weekly or daily basis
- Recipes; original CN labels; Standard of Identity labels; and, MPAS to the Sponsor
- Demonstrate that state and local health and sanitation requirements are met at their food production facilities at all times.

The Sponsor may take action against the Vendor for meals that do not meet CACFP meal pattern requirements, are spoiled or unwholesome or otherwise does not meet the terms and conditions of the *Annual Vended Meal Agreement*.

Food Service Management Companies (FSMC)

A Food Service Management Company (FSMC) is considered a vendor in CACFP Federal regulations. FSMCs and other Vendors cannot manage the CACFP for a school district or other CACFP Sponsor.

The FSMC can do the following under CACFP regulations:

- Sell meals to a CACFP Sponsor
- Develop menus for the Sponsor's approval
- Provide required records associated with the production of food, such as:
    - Menus
    - Production records

- Recipes
- CN Labels
- MPAS
- Standard of Identity labels
- Product specifications
- Daily Vendor Receipts
- Assist the Sponsor staff coordinator, or co-coordinators, with staff training, but cannot serve as sole trainer

When a school district is a Local Education Authority and a CACFP Sponsor and the district wants to contract with a FSMC for its food services, it must use an ODE CNP prototype Request For Proposal (RFP) and contract. The LEA-FSMC contract must be submitted to ODE CNP for approval before it can be signed by the parties.

The CACFP Sponsor must:

- Assign a Sponsor staff coordinator or co-coordinators with authority to manage the CACFP
- Assure overall compliance with the CACFP regulations
- Approve *Confidential Income Statements* and develop the OMER

Monitor sites if a multi-site Sponsor (see Chapter 8 Meal Service Requirements)

- Correct problems found through site monitoring or record reviews
- Train staff with CACFP duties
- Attend/participate in ODE CNP annual training

- Approve menus
- Maintain all required CACFP records
- Maintain documentation of actual menus served and documentation demonstrating CACFP menu compliance such as:
  - Menus
  - Recipes
  - Menu production records

- CN labels—originals cut from packaging, only
- Manufacturer's Product Analysis Sheets (MPAS)
- Standard of Identity product labels
- Daily Vendor Receipts

- Validate and submit reimbursement claims
- Review Daily Vendor Receipts and communicate with the FSMC
- Maintain invoices from the FSMC for CACFP meals purchased
- Complete annual ODE CNP renewal application

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CHAPTER 15 AFTERSCHOOL AT-RISK MEALS & SNACKS PROGRAM

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Afterschool At-Risk Meals & Snacks Program

The Afterschool At-Risk Meals & Snacks component of the Child and Adult Care Food Program (CACFP) offers Federal funding to afterschool programs that serve a meal or snack to children in low-income areas.

Afterschool At-Risk Meals & Snacks Program sponsors are required to comply with all CACFP requirements except those superseded by the program specific requirements found in this chapter.

Section A – Program Eligibility

Eligible Programs

To be eligible to participate in the Afterschool At-Risk Meals & Snacks component of CACFP either independently or through a sponsor, an afterschool program must:

- Be organized primarily to provide for children afterschool or on the weekends, holidays, or school vacations during the regular school year
- Provide organized, adult supervised, regularly scheduled activities (i.e., in a structured and supervised environment)
- Include education or enrichment activities
- Be located in an eligible area
- Operate during the school year

Athletic Programs

Programs which are open to all and do not limit membership for reasons other than space, security, or licensing requirements or those that include supervised athletic activities together with educational or enrichment activities may be eligible

Students who are part of school sports teams and clubs can receive afterschool snacks or meals as part of a broad, overarching educational or enrichment program offered by a school. Afterschool “drop-in” programs are acceptable. There is no enrollment requirement, so individual student athletes who attend afterschool programs before or after team practices may receive meals and snacks.

However, afterschool programs that include supervised athletic activity may participate as long as they are “open to all” and do not limit membership for reasons other than space, security, or licensing requirements. For example, an afterschool police athletic league program that uses sports and recreational activities to provide constructive opportunities for community youth could

be approved to participate.

Organized athletic programs engaged in interscholastic or community level competitive sports (for example, youth sports leagues, community soccer and football leagues, area swim team) are not eligible.

Special Needs Programs

Afterschool At-Risk Programs that are designed to meet the special needs of enrolled children or that have other limiting factors may be eligible to participate. These could include programs for children who have learning disabilities or for those who are academically gifted. Other targeted programs may be eligible as well.

Organization Eligibility

Child Care Centers

While the At-Risk component of CACFP is primarily geared towards non-traditional child care centers such as drop in afterschool programs, child care centers already participating in CACFP also may participate. In this situation, children would attend the center after their school day or on weekends, holidays, or school vacation. Children who do not attend school would continue to participate in the traditional CACFP meal service provided by the center, even during the "afterschool" hours.

Sponsors operating both Child Care Center and Afterschool At-Risk Programs of the CACFP at the same site may only claim a total of two meals and one snack *or* one meal and two snacks per participant per day. These meals and snacks would include the meal and/or snack served as part of the Afterschool At-Risk Program.

For-Profit Centers

A For-Profit center may receive reimbursement for Afterschool At-Risk meals and snacks if it meets the eligibility requirements discussed above, and is eligible to participate in CACFP through its child care center program. This means that at least 25 percent of the children served by the center through its traditional child care center program:

- Are eligible for free or reduced-price meals based on their family income; or
- Receive benefits under Title XX of the Social Security Act and the center receives compensation under Title XX.

The 25 percent threshold is based on the center's enrollment or the licensed capacity, whichever is less. It is calculated during the calendar month preceding application for Program participation and each month, thereafter.

Example: A For-Profit child care center located in a low-income area has 32 pre-school children enrolled for care. The center would be able to claim reimbursement through CACFP for Afterschool At-Risk meals or snacks in any month in which the Sponsor has documentation that at least 8 of the 32 pre-school children are eligible for free or reduced-priced meals or are Title XX recipients.

Emergency Shelters

Emergency shelters that operate afterschool programs with education or enrichment activities for homeless children and youth during the school year may participate without regard to location.

Area Eligibility

Afterschool At-Risk Meals & Snacks Program sites must be located in a geographical area within the boundaries of a school (an elementary, middle, or high school) in which at least 50% of the enrolled students in the preceding October are eligible for free or reduced-priced meals under the National School Lunch Program (NSLP). Refer to the ODE CNP's current *Oregon Schools with 50% Free and Reduced-priced Eligibility List*. This list is updated annually.

Sponsors must obtain and submit proof that Afterschool At-Risk Meals & Snacks Program sites are area eligible. Acceptable documentation is:

- A letter or e-mail message from a school official stating that the site is located within the school attendance boundary of one of the schools on the above list
- A school boundary map showing the site is located within the school attendance boundary of one of the schools on the above list.

In school districts where busing or school choice policies are in place, if the site is located in the school from which the data is pulled, CACFP sponsors may always rely on the October NSLP free and reduced price meal data for that individual school. Additionally, where busing or school choice policies are in place, but school attendance areas are still defined, school and non-school site eligibility may be determined based on the October enrollment or attendance data obtained for:

- Free and reduced-priced eligibility of the students who actually attend the area school or;
- Free and reduced-priced eligibility of the students who would have attended the area school if it were not for the school busing or school choice policy. This option may be used only if the school food authority (SFA) is able to document the

percentage of children eligible for free and reduced price meals at each school before and after students are reassigned.

If the school district does not have defined school attendance areas, the use of school data is not permitted for non-school sites. The SFA should contact their assigned Child Nutrition Specialist for assistance.

Private and Charter Schools

Private schools may use the October free and reduced-priced enrollment data for that private school, or free and reduced-price enrollment data for the public school attendance area in which the private school is located, to qualify as an eligible site.

In areas that do not have specific assigned schools but allow children to enroll in any of the area schools, Afterschool At-Risk Meals & Snacks Programs located in school buildings should use the free and reduced-price enrollment data from the school they are located in to determine area eligibility.

Eligibility Duration

A site's area eligibility determination for Afterschool At-Risk Meals & Snacks is valid for 5 years, even if the percentage of student's approved for free or reduced-priced meals at the school used to make the determination drops below 50%.

Disaster Response--Special Site Approvals

CACFP Site Eligibility--Based on the significant needs of each community, Food and Nutrition Services (FNS) Regional Offices may waive the requirements under CACFP that sponsors document that each site is serving an area in which poor economic conditions exist.

These requirements may be waived for existing eligible sites located in the area damaged by a natural disaster that must relocate to areas that are not eligible based on school or census data.

Participant Eligibility

Afterschool At-Risk Programs may claim reimbursement only for meals and snacks served to children who participate in an approved afterschool program and who are age 18 or under at the start of the school year.

EXAMPLES:

1) Serving lunch to children after half-day kindergarten or a half-day Head Start Program is allowable through the Afterschool At-Risk meals component of CACFP because their school day has ended. However, the same children who are receiving lunch in the Afterschool At-Risk Program are not to be served lunch at school as well.

2) A Boys and Girls Club on the Afterschool At-Risk Program offers afterschool activities to children during the school year. Children younger than school age may be claimed for Afterschool At-Risk meals and snacks.

Although the At-Risk Program is available to children of all ages, there is no requirement that each facility must serve the full age range of eligible children. For example, a program could operate at a high school and serve only high school-age students.

Licensing and Health and Safety Requirements

Sites must have a current Child Care Division (CCD) license or be CCD recorded, unless exempt. Many afterschool programs operating in Oregon are exempt from CCD licensing. Contact CCD for further information on licensing requirements.

Sites that are exempt from state licensing or recording must either have:

- *Other Federal, State or local approval* (e.g., school district-operated site or XXIst Century Learning Center); or,
- Alternate Approval: All sites must meet State and/or local health and safety standards. (see Chapter 2 Application & Renewal)

Section B – Applying to Participate

Programs that are not a current CACFP Sponsor and are interested in applying to participate in the Afterschool At-Risk Meals & Snacks Programs should Chapter 2 Application & Renewal for information on applying to become a CACFP Sponsor

Current Child Nutrition Sponsors may amend their agreement to add the Afterschool At-Risk Meals & Snacks Program. However, all program records and participant tracking must be kept separately and a *State Agency-Sponsor Agreement* Addendum (Located on the CNPweb packet page) completed.

The following steps must be followed to add an Afterschool At-Risk Meals & Snacks Program site

to an existing *State Agency-Sponsor Agreement.* Current CACFP Sponsors and School Districts participating in the National School Lunch Program will follow the application instructions outlined below based on program type.

Operating an Afterschool At-Risk Meals & Snacks Program in Combination with Other CACFP Programs

Sponsors that are already participating in the CACFP through traditional Child Care Center Programs, Head Start centers, or Outside School Hours Centers may qualify for the Afterschool At-Risk Meals & Snacks Program reimbursement if they meet the same Eligible Program criteria as all Afterschool At-Risk Meals & Snacks Programs as defined in Section A of this chapter.

Additionally, Afterschool At-Risk Meals & Snacks Program must be located in separate facilities from the traditional Child Care Center Program (at a minimum, a separate classroom).

Claiming Meals

Sponsors operating both the traditional Child Care Center and Afterschool At-Risk components of the CACFP must adhere to the meal limitation of claiming no more than 2 meals and 1 snack, or 2 snacks and 1 meal per child per day.

Reimbursement for meals other than Afterschool At-Risk Meals & Snacks are claimed and paid according to the Sponsor's OMER, which must be supported by current, approved *CIS* forms or alternate eligibility documentation. For example, meals and snacks served to preschoolers or to students receiving breakfast before school are claimed for traditional CACFP meal reimbursement.

Record Keeping

Separate attendance, and meal count records must be maintained for the Afterschool At-Risk Meals & Snacks participants in the traditional child care program. Sponsors also *must not* include those participants who participate exclusively in the Afterschool At-Risk Meals & Snacks Program in their OMER. However, participants participating in both traditional child care and the Afterschool At-Risk Program *would* be included on the CACFP Child Enrollment Roster and in the OMER.

Application Procedure for Current CACFP Sponsors

Contact your assigned Child Nutrition Specialist as soon as you decide to add an Afterschool At-Risk Meals & Snacks Program site or sites. Sponsors will:

1. Submit an *Oregon Department of Education—Child Nutrition Programs Child and Adult Care Food Program State Agency-Sponsor Agreement--AMENDMENT* (Located on the

CNPweb packet page) to add Afterschool At-Risk Meals & Snacks Program to the existing *State Agency-Sponsor Agreement*

2. Submit an *Add Site/Modify Site Information Form* (Located on the CNPweb packet page) for each site to be added

3. Complete and submit the CNPweb Sponsor and Site information Sheets for ODE CNP approval

4. Submit documentation of the site's area eligibility

5. If the addition of an Afterschool At-Risk site changes an independent center Sponsor to a multi-site center Sponsor, the Sponsor must submit a new management plan and a multi-site budget. Sponsor will now be required to perform site monitoring (more than one CNPweb site number)

6. If adding Afterschool At-Risk to an existing site—Sponsor is not required to submit a new management plan or a multi-site budget

7. Submit a sample one-month menu and menu documentation, if requested by ODE CNP

8. If the site that is being added is an unaffiliated site, Sponsors must submit the *Child and Adult Care Food Program (CACFP) Agreement Between Sponsoring Organization and Unaffiliated Child Care Center* (Located on the CNPweb packet page)

9. Sponsors must:

   - Train staff responsible for CACFP operations at the Afterschool At-Risk Meals & Snacks Program site
   - Conduct a pre-approval review for the site if the Afterschool At-Risk Meals & Snacks Program site will operate in a building or location not already approved as a site in CNPweb. It is considered a best practice to conduct a pre-approval review for a program that is being added to a site that is already approved in CNPweb.

10. At its discretion, ODE CNP may conduct a Pre-Approval Review before approving the addition of a new Afterschool At-Risk Meals & Snacks Program site to an existing CACFP agreement.

11. Once the above-listed requirements are met and ODE CNP has approved all information, ODE CNP will notify the Sponsor of the approval of the Afterschool At-Risk Meals & Snacks Program participation and the start date (the date from which the Sponsor may begin claiming meals).

Application Procedure For School Districts Adding a CACFP Afterschool At-Risk Program

This is for Sponsors adding CACFP to an existing NSLP or SFSP Agreement. Contact your assigned Child Nutrition Specialist as soon as you decide to add an Afterschool At-Risk Meals & Snacks Program site or sites. Sponsors will:

1. Submit an *Oregon Department of Education—Child Nutrition Programs Child and Adult Care Food Program State Agency-Sponsor Agreement--AMENDMENT* (Located on the CNPweb packet page) to add Afterschool At-Risk Meals & Snacks Program to the existing *State Agency-Sponsor Agreement*

2. Submit a CNPweb *User Authorization Request and Certification* form for CACFP

3. Submit and CNPweb *New Sponsor Information* form *(Located on the CNPweb packet page)* to add CACFP to the Sponsor's CNPweb Sponsor file

4. Submit an *Add Site/Modify Site Information Form* *Located on the CNPweb packet page)* for each site to be added

5. Submit documentation of site eligibility *if* the site is not located at the same address as an area-eligible school

6. Complete and submit the CNPweb Sponsor and Site Information Sheets

7. Enter the meal pattern type (CACFP or NSLP) selected in field 56 General Comments on the Site Information Sheet in CNPweb

8. If the addition of an Afterschool At-Risk site changes an independent site Sponsor to a multi-site Sponsor, the Sponsor must submit a multi-site budget. Sponsor will now be required to perform site monitoring (more than one CNPweb site number)

9. Submit ODE CNP-required off-line forms:

    - Outside Employment Policy (*Located on the CNPweb packet page)*
    - Sample one-month menu and menu documentation, if requested by ODE CNP

10. At its discretion, ODE CNP may conduct a Pre-Approval Review before approving the addition of a new Afterschool At-Risk Meals & Snacks Program site to an existing CACFP agreement.

11. Once the above listed requirements are met and ODE CNP has approved all information, ODE CNP will notify the Sponsor of the approval of the Afterschool At-Risk Meals & Snacks Program participation and the start date (the date from which Sponsor may begin claiming meals).

Section C – Meal Patterns and Food Service

Afterschool At-Risk meals and snacks may only be claimed during the school year. On school days Sponsors may serve supper and snack meal types. On non-school days *(weekends, holidays, down days or school vacations)* Sponsors may elect to serve and claim one meal and one snack per participant per day from any of the six meal/snack types: breakfast, am snack, lunch, pm snack, supper, or evening snack.

Afterschool At-Risk Meals & Snacks Program sponsors may serve a snack and/or a meal after the school day ends and on non-school days even if served outside the traditional mealtime.

An Afterschool At-Risk center may not claim meals or snacks during the summer, unless it is located in the attendance area of a school operating on a year-round calendar. All meals and snacks must be provided free of charge.

Snacks and meals must meet CACFP meal pattern requirements for components and portion size. Sponsors may serve and claim:

- One snack and one meal per participant per day; or,
- With ODE CNP prior written approval, Sponsors may serve two snacks per participant per day if the Sponsor cannot serve a meal. Sponsors that would like to serve two snacks, instead of one meal and one snack must complete the information on meal types and times on the CNPweb Site Information Sheet. Write an explanation in field 56 *General Comments* stating the reason why the site cannot serve a meal and report by meal type on the CNPweb reimbursement claim.

If a program is serving both a snack and a meal (or two snacks), a minimum of 2-1/2 hours must elapse between the service start times. There is no minimum time between end of school and the meal or snack service, but it must be served during the operation of the afterschool care program.

Centers may serve different meals on different days or to different groups of children. For example, a site could serve lunch and a snack to children who attend half-day kindergarten and then serve a snack and supper to older children who attend full day school. Sites may also serve a supper and then a snack.

Meals and/or snacks served on weekdays when school is in session must be served after the child's school day has ended. Meals and/or snacks served on weekends, school breaks, school vacations or holidays may be served at any time of day approved by ODE CNP. Meals served before school, during the school day, or during the summer may not be claimed for reimbursement through the Afterschool At-Risk Meals & Snacks Program.

In areas where schools operate on a year-round basis, Afterschool At-Risk Meals & Snacks Programs set up to serve children attending the year-round schools may receive reimbursement for meals and snacks through the CACFP all year including summer.

In areas where the school week has been shortened to 4 or less days if the school offers an enrichment activity program on the non-school days it may serve a meal and/or snack as part of the program.

In areas where the school operates a longer than traditional school day they may be eligible for afterschool snack or meal reimbursement through CACFP. The school day must be at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency in which the school is located. If the district's change to a four-day week schedule increases the school day at least one hour longer than the State's average school day or the school day of the surrounding schools, the district may be eligible for Afterschool At-Risk meals or snacks. For more information contact your Child Nutrition Specialist.

Afterschool At-Risk Meals & Snacks Program Sponsors that are also Local Education Agencies (LEA) operating the National School Lunch Program (NSLP) may be reimbursed for snacks and meals that meet the ODE CNP-approved NSLP menu planning option.

The CACFP meal pattern for 6-12 year olds is used to determine minimum portion sizes for all reimbursable meals and snacks although increased portion sizes are encouraged, if appropriate. See Chapter 8 Meal Service Requirements for the CACFP Meal Pattern Chart.

Offer Versus Serve (OVS)

OVS is not an option during a snack service.

For meals, Afterschool At-Risk meals prepared in or by school food authorities (SFAs) may choose to use the National School Lunch Program (NSLP) and School Breakfast Program (SBP) meal pattern requirements or the CACFP meal patterns.

Additionally, Sponsors that serve meals prepared by SFAs that participate in NSLP and SBP—whether they are located in the school or in another location—have the option of using OVS in their At-Risk centers. Sponsors electing to use OVS must implement it in accordance with the approach used by the school providing the meals.

Offer versus serve means that children are offered all of the components of the meal pattern, but are not required to take them all. OVS is only an option for schools or facilities sponsored by or receiving meals from schools. Sponsors using OVS for Afterschool At-Risk meals should follow the same requirements relating to OVS that they would follow under the NSLP.

SFAs may use OVS for the meal service under either the CACFP or the NSLP meal patterns.

Sharing Tables

To avoid food waste, sponsors may designate a "sharing table" where food items participants do not want to eat may be placed for another participant to "share". The "sharing table" must be in a location that is beyond the point-of service meal count position (e.g., separate from the end of the cafeteria line, or on another table if using restaurant style meal service).

Before implementing a "sharing table", sponsors are responsible for contacting their local health department concerning policies regarding re-use of foods left on the "sharing table".

Recycling of Meal Components from a Sharing Table

The recycling of served milk that is unopened and retrieved for re-service or the re-service of other items as a component of another reimbursed meal is permitted if such practice is not contrary to applicable State and local health codes. Sponsors are responsible for contacting their local health department concerning policies regarding which types of food items may be recycled for re-service.

If the practice of recycling meal components is extensive, appropriate measures should be taken to increase consumption through proper and appealing service, nutrition education and other means.

Donation of Leftover Foods--Food Donation Policy

ODE CNP is committed to preventing hunger and to responsible stewardship of Federal dollars. Child Nutrition Program policy aims first to limit food waste and unnecessary costs. If a CACFP Sponsor has leftover food on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers.

Nevertheless, because of unforeseen circumstances, occasionally there will be leftover food. All alternatives permitted by Program regulations and State and local health and sanitation codes should be exhausted before discarding food. Options may include using leftovers in subsequent meal services; offering *sharing tables;* or, transferring food to other sites, if a multi-site Sponsor.

Where it is not feasible to reuse leftovers, excess food may be donated to a nonprofit organization, such as a community food bank, homeless shelter, or other nonprofit charitable organizations.

Section D -- Reimbursements

All meals served to all participants in this program are reimbursed at the Free reimbursement rate. It is not necessary for sponsors to make eligibility determinations based on household income. Therefore, Afterschool At-Risk Meals & Snacks Programs are not required to distribute or collect *CIS* forms or to develop a One Month Enrollment Report (OMER).

Section E – Required Record Keeping and Reporting

Sponsors that operate only Afterschool At-Risk Meals & Snacks Programs do not have to collect *CIS* forms or develop an OMER since snacks and suppers are reimbursed at the Free rate. The following records must be maintained:

- Daily attendance records or roster sheets with arrival and departure times OR "Present/Absent" notations
- Point-of-service meal or snack counts (See Chapter 5 Enrollment, Attendance & Meal Count Records.)
- Menus of snacks and meals which include the date and all food components served establishing that the meal patterns were met (See the *Sample Menu Form – Afterschool At-Risk.)*
- Documentation of non-profit food service including itemized food receipts. Note: School Districts will validate non-profit food service via annual submission of the A-133 audit and financial evaluation during Coordinated Review Effort (CRE), however, itemized food receipts must be available for review to substantiate all food items documented on the menu
- Site monitoring documentation if the Sponsor operates more than one site (See Chapter 13 Multi-Site Sponsors for more information on site monitoring)
    - SFAs may align their site monitoring with the NSLP site monitoring requirements
- Documentation of staff training (See Chapter 12 Training Requirements for more information on training requirements.)
    - SFAs may align their training with the NSLP staff training requirements
- Civil Rights Policy and complaint procedure and Racial Ethnic Data Collection.(See Chapter 11 Civil Rights for more information on Civil Rights requirements.)
- *Medical Statements for Food Substitutions forms* (See Chapter 8 Meal Service Requirements for more information on food substitutions.)
- Independent centers or sponsors must notify the ODE CNP of any substantive changes to the Afterschool At-Risk Meals & Snacks Program, including changes to existing sites, contact information, and key staff. Sponsors who want to add new Afterschool At-Risk Meals & Snacks Program sites must provide the ODE CNP with information indicating that the new sites meet Program requirements, including area eligibility. These sites must be approved before claims may be submitted.
- Proof of site eligibility – CCD licensing, other Federal, state or local approval or alternate approval, as applicable.

Section F – USDA At-Risk Afterschool Handbook

In June 2012 USDA issued *At-Risk Afterschool Meals – A Child and Adult Care Food Program Handbook*. The handbook provides further guidance on applying for and operating an Afterschool

At-Risk Meals & Snacks Program. ODE CNP encourages Sponsors to use this resource.

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CHAPTER 16 HOMELESS & EMERGENCY SHELTERS

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Homeless and emergency shelter Sponsors are required to comply with all CACFP requirements except those superseded by the program-specific requirements found in this chapter.

Section A – Program Eligibility

Eligible Sponsors

Emergency shelters that participate in CACFP provide residential and food services to children experiencing homelessness.

To be eligible, the shelter must be a public or private nonprofit institution or a temporary residential site sponsored by a public or private nonprofit agency. The shelter may participate as a facility under an existing CACFP sponsor, or complete an application and sign an agreement directly with the CACFP State Agency.

Eligible Sites and Licensing

Eligible sites include emergency shelters, domestic violence shelters, and some transitional housing providers. Shelters must provide temporary residential and food services to homeless children and their parents or guardians. Shelters must have documentation of current, satisfactory sanitation and fire/safety inspections. Unlike most other CACFP facilities, emergency shelters do not have to be licensed to provide day care. However, the shelter must meet any health and safety codes that are required by State or local law.

Disasters

During a disaster emergency shelters that provide temporary housing to displaced families are eligible to participate in CACFP. When ODE CNP designates a facility as an emergency shelter, all children through age 18 may receive up to three free meals (breakfast, lunch, and supper) each day. Where significant numbers of persons are being temporarily housed, ODE CNP may designate any *appropriate facility* as an emergency shelter, and may waive application requirements in these situations.

An *appropriate facility* may include a school or an institution which, although is not providing actual shelter, is nevertheless providing meals to displaced families who are being temporarily housed elsewhere, in locations that may not have the means to provide meal services to these temporary residents.

Eligible Participants

CACFP provides up to three meals a day for children age 18 and younger living in homeless shelters. CACFP serves children, including teenagers 18 and younger, who are emergency shelter residents. Persons with disabilities, regardless of their age, may also receive CACFP meals at the shelters where they reside.

Residents who receive their meals at the shelter are automatically eligible for free meals. There are no application forms for parents/guardians or participants to fill out.

All reimbursable meals are served in group settings, at no cost to the child, the child's parents or guardians or disabled participant.

Children and youth 18 years of age and younger who are temporary residents of the shelter are eligible to participate. Participants with disabilities, regardless of their age, temporarily residing in the shelter are also eligible.

Reimbursement Rate

All meals and snacks served to eligible children are reimbursed at the Free rate. Shelter Sponsors are not required to make eligibility determinations based on income. Therefore, shelter programs are not required to distribute and collect *Confidential Income Statements* or to develop a One Month Enrollment Report (OMER).

Reimbursable Meals

Emergency shelters receive payments for serving up to three meals each day to each eligible resident, on weekdays and week-ends. Reimbursable meals must meet USDA's nutrition standards, with foods like milk, meat, vegetables, fruit, and bread.

Meals and snacks must meet CACFP meal pattern requirements and must be provided to eligible participants free of charge. Shelters may be approved to be reimbursed for up to three reimbursable meals (breakfast, lunch, and supper) or two meals and one snack, per participant per day. Meals must be served in congregate meal settings. Meals served in private family quarters are not eligible.

The CACFP meal pattern for 6-12 year olds is also used to determine minimum portion sizes for all meals and snacks for children ages 13-18 years.

Shelters may use donated foods to prepare reimbursable meals. However, the shelter must be able to show that all CACFP reimbursement is used for food service and that no profit is made. See Chapter 7 Non-Profit Food Service for more information on documentation that is required to demonstrate nonprofit food service.

Feeding Infants

Emergency shelters serving infants must offer meals to infants and must offer an infant formula that meets program requirements. If a parent declines the formula offered by the facility, the parent can provide a different brand of formula. Sponsors need to document a parent's decision to decline the offered formula, however, in order to minimize the recordkeeping burden this can be done as simply as a notation on the meal count record or attendance record. Sponsors are not required to have a parent/guardian complete an *Infant Benefit Notification and Acknowledgement* form.

Section B – Record Keeping Requirements

USDA recognizes the difficult circumstances homeless families face and has modified the record keeping requirements for homeless and emergency shelters. However, homeless shelters must be able to accurately document the number of meals served to eligible children.

Shelter providers do not have to ask families to fill out any application or enrollment forms for children served through the CACFP. *Confidential Income Statements* and the OMER are also not required since all meals and snacks are reimbursed at the Free rate.

The Sponsor must maintain the following records:

- Documentation showing each participant resides in the shelter
- Daily attendance records
- Point-of-service meal counts, identified by child's name and age
- Menus of meals and snacks served to children which include the date and all food components served, with separate dated menus for infants
- Documentation of non-profit food service including itemized food receipts
- Site monitoring documentation (if Sponsor operates more than one site)
- Documentation of staff training
- Civil Rights related records
- *Medical Statements for Food Substitutions forms*

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CHAPTER 17 HEAD START

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Sponsors of CACFP Head Start must comply with all CACFP requirements except those superseded by the Head Start program-specific requirements found in this chapter.

Section A – Overview

Head Start centers, Early Head Start centers, and Oregon Head Start Pre-Kindergarten (OHS Pre-K) Programs participate in the Child and Adult Care Food Program (CACFP) either as independent centers or under the auspices of a sponsoring organization. Center-based, home-based, and combination Head Start models are eligible to receive meal reimbursement for meals served in congregate meal settings in an ODE CNP-approved child care facility. Because of the unique nature of Head Start and Early Head Start, the USDA and ODE CNP have modified some of the record keeping requirements.

Site Approval

Federal or State approved Head Start sites qualify for CACFP as "Other Federal, State, and Local Approval". In CNPweb Sponsors will select "Other Federal State or Local Approval" on the CNPweb Site Information Sheet. They will put in their approval type as "Fed Head Start/Ore Pre-K".

Sites that provide "wrap-around," full day care for participants must have a current Child Care Division (CCD) license. Current CCD license number and information is to be entered by the Sponsor in the "General Comments" field on the appropriate CNPweb Site Information Sheet(s) and kept up to date throughout the year as expiration dates change.

Head Start Program sites that are exempt from CCD licensing requirements must be a CCD Recorded Preschool. Current CCD Recorded Preschool number and information is to be entered by the Sponsor in the "General Comments" field on the appropriate CNPweb Site Information Sheet(s) and kept up to date throughout the year as expiration dates change.

Section B – Automatic Free Meal Eligibility for Head Start Enrollees

All children enrolled in Head Start, Early Head Start and OHS Pre-K Programs are automatically eligible for free meals in Child Nutrition Programs even if the child did not qualify for Head Start based on income. All reimbursable meals served to children enrolled in Head Start/OHS Pre-K programs may be claimed at the free rate.

On the October reimbursement claim for each site, Head Start sponsors will enter the total number of enrolled Head Start children in the Free category and will report "0" children in the Reduced-priced and Above-Scale categories.

Sibling and/or community slot children do not automatically qualify for free meals. If a Head Start/OHS Pre-K site(s) wants to claim meals for siblings and/or community slot children, they must collect and approve *Confidential Income Statements* (CIS) for those children and develop a

One Month Enrollment Report (OMER) for the affected site(s) serving siblings and/or community slot children. See Chapter 4 The One Month Enrollment Report for more information on developing an OMER,

Certifying Head Start Eligibility for Other Sponsors

If a Head Start/OHS Pre-K participant is in care at a child care center or family day care home (home) participating in CACFP, the center or home may claim the child in the Free category without a completed CIS if they have an official document from a Head Start/OHS Pre-K program stating the child is enrolled for the current school year.

ODE CNP will inform child care centers and home providers during training that if they care for Head Start/OHS Pre-K children, the children may be automatically eligible to be claimed in the Free category on the One Month Enrollment Report (OMER). If a Head Start/OHS Pre-K participant is in care at a child care center or home, the center or home may claim the child in the Free category without a completed *CIS* if they have an official document stating the child is currently enrolled in the Head Start/OHS Pre-K program.

ODE CNP requests Head Start sponsors provide parents/guardians of participants an official document stating that the participant is enrolled in the Head Start program. The document (e.g., a letter) should state the enrollment year, be dated and signed by a Head Start official.

A sample letter could state:

> Jane Doe is enrolled in the (name of sponsor) OHS Pre-K program for the 20__-20__ school year. If she is also enrolled in a child care center or home that participates in the Child and Adult Care Food Program, present this document as a certification that your child is enrolled in OHS Pre-K and you will not be required to complete a *Confidential Income Statement*.

ODE CNP is also aware that some Head Start/OHS Pre-K programs transport children to centers or homes. If this is the case, the Head Start/OHS Pre-K program may provide the center with an official document on the sponsor's letterhead, which lists the names of the Head Start/OHS Pre-K-enrolled children, the school year (e.g. 20__-20__). The document must be signed and dated by a Head Start official.

Section C – Developing the OMER – if claiming meals for siblings and/or community slot children

On the October reimbursement claim, Head Start/OHS Pre-K Sponsors must fill in the OMER numbers. The OMER must include all participants, and only those participants, who are *enrolled* in the OMER month. *Enrolled* means there is a *CACFP Child Enrollment Form* on file. See Chapter 5 Enrollment, Attendance & Meal Count Records for further instructions on *CACFP Child Enrollment Forms*.

Sponsors of Head Start/OHS Pre-K programs must develop a system for ensuring that the OMER is accurate. The system must address ways to:

Determine Income Eligibility

- Identify siblings of enrolled participants whose meals will be claimed for reimbursement.
- Identify community slot participants (non-Head Start or OHS Pre-K-funded participants) whose meals will be claimed for reimbursement.
- Distribute, collect, and approve the *CIS* for those participants.

Develop the CACFP Child Enrollment Roster

- Annually collect a CACFP Child Enrollment Form for all Head Start/OHS Pre-K enrollees, siblings and children in community slots.
- Develop an October CACFP Child Enrollment Roster that includes all children *enrolled* in October at the affected site(s).
- Indicate on the CACFP Child Enrollment Roster each sibling and/or community slot child's income eligibility category based on the eligibility determination from the *CIS*. All Head Start/OHS Pre-K enrollees will be entered as "HS free".
- Report the OMER numbers tallied in the OMER block at the top of the roster form for Free, Reduced-Price and Above-Scale on the October reimbursement site claim for the affected site(s) in the section ***Center Operating and Enrollment Data (Must reflect the claiming period)***—fields 1-4 on the site claim.

When ODE CNP conducts an administrative review, the Sponsor will be asked if there are siblings and/or community slots being claimed at any site. If yes, ODE CNP staff will review the approved *CIS* forms for siblings and community slot children, the October OMER for the affected site(s), and all CACFP Child Enrollment Form(s).

Some Migrant Head Start programs may have substantial changes in their

attendance patterns after October. These programs may submit a request for a revised OMER. Sponsors must submit requests in writing to their ODE CNP assigned specialist.

Section D – Recording Attendance

All Head Start/OHS Pre-K classrooms must record daily attendance. Depending on the situation, either recording In/Out times or present/absent may serve to document daily attendance.

Present/Absent

For part-day classrooms which have a distinct start and end time, arrival and departure times are not routinely required. A record of each participant's presence or absence is sufficient. Deviations from the normal school day, such as late arrivals and early departures must be recorded with In/Out times.

Full Day

Full day, "wrap-around" classrooms must document actual In/Out times as required by the Child Care Division. There must be a system in place for recording In/Out times when parents fail to do so.

School Bus Transport

For those participants who are transported by school bus, a "B" may be used to indicate their arrival or departure on the bus. The scheduled arrival and departure time of the bus must be documented on the attendance record.

Siblings and Community Slot Children

When siblings and/or community slot children are in the classroom and their meals are claimed for CACFP reimbursement, their attendance must be documented on the Daily Attendance Record with their first and last names and In/Out times recorded. It is not sufficient to record only presence or absence for these participants.

Section E – Family Style Meal Service

According to Head Start performance standards, meals in Head Start programs should be served "family style." This style of meal service often enhances young participant's acceptance of offered foods and affords them latitude in the size of initial servings. Family style meals served in compliance with the following practices are eligible for CACFP reimbursement.

Food Preparation

A sufficient amount of prepared food and beverage must be placed on each table or be "readily available" to provide the full required portions of each of the food components for all participants at the table, and to accommodate adults who participate in the meal. See Chapter 8 Meal Service Requirements for more information on the definition of "readily available".

Although meals served to adults are not eligible for CACFP reimbursement, it is important that the number of adults who eat are included when menu planning. Because supervising adults as well as parent and sibling visitors routinely eat meals with participants, Head Start programs must ensure that adequate amounts of foods are purchased and prepared to feed all participants, visiting siblings and adults.

Meal Service

Every participant should initially be offered and encouraged to take the full portion of each meal component required for his or her age group. If a child initially refuses a component or does not take the full portion, the supervising adult is responsible to actively encourage the child to at least take a trial portion, or offer a second helping of the food component during the course of the meal. A supervising adult must be seated at each table for the duration of the meal.

Section F – Claiming Meals Served to Non-Head Start or OHS Pre-K-Funded Participants ("Community Slots")

Some Head Start sponsors have participants whose slot is paid for by a funding source other than Head Start or Oregon Pre K. *If this is the case, the participant is not automatically eligible for free meals.*

To claim these meals, a Head Start Sponsor must follow the instructions in "Section C: Developing the OMER" in this chapter.

Section G – Claiming Meals Served To Sibling Visitors

Siblings of Head Start/OHS Pre-K—enrolled children are not automatically eligible for Free meals.

If sibling meals are not claimed, Head Start/OHS Pre-K programs are not required to develop an OMER and all Head Start/OHS Pre-K—enrolled children will be reimbursed at the Free Rate.

CACFP regulations do not require Head Start/OHS Pre-K programs to claim reimbursement for meals served to siblings. It is each Head Start/OHS Pre-K sponsor's choice to decide if it will claim meals served to sibling visitors.

If a Sponsor chooses to claim meals for siblings of Head Start/OHS Pre-K enrolled children the Sponsor must:

- Collect and approve CIS for the affected families.
- Follow the instructions for "Developing the OMER" in Section C of this chapter for each site claiming siblings.
- Maintain compliance with other requirements as described in this chapter.

Meals served to participants' siblings, age's birth through 12 years of age, must:

- Meet CACFP meal pattern requirements in order to claim the meals for reimbursement.
- Contain all required meal pattern components and be served in the required portion sizes based on the child's age. Siblings must be included on the meal count form. Sibling meal counts must be recorded using the "actual count" method. See Chapter 5 Enrollment, Attendance & Meal Count Records for more information on the "actual count" method of meal counts. The sibling's full name, date of birth and the name of the participant the sibling is related to must be documented.

Meals claimed for reimbursement for infant siblings must be consistent with all infant feeding regulations. See Chapter 9 Infants for more information on infant meals.

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CHAPTER 18 FOR-PROFIT PROGRAMS

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Sponsors of CACFP For-Profit programs must comply with all CACFP requirements except those superseded by the For-Profit program-specific requirements found in this chapter.

Section A – Qualifying as a For-Profit Program

For-Profit (also referred to as "Proprietary") CACFP Sponsors may be any qualifying private, For-Profit organization that provides nonresidential child care services and meets one of the following criteria in the month preceding initial application or reapplication and each month thereafter for each site claimed:

- 25% Title XX of the Social Security Act Eligibility—Child Care Centers
- 25% Title XIX of the Social Security Act (Medicaid) Eligibility—Adult Day Service Centers

OR

- 25% Free & Reduced-Price Eligibility

Both methods for qualifying to claim meal reimbursement are determined monthly on a site-by-site basis. It is possible that not all sites will qualify to claim meal reimbursement every month.

25% Title XX Eligibility—Child Care Centers

Department of Human Services (DHS) uses Federal Title XX funds to subsidize the Employment Related Day Care (ERDC) program.

For-Profit Sponsors may qualify if a site has 25% of currently participating enrollment or 25% of licensed capacity, whichever is less, receiving DHS ERDC subsidies. Currently participating enrollment is defined as participants that are currently enrolled during the claim month. Licensed capacity is defined as the capacity listed on the site's Child Care Division certification.

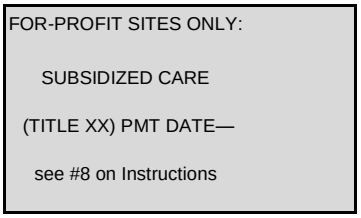
For-Profit Sponsors must maintain *DHS-ERDC "Child Care Payment Notice: Provider"* for each child counted in the 25% on file for every month a reimbursement claim is submitted.

Sponsors must use the following process to determine 25% eligibility for each site every month prior to submitting a claim for meal reimbursement to ODE CNP:

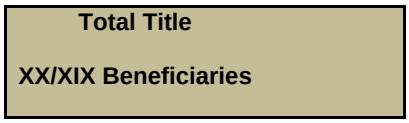
- Use current *DHS-ERDC "Child Care Payment Notice: Provider"* that have been

received for the claim month.

- Create a CACFP Child Enrollment Roster for each claim month listing all enrolled participants.
- Document on the CACFP Child Enrollment Roster the date on the *DHS-ERDC "Child Care Payment Notice: Provider" for* each participant for whom benefits have been received. This date goes in the column headed:



- The total the number of children with a *DHS-ERDC "Child Care Payment Notice: Provider"* date listed will be tallied in the box in the header of the roster shown below:



- To get the percentage Title XX-eligible participants at the site, take the total from the box shown above on the roster and divide that number by the total number of children listed on the enrollment roster, or the licensed capacity of the site, whichever is less.

- If the site has greater than or equal to 25% Title XX-eligible participants during the month, the site qualifies for CACFP meal reimbursement in that month.

25% Title XIX Eligibility—Adult Day Service Centers

For-Profit Sponsors may qualify if a site has 25% of currently participating enrollment or 25% of licensed capacity, whichever is less, receiving Title XIX funds. Currently participating enrollment is defined as participants that are currently enrolled during the claim month. Licensed capacity is defined as the capacity listed on the site's certification.

For-Profit Sponsors must maintain Title XIX funds eligibility documentation for each participant counted in the 25% on file for every month a reimbursement claim is submitted.

Sponsors must use the following process to determine 25% eligibility for each site every month prior to submitting a claim for meal reimbursement to ODE CNP:

- Use current Title XIX funds eligibility documentation that has been received for the claim month.
- Create a CACFP Adult Enrollment Roster for each claim month listing all enrolled participants.
- Document on the CACFP Adult Enrollment Roster the date on the Title XIX Medicaid eligibility documentation for each participant for whom benefits have been received. This date goes in the column headed:

FOR-PROFIT SITES ONLY: SUBSIDIZED CARE (TITLE XX) PMT DATE— see #8 on Instructions

- The total the number of participants with a Title XIX funds eligibility documentation date listed will be tallied in the box in the header of the roster shown below:

Total Title XX/XIX Beneficiaries

- To get the percentage Title XIX-eligible participants at the site, take the total from the box shown above on the roster and divide that number by the total number of participants listed on the enrollment roster, or the licensed capacity of the site, whichever is less.
- If the site has greater than or equal to 25% Title XIX-eligible participants during the month, the site qualifies for CACFP meal reimbursement in that month.

25% Free & Reduced-Priced Eligibility

For-Profit Sponsors may qualify for CACFP reimbursement in a given month if 25% of the site's currently participating enrollment or 25% of its licensed capacity, whichever is less are eligible for Free or Reduced-Price meals in that month. Sponsors must use the following process to determine 25% eligibility for each site every month prior to submitting a claim for meal reimbursement to ODE CNP:

Use current *Confidential Income Statements* (*CIS*), or other eligibility documentation to determine each participant's eligibility category. See Chapter 3 Eligibility Determination for more information on determining a participant's eligibility category.

- Create a CACFP Enrollment Roster for each claim month listing all enrolled participants.
- Document on the CACFP Enrollment Roster the eligibility category (Free,

Reduced-Price or Above-Scale) of each participant based on the current and approved *CIS* or other eligibility documentation. Count participants who do not have a current and approved *CIS* or other eligibility documentation on file as Above-Scale.

- The total the number of participants in each of the three eligibility categories will be tallied in the One Month Enrollment Report (OMER) block on the roster.
- To get the percentage of Free and Reduced-Priced participants at the site, total the number of participants who are Free and Reduced-Price eligible and divide that number by the total number of participants listed on the enrollment roster, or the licensed capacity of the site, whichever is less.
- If the site has greater than or equal to 25% Free and Reduced-Price eligible participants during the month, the site qualifies for CACFP meal reimbursement in that month.

Requirement to Determine Site Eligibility Monthly

Sponsors must determine if all For-Profit sites meet or exceed the 25% eligibility requirement before submitting the site claim form. The sponsor must maintain documentation demonstrating it verified for-profit qualifications for each site for which meals are claimed.

A Sponsor may not round up when determining the 25% eligibility. A site with only 24.9% of its currently participating enrollment and only 23% of licensed capacity receiving DHS-ERDC subsidies or eligible for Free and/or Reduced-Price is *not* eligible for meal reimbursement that month. CNPweb will calculate the site eligibility as noted in Section B below.

Section B – Submission of a Claim for Reimbursement

Depending on the information used to qualify the site, the sponsor will submit one of the following:

1. Total Title XX Beneficiary remittance notices received or Title XIX eligible participant; or, total Free/Reduced-Price Eligible participants;

   and,

2. Current total enrollment or site capacity, whichever is less.

When completing the site claim in CNPweb, or when completing a paper claim, the For-Profit sponsor will enter the numbers determined above in the following spaces on the claim:

For-Profit Sites Only:

- Total Title XX / XIX Beneficiaries or F/RP Eligible
- Current Total Enrollment or Site Capacity, whichever is less

Once the numbers have been entered, the For-Profit sponsor will certify that documentation is on file for the claim month to support the For-Profit eligibility utilized for the site:

- This organization certifies that during this claim month at the site being claimed, 25% of the Current Enrollment or Site Capacity (whichever is less) are Title XX or Title XIX Beneficiaries or Free/Reduced-Price Eligible Participants

If the site did not meet the For-Profit eligibility requirements for the claim month the Sponsor will certify the following statement:

- This organization realized that the Site does not meet the 25% Eligibility for For-Profit Sites, and that this claim will not be reimbursed and no meals will be reported.

Section C – Record Keeping Requirements

For-Profit Sponsors must comply with all state and Federal regulations and policies governing CACFP Sponsors as described in this manual. In addition, all For-Profit Sponsors must maintain records documenting that they meet the 25% qualifying standard for each site every month CACFP reimbursement is claimed for the site. For-Profit Sponsors receiving Federal funds may be required by ODE CNP to have periodic audits.

Following is a list of records For-Profit Sponsors must maintain in addition to the records required of all CACFP Sponsors, as described throughout this manual:

Title XX 25% Eligibility Documentation:

- *DHS-ERDC "Child Care Payment Notice: Provider" for each eligible participant*
- CACFP Child Enrollment Roster for the claim month
- CCD licensed capacity
- Calculations and documents demonstrating how the 25% Title XX eligibility was met for each site claimed for the claim month

Title XIX 25% Eligibility Documentation:

- Title XIX eligibility documentation for each eligible participant

- CACFP Adult Enrollment Roster for the claim month
- Site licensed capacity
- Calculations and documents demonstrating how the 25% Title XIX eligibility was met for each site claimed for the claim month

Free/Reduced-Price 25% Eligibility Documentation:

- Current *CIS* forms or alternate eligibility documentation for all participants counted as Free- and Reduced-Price-eligible during the claim month
- CACFP Child Enrollment Roster for the claim month
- CCD license capacity
- Calculations and documents demonstrating how the 25% Free and Reduced-Price eligibility was met for each site claimed for the claim month

Section D – Change in Ownership

Sponsors *must* notify ODE CNP of ownership changes prior to the change taking place in order to avoid a potential lapse in claiming and/or unallowable reimbursement. In general, the agreement will be terminated and the "new sponsor" will need to apply for CACFP participation.

Contact your assigned Child Nutrition Specialist as soon as possible once it has been determined that a For-Profit care center is to be sold.

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CHAPTER 19 VACANT

CHAPTER 20 AUDITS, ADMINISTRATIVE REVIEWS & SERIOUS DEFICIENCIES

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Section A – Audits

Sponsors that expend $500,000.00 or more in Federal funds in their fiscal year for any year are required to submit an A-133 audit within 9 months of the close of their fiscal year. Each year on the CNPweb *Sponsor Information Sheet* Sponsors are required to report and certify if they have spent more than $500,000.00 in Federal funds during their previous fiscal year. ODE CNP will send a letter to those Sponsor answering "yes" in field 126 of the CNPweb *Sponsor Information Sheet* requiring the organization to have an audit completed no later than nine months after the close of the organization's fiscal year.

Sponsors who are notified by ODE CNP of their responsibility to have an audit must have the audit posted on the Federal Audit Clearinghouse website by their auditor within nine months after the end of the organization's fiscal year. Failure to complete the audit or to post the audit on the clearinghouse website by the deadline stipulated will result in the organization being categorized as "seriously deficient" and may lead to termination from the CACFP.

If the organization has any audit findings or a management letter reflecting any material weakness, the Sponsor's auditor must submit a copy of the audit to ODE CNP within nine months of the close of the organization's fiscal year.

ODE CNP may require For-Profit Sponsors to submit an audit to ODE CNP or to be audited by ODE CNP.

The objective of an audit is to evaluate the integrity of an organization's financial data. An auditor will assess the program's financial operations. Specifically, an audit will determine if a Sponsor's:

- Financial statement fairly represents its financial position;
- Financial operations are in accordance with generally accepted accounting principles; and
- Internal control systems provide reasonable assurance that it is managing Federal funds in compliance with laws and regulations.

Section B – Administrative Reviews

ODE CNP conducts Administrative Reviews of all Sponsors at least once every 3 years.

The purpose of the Administrative Review is to measure the Sponsor's program to State and Federal standards; assess agency viability, accountability and capability; and to follow-up on any previous Administrative Review findings to ensure the Sponsor fully and permanently

implemented the required corrective actions. The Administrative Review is not intended to discover all possible program deficiencies and any omission from the Administrative Review report does not mean that those deficient practices are acceptable.

ODE CNP reviews Sponsor level and site-level compliance. Sponsor level reviews may be announced or unannounced. All site level reviews are conducted on an unannounced basis. If the Sponsor-level administrative review is announced, ODE CNP will send the Sponsor a review confirmation letter with a list of documents that must be available at the time of the review.

There are five parts to the administrative review:

- Entrance interview
- Records review and site visit(s)
- Meal observation(s)
- Exit conference
- Corrective action (if needed)

ODE CNP recommends that Sponsors actively evaluate their management of the CACFP on an on-going basis. Ideas for self-monitoring include:

- Unannounced site monitoring visits that include meal observations, even if a single-site Sponsor
- Periodic comparison of food receipts and menus
- Periodic milk studies comparing milk purchased with number of meals claimed

Entrance Interview

The purpose of the entrance interview is for ODE CNP and the Sponsor staff to discuss the review process, gather information on the Sponsor's internal policies and procedures, and discuss the review schedule.

Records Review

Depending on the size and complexity of the program, the records review may take one or more days. The records review will include:

1. ***Validation of the One Month Enrollment Report (OMER)*** (Not applicable to reviews of Afterschool At-Risk Meals and Snacks programs, Homeless programs and Head Start Programs that do not claim meals for siblings or Community Slots).

- ODE CNP reviewers will recreate the most recent OMER that was submitted.
- Eligibility documentation will be examined for completeness and accuracy.
- Enrollment records, the CACFP Child Enrollment Roster and the OMER reported on the October reimbursement claim will be verified.

2. Test month claim validation

- ODE CNP will announce the test month during the entrance interview
- The reviewer(s) will inspect meal counts and attendance records for a test month and complete a five-day reconciliation, at a minimum.
- Daily attendance must be complete and accurate, and must support meal counts.

3. Menu records review

ODE CNP reviewers will:

- Verify that meals served in the test month met CACFP meal pattern requirements by reviewing all required menu records and documentation including menus, recipes, menu production records, CN Labels, Manufacturer's Product Analysis Sheets (MPAS), and standard of identity labels
- Medical Statements for Food Substitution forms
- Parent/Guardian Written Request for Non-Dairy Beverage Substitution form
- Review itemized goods and services receipts to verify that food purchases substantiate documented menus

4. *Non-profit food service review*

ODE CNP reviewers verify all foodservice expenditures to ensure the Sponsor uses CACFP reimbursement solely for the food service. These records include but are not limited to (see Chapter 7 Non-Profit Food Service and Chapter 14 Procurement):

- Itemized receipts goods and services

- Itemized receipts or other records for food donations and any service fees associated with donated foods (e.g., foods and non-food items from the Oregon Food Bank or food pantries)
- Documentation of labor and other costs
- Site monitoring mileage
- Comparison of the expenditures to the ODE CNP-approved budget—multi-site sponsors, only

5. Milk study

- ODE CNP reviewers will review milk receipts and invoices and will calculate the amount of milk purchased during the test month. The amount purchased will be compared to the amount needed for the meals claimed for reimbursement during the test month (based on number of meals served and minimum portion sizes). The "Readily Available" option of Family-style meal service and the "Offer Versus Serve" option in adult programs will be taken into consideration when ODE CNP conducts the milk study.

6. Civil Rights compliance

- ODE CNP reviewers will check to see if the "And Justice For All" posters are displayed where parents, adult participants and the public can see and read them easily, and that the non-discrimination complaint procedures are published on required materials.
- ODE CNP reviewers will check to see if the Sponsor's staff is trained on receiving Civil Rights complaints and that all Civil Rights complaint procedures are in place as required.
- ODE CNP reviewers will verify that the Annual Racial-Ethnic Reporting Requirements have been met.

7. Staff training

- ODE CNP reviewers will review documentation of annual Sponsor internal training and new staff training on CACFP procedures.
- ODE CNP reviewers will observe the Sponsor's CACFP staff to assess their understanding of their CACFP duties and the effectiveness of the Sponsor's training.

8. Approval

- Child Care Division licensed or registered sites: ODE CNP reviewers will look at each site's current CCD licensure.
- "Other Federal, State or Local approval" sites: ODE CNP reviewers will verify sites by program type.
- "Alternate Approval" sites: ODE CNP reviewers will review the Sponsor's current Sanitation and Fire/Safety inspection reports to make sure the sites were in compliance with local fire and sanitation requirements.

9. Site monitoring

For multi-site Sponsors, ODE CNP reviewers will evaluate site monitoring review reports for completion, thoroughness and frequency. ODE CNP reviewers will verify:

- The required number of site monitoring reviews were performed in the previous 12 months of Program operation which may cover more than 12 calendar months for some programs (e.g., Head Start, Afterschool At-Risk Meals & Snacks)
- The site monitoring reviews were documented and that review reports are thoroughly completed, signed and dated
- That at least two of the required three site monitoring reviews at each Sponsored site were unannounced
- Corrective actions and follow-up procedures administered by the Sponsor to a site were thoroughly documented and that corrective actions were effective

Meal Observation

Unannounced meal observations may occur several weeks or months prior to, during or after, the administrative review. Reviewers may observe meals at one, several, or all sites.

During the meal observation, ODE CNP reviewers will:

- Evaluate compliance with meal pattern and portion size requirements
- Evaluate meal service style
- Check attendance and meal count procedures
- Check safety and sanitation procedures

- Evaluate compliance with Civil Rights requirements
- Check *Medical Statements for Food Substitutions forms* on file
- Evaluate effectiveness of staff training and site monitoring
- Review CCD license for compliance, if licensed

Exit Conference

At the completion of the administrative review, the ODE CNP reviewer will conduct an exit conference with Sponsor staff responsible for CACFP operations. Ideally, the exit conference will be conducted in person however it may be conducted via telephone, if needed.

The ODE CNP reviewer will report on program strengths, findings, required corrective actions, technical assistance provided and recommendations. At the exit conference the ODE CNP reviewer may issue a *Preliminary Finding Report* or a *Final Administrative Review Report*.

Due to time constraints and program complexity, on occasion the ODE CNP reviewer will not issue either type of finding report at the exit conference. If the *Preliminary Finding Report* is left, an official *Final Administrative Review Report* that describes final findings and required corrective actions will be sent at a later date. In this case, the *Final Administrative Review Report* may not be the same as the *Preliminary Finding Report*.

Section C – Findings and Corrective Actions

An administrative review, audit, or other review may discover findings. Findings are areas of non-compliance with Federal regulations or State Agency (ODE CNP) policies. When findings are identified as part of an audit or administrative review, the Sponsor must fully and permanently correct the findings within required timeframes.

Administrative Review Report

Findings and required corrective actions will be described in detail in the *Administrative Review Report* that will be issued to the Sponsor official who is on file with ODE CNP as the Sponsor's Authorized Representative or Food Program Coordinator as listed in CNPweb or their designee. A copy of the report will also be sent to the board chair of Non-Profit organizations.

Corrective Action

Corrective actions are those actions ODE CNP requires the Sponsor to take to correct the non-compliance findings. CA must be submitted and implemented by the due date.

The Sponsor may be required to take the following corrective actions:

- Develop and implement systems or procedures to demonstrate compliance with Federal regulations or state policy
- Submit other required documents

Required corrective actions will always include submitting to ODE CNP a written plan that clearly describes how the Sponsor will correct all noncompliance findings. The written plan must describe ways the Sponsor will permanently and fully correct the areas of non-compliance. Corrective actions must also be implemented effectively.

ODE CNP may require Sponsors to submit supporting evidence with the corrective action plan, such as copies of *CIS* forms, Enrollment Rosters, staff training documentation, site monitoring reports, menus, CN Labels or Manufacturers' Product Analysis Sheets (MPAS) or recipes, attendance records, meal count forms, or itemized food receipts.

Responding to Corrective Action

The Sponsor must submit a written response to findings and required corrective actions within 30 days of the receipt of *Administrative Review Report*. Occasionally, ODE CNP may determine that a shorter or longer response due date is required. When a thorough and complete response is submitted and accepted, ODE CNP will issue written notification that the administrative review is closed with a notice of any financial assessment to the Sponsor as a result of the review findings. Failure to submit a timely response will result in the Sponsor being categorized as "Seriously Deficient" in the operation of CACFP.

Financial Assessments

If findings showed the Sponsor claimed reimbursement for meals without adequate documentation to demonstrate CACFP compliance, ODE CNP will require the Sponsor to pay back funds to ODE CNP. This is called a "financial assessment".

If the Sponsor continues CACFP participation and owes $600 or more, ODE CNP will recuperate overpayments through the reimbursement claim process. If the Sponsor does not continue participation in the CACFP, ODE CNP will bill the Sponsor for funds owed. If owed funds are not paid, ODE CNP will collect funds through the Department of Revenue or the Department of Justice collection.

Costly errors that may result in a financial assessment could include:

- OMER errors
- Claiming meals for children who do not have current CACFP Child Enrollment forms on file
- Attendance records are incomplete or otherwise do not support meal counts
- Meal count records were incomplete or missing

- More than two meals and one snack or two snacks and one meal were claimed per participant per day
- Observed meals did not meet CACFP meal pattern requirements for components, portion size, or meal service style
- Meals with substitutions for required components were claimed without completed *Medical Statement for Food Substitutions forms* on file
- Menus did not document all required meal pattern food components
- Menu documentation does not demonstrate compliance with meal pattern requirements
- Milk study identified insufficient quantities of milk were served
- Food receipts did not support menus
- Required, supporting records were not maintained and available for review
- Inaccurate records

Sponsors may appeal financial assessments following the appeal procedure issued with the ODE CNP written notification. See *Appeal Procedures*.

Section D – Serious Deficiencies and Termination

If ODE CNP determines that the Sponsor is out of compliance in an area cited in the Federal regulations as a *Serious Deficiency* and/or the Sponsor is significantly out of compliance in a specific area or areas, ODE CNP will notify the program in writing that it is *Seriously Deficient* in the operation of the CACFP. Federal regulations governing *Serious Deficiency* in the operation of the CACFP use some specific terms not found in other places in this manual. The following terms apply to Serious Deficiencies and the *Seriously Deficient* process:

- *Institutions*: The entity (organization) that signs the agreement with the State Agency to operate the CACFP (*State Agency-Sponsor Agreement* -Located on the CNPweb packet page)
- *Responsible Principals*: The Sponsor's Authorized Representative, Food Program Coordinator, Financial Office Representative, the institution's Executive Director, Board Chair, For-Profit business owners, managers, officers, board members and any other Principals who were responsible for program operations or should have known about a *serious deficiency*.
- *Responsible Individuals*: Non-principal individuals (including volunteers and contractors) associated with the institution's operation of the CACFP who bear some responsibility for a *serious deficiency*

Following is the regulatory list of grounds for a *Seriously Deficient* determination. Sponsors, their Responsible Principals, and Responsible Individuals will be classified *Seriously Deficient* if any of the following occurs. Note that the regulation language specifies that the list is NOT exhaustive. Refer to CFR 226.6(c)(3)(ii) for the complete language. The following list briefly describes *Serious Deficiencies* for Participating Institutions:

(A) Submission of false information on the institution's application, including but not limited to a determination that the institution has concealed a conviction for any activity that occurred during the past seven years and that indicates a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency;

(B) Permitting an individual who is on the National disqualified list to serve in a principal capacity with the institution or, if a sponsoring organization, permitting such an individual to serve as a principal in a sponsored center or as a day care home;

(C) Failure to operate the Program in conformance with the performance standards set forth in paragraphs (b)(1)(xviii) and (b)(2)(vii) of this section;

(D) Failure to comply with the bid procedures and contract requirements of applicable Federal procurement regulations;

(E) Failure to return to the State agency any advance payments that exceeded the amount earned for serving eligible meals, or failure to return disallowed start-up or expansion payments;

(F) Failure to maintain adequate records;

(G) Failure to adjust meal orders to conform to variations in the number of participants;

(H) Claiming reimbursement for meals not served to participants;

(I) Claiming reimbursement for a significant number of meals that do not meet Program requirements;

(J) Use of a food service management company that is in violation of health codes;

(K) Failure of a sponsoring organization to disburse payments to its facilities in accordance with the regulations at § 226.16(g) and (h) or in accordance with its management plan;

(L) Claiming reimbursement for meals served by a for-profit child care center or a for-profit outside-school hours care center during a calendar month in which less than 25 percent of

the children in care (enrolled or licensed capacity, whichever is less) were eligible for free or reduced-price meals or were title XX beneficiaries;

(M) Claiming reimbursement for meals served by a for-profit adult day service center during a calendar month in which less than 25 percent of its enrolled adult participants were title XIX or title XX beneficiaries;

(N) Failure by a sponsoring organization of day care homes to properly classify day care homes as tier I or tier II in accordance with § 226.15(f);

(O) Failure by a sponsoring organization to properly train or monitor sponsored facilities in accordance with § 226.16(d);

(P) Use of day care home funds by a sponsoring organization to pay for the sponsoring organization's administrative expenses;

(Q) Failure to perform any of the other financial and administrative responsibilities required by this part;

(R) Failure to properly implement and administer the day care home termination and administrative review provisions set forth at paragraph (l) of this section and § 226.16(l);

(S) The fact the institution or any of the institution's principals have been declared ineligible for any other publicly funded program by reason of violating that program's requirements. However, this prohibition does not apply if the institution or the principal has been fully reinstated in, or is now eligible to participate in, that program, including the payment of any debts owed;

(T) Conviction of the institution or any of its principals for any activity that occurred during the past seven years and that indicates a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency; or,

(U) Any other action affecting the institution's ability to administer the Program in accordance with Program requirements.

Seriously Deficient Sponsors

ODE CNP will notify Sponsors in writing if they are Seriously Deficient in the operation of CACFP. A notice will be issued to the organization the *Responsible Principals* and *Responsible Individuals* associated with the *Serious Deficiency*. *Seriously Deficient* Sponsors and their *Responsible Principals* and *Responsible Individuals* will be issued a notice of *Serious Deficiency*. *Seriously Deficient* Sponsors will be provided with the opportunity to take corrective action. At the same time this notice of *Serious Deficiency* is issued, ODE CNP will add the Sponsor to the *Oregon*

Seriously Deficient List, together with the basis for the *Serious Deficiency* determination.

The *Serious Deficiency* notice will specify:

- The specific *serious deficiency(ies)*;
- Actions to be taken to correct the *serious deficiency(ies)*;
- Time allotted to correct the *serious deficiency(ies)*;
- The *Serious Deficiency* determination is not subject to administrative review (appeal);
- That failure to fully and permanently correct the *serious deficiency(ies*) within the allotted time will result in ODE CNP's proposed termination of the institution's agreement and the proposed disqualification of the institution and the Responsible Principals and Responsible Individuals; and
- That the institution's voluntary termination of its agreement with ODE CNP after having been notified that it is *Seriously Deficient* will still result in the institution's formal termination by ODE CNP and placement of the institution and its Responsible Principals and Responsible Individuals on the National Disqualified List.

Within approximately two weeks of the issuance of the notice of *Serious Deficiency* ODE CNP will provide technical assistance to assist the Sponsor in determining how to fully and permanently correct the *Serious Deficiencies*. Technical assistance will be provided in-person and/or via phone, mail, fax and E-mail.

Seriously Deficient Sponsors must develop and implement a written corrective action plan and submit it to ODE CNP. Additionally, the Sponsor must also submit any supporting documents required by ODE CNP. Both the corrective action and supporting documents must be submitted within the required time frame as outlined in the notice of *Serious Deficiency*.

Until corrective actions and any other requirements established by ODE CNP during the *seriously deficient* process are fully and permanently implemented the Sponsor may <u>not</u>:

- Add sites to its CACFP agreement;
- Sponsor other Child Nutrition Programs such as the Summer Food Service Program (SFSP); or
- Be granted approval of its yearly renewal application.

Serious Deficiency Temporary Deferral

When the written corrective action plan has been evaluated and approved, ODE CNP staff will conduct a follow-up review to determine if corrective actions have permanently and fully been implemented. If the follow-up review demonstrates compliance, ODE CNP will notify the Institution, the named Responsible Principals and Responsible Individuals that ODE CNP has *temporarily deferred* the *serious deficiency* determination. The Sponsor may continue its participation in the CACFP.

Proposed Suspension and Suspension

ODE CNP may propose to suspend the Sponsor-State Agency Agreement rendering the Sponsor temporarily ineligible to participate in the CACFP, including program payments. Suspension would be proposed and applied by ODE CNP pursuant to section 226.6(c)(5)(ii) of the CACFP regulations (7 CFR 226.6(c)(5)(ii)) *Notice of suspension, serious deficiency, proposed termination, and proposed disqualification.* This section outlines the two *Serious Deficiencies* in which ODE CNP would be required to suspend a Sponsor's participation in the CACFP:

- **Imminent threat to health or safety**— If State or local health or

  licensing officials have cited a Sponsor for a serious health or safety violation, the State must immediately suspend the Sponsor's CACFP participation. Or, if ODE CNP determines that there is an imminent threat to the health or safety of participants at a Sponsor's site, or that the Sponsor has engaged in activities that threaten the public health or safety, ODE CNP must immediately notify the appropriate State or Local licensing and health authorities and take action that is consistent with the recommendations and requirements of those authorities.

- **False or fraudulent claims—**If ODE CNP determines that an institution has knowingly submitted a false or fraudulent claim; ODE CNP may initiate action to suspend the Sponsor's agreement and must initiate action to terminate the Sponsor's agreement and initiate action to disqualify the Sponsor and the Responsible Principals and Responsible Individuals. ODE CNP is required to disallow the false or fraudulent claim(s).

When suspension is initiated, it is part of the *Serious Deficiency* process and is only temporary. Suspension does not mean termination. However, the State Agency is mandated to initiate proposed termination of the Sponsor's agreement, and initiate action to disqualify the Sponsor and Responsible Principals and Responsible Individuals prior to any formal action to revoke the Sponsor's licensure or approval. There is no corrective action available or opportunity for appeal before a suspension is issued.

ODE CNP is prohibited from paying any claims for reimbursement from a suspended Sponsor. However, if the suspended Sponsor prevails in the appeal of the proposed termination, ODE CNP must pay any claims for reimbursement for eligible meals served during the suspension period.

Review of Proposed Suspension

Sponsors may request a review of the proposed suspension of their Program participation. If a suspension review is requested, the suspension will not take effect until the suspension review official makes a decision on the request.

A suspension review must be requested in writing no later than 10 days after receiving the ODE CNP letter notifying the Sponsor of the proposed suspension. If the Sponsor fails to request a suspension review by this date, the Sponsor's request will be denied and the suspension will take effect.

Proposed Termination and Disqualification

ODE CNP will move to immediately propose to terminate the State Agency-Sponsor Agreement to participate in the CACFP and propose disqualification of the Institution, its Responsible Principals and Responsible Individuals without any further opportunity for corrective action in the following situations:

- If the responses to corrective actions from a *Seriously Deficient* Sponsor are not submitted or completed by the required due date; or,
- If at a future time ODE CNP identifies the Sponsor has not fully and permanently corrected the *serious deficiencies*

ODE CNP will notify the Sponsor of its intent to terminate the Sponsor-State Agency Agreement. The *Notice of Intent to Terminate and Disqualify* will specify:

1. ODE CNP is proposing to terminate the institution's agreement and to disqualify the Institution and Responsible Principals and Responsible Individuals;
2. The basis for the actions;
3. That, if the Institution voluntarily terminates its agreement after receiving the notice of proposed termination, the institution and Responsible Principals and Responsible Individuals will be disqualified;
4. The procedure for appeal of the proposed termination, and,
5. Unless participation has been suspended if the Sponsor appeals the Intent to Terminate, the sponsor may continue to participate and receive Program reimbursement for eligible meals served until the appeal is completed.

Reimbursement

ODE CNP will continue to pay any valid, unpaid claims for reimbursement for eligible meals

served until the program has not appealed the termination within the appeal timeframe, or if appealed, until the appeal outcome has been issued. If ODE CNP prevails in an appeal, ODE CNP will not continue making Program payments. If the Sponsor prevails in an appeal, ODE CNP may continue payments unless the appeal documents states otherwise. ODE CNP may request claims documentation prior to payment.

If the Sponsor does not submit an appeal, the agreement will be terminated on the date given by ODE CNP in the *Notice of Intent to Terminate*.

Consequences of Termination and Disqualification

Termination and disqualification from participation in the CACFP will result in the Institution, its Responsible Principals (board members, directors, officers, and key employees who should have known about the problems) and Responsible Individuals being prohibited from participation in the CACFP or the Summer Food Service Program in other Sponsoring organizations.

The Institution, the Responsible Principals and the Responsible Individuals are placed on the National Disqualified List, which is maintained by USDA, disqualifying all those listed from participation in the program anywhere in the United States for seven years or until removed from the list by USDA.

If an outstanding debt is owed to ODE CNP, the debt must repaid before a disqualified Institution, Responsible Principal or Responsible Individual can be removed National Disqualified list.

Section E – Appeals

Whenever ODE CNP takes an action that negatively affects payment or participation in the CACFP, the Sponsor has a right to appeal the decision. ODE CNP will send the official appeal procedure to Sponsors whenever an appealable determination is made.

Should Sponsors elect to exercise the right to appeal, they must follow the appeal procedure exactly and submit a written request within 15 calendar days from the date of the notice of the appealable action. The following determinations are appealable:

- Denial of an application for participation
- Denial of an application for a specific site
- Denial of all or part of a reimbursement claim
- Demand to submit a revised reimbursement claim
- Demand to recover an overpayment
- Proposed termination of CACFP participation
- Termination of one or more sites from CACFP participation
- Denial to forward to FNS an exception request for payment of a late claim

- Placement on the National Disqualified List

Not all actions are appealable. The following actions are not appealable:

- A determination of *Serious Deficiency*
- A requirement to correct a *Serious Deficiency*
- Imposing a cap on future growth of the Sponsor
- Being named individually in findings
- A finding that does not negatively affect payment

See *Appeal Procedures* for regulatory requirements governing appeals.

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CHAPTER 21 ADULT DAY SERVICES

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Section A – Overview

The goal of the CACFP with respect to adults is to enhance the health and well-being of all Adult Day Service Program participants by ensuring access to a wide variety of foods as part of a well-balanced nutritious diet.

Sponsors of Adult Day Service Programs must comply with all CACFP requirements except those which are superseded by the Adult Day Service Program-specific requirements found in this chapter.

The Adult Day Service Program is a subsection of the Child and Adult Care Food Program (CACFP) that is available to operators of non-residential day care facilities serving persons who are 60 years of age or older and functionally impaired adults. It is not necessary that the majority of the clients receiving care in the center be functionally impaired. Examples of types of Adult Day Service facilities that may participate in the CACFP are:

- Adult day service centers
- Support day care centers
- Adult day health centers
- Licensed Alzheimer's day care centers

CACFP eligibility requirements state that the adult CACFP sponsors must operate primarily to provide day care to non-residential elderly and disabled adults in order to avoid premature institutionalization. Simply providing services to frail and/or elderly adults (such as sheltered workshops, vocational or substance abuse rehabilitation centers, or social centers) does not meet CACFP requirements.

Section B – Eligibility Criteria

Sponsor Eligibility

The types of organizations serving non-residential functionally impaired or elderly adults that are eligible to participate in the CACFP are:

- Government organizations (public entities)
- Tribal authorities
- Private Non-Profit organizations
- Some For-Profit organizations that meet the For Profit criteria (See Chapter 18 for

more information on For-Profit Sponsors)

- Residential facilities that serve meals to enrolled adults who live in the community and attend the facility for day care.

Note: Individuals who reside in the facility *are not* eligible for participation

Eligibility criteria for Adult Day Service Program Sponsors to participate in the CACFP:

- Must provide non-residential group day care services to functionally impaired adults, or persons 60 years of age or older; or
- Must operate a community-based group program that is designed to meet the needs of the adult participants through individualized plans of care.

AND

- The day care program operated by the organization must be a structured, comprehensive program that provides a variety of health, social, and related support services to enrolled participants through an *individual plan of care*.
- Day care sites must meet health, sanitation and fire safety standards.

Participant Eligibility

Eligibility criteria for adult participants:

- Persons 60 years of age or older
- *Functionally impaired*, disabled adults
- Must reside in their own home or in the home of a family member, guardian, or other caregiver alone or with a spouse, children or guardian, or reside in a group home that is not a residential care facility.
- All participants under 60 years of age must have an individualized plan of care maintained for them by the Sponsor.

A *functionally impaired adult* means a chronically impaired disabled person 18 years of age or older, including victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction, who is physically or mentally impaired to the extent that his/her capacity for independence and ability to carry out activities of daily living is markedly limited. Activities of daily

living include, but are not limited to, adaptive activities such as cleaning, shopping, cooking, taking public transportation, maintaining a residence, caring appropriately for one's grooming or hygiene, using telephones and directories, or using a post office.

Marked limitations refer to the severity of impairment, and not the number of limited activities, and occur when the degree of limitation is such as to seriously interfere with the ability to function independently.

A *group home* means residential communities which may or may not be subsidized by Federal, state or local funds but which are private residences housing an individual or a group of individuals who are primarily responsible for their own care and who maintain a presence in the community but who may receive on-site monitoring.

Meals serve to the following adults are *not eligible for reimbursement*:

- "Drop-in" adults who eat meals at a center but are not enrolled to receive care at the center
- Meals served to center volunteers, regardless of age, who help with the meal service or other center activities unless they are actually enrolled at the center and meet CACFP eligibility requirements
- Participants who reside in a residential facility
- Individuals residing in an institution on a temporary basis for respite care, crisis intervention or other reasons

Licensing/Approval

Adult Day Service Centers must be licensed or approved by Federal, State, local authorities to provide adult day services. Tribal authorities are considered local authorities.

Non-Profit Food Service

Those centers receiving public funding are required to implement a financial management system which can show that other public funding is not being used to support CACFP meals.

Additionally, an Adult Day Service Center purchasing meals from other than clearly commercial vendors must make a determination that the meals they are receiving are not supported by other public funds. Such centers are encouraged to preserve other public funding for services they administer outside the meal service and not allow such funding to interfere with the integrity of their CACFP claims.

See Chapter 7 Non-Profit Food Service for additional financial accounting requirements.

Confidential Income Statements for Adult Participants

Adult Day Service Program Sponsors must determine participant eligibility categories of Free, Reduced-Price or Above-Scale similar to most other CACFP programs. Eligibility category determinations are made based on information provided by the participant on a *Confidential Income Statements (CIS)* except as noted below. Adult participants are categorically eligible to be counted in the Free category if the *CIS* documents that the participant:

- Is a member of a SNAP household;
- Receives Supplemental Security Income (SSI);
- Receives Medicaid/Oregon Health Plan); or
- Receives food assistance through the Food Distribution Program on Indian Reservations (FDPIR).

For applicants submitting income information on a *Confidential Income Statement* to determine eligibility, only the income of the participant, the participant's spouse and dependent children who reside with the participant must be included. A functionally impaired adult participant living with her/his parents or guardian is considered a household of one, and only the participant's income is used to determine eligibility.

Adult participants who are categorically Free-eligible must provide a SNAP or FDPIR case number or a SSI or Medicaid/Oregon Health Plan assistance identification number on the CIS. When a SNAP or FDPIR case number or SSI or Medicaid/Oregon Health Plan assistance identification number is provided on the CIS, the adult member signing the CIS is not required to provide ~~a~~ the last four digits of their social security number.

Exception to Using a CIS to Establish Free-Eligibility

In lieu of a current, signed CIS form, the Sponsor may establish the adult participant's categorical Free-eligibility based on information documented on the participant's center enrollment form when the following condition is met:

A legitimate benefit number for one of the benefit programs listed above must be documented on the enrollment form and the enrollment form must be dated and signed by the participant or the participant's guardian.

Q & A For Determining an Adult Participant's Eligibility Category:

1. If a participant receives Social Security disability benefits, does this qualify her/him categorically Free-eligible for purposes of developing the One Month Enrollment Report (OMER)?

   No. *Social Security disability benefits are not based on financial need like SSI benefits.*

2. If a participant is receiving both Supplemental Security Income (SSI) and Social Security disability benefits, is s/he categorically Free-eligible for purposes of developing the OMER?

   Yes. *Participants receiving SSI are categorically Free-eligible regardless of any other benefits they are receiving.*

3. If a potential participant is functionally impaired and cannot sign the *Confidential Income Statement* (*CIS*) for him/herself and a guardian is not available to sign the CIS, may a case manager at the Center sign the *CIS* form for the adult participant?

   Yes, *if the participant is categorically Free-eligible and the participant's file contains documentation of her/his categorical eligibility. This provision is to be used on a case-by-case basis. Sponsors may not use this method of approval for all participants. If the participant is not categorically Free-eligible, the CIS must be signed by the participant, the participant's guardian, or an adult household member.*

4. Who must provide the last four digits of their Social Security Number (SSN) on an income-based *CIS*?

   Applicants are required to submit the last four digits of the SSN of the primary wage earner responsible for the care of the participant. This could be the participant, or the participant's parent or guardian living in the participant's household.

See Chapter 3 Eligibility Determination for more information on *CIS*. Use Adult Day Service Program versions of the *Confidential Income Statement* form and *Letter to Households*.

One Month Enrollment Report

Adult Day Service Programs must develop a One Month Enrollment Report (OMER). See Chapter 4 The One Month Enrollment Report for more information on the OMER.

Adult Day Service Programs may use center enrollment records documenting categorical Free-eligibility in lieu of *Confidential Income Statements* when developing the OMER under the following circumstances:

- The participant is categorically Free-eligible based on receipt of SNAP, Supplemental Security Income (SSI), Medicaid/Oregon Health Plan or Food Distribution on Indian Reservations (FDPIR) benefits; and
- The center enrollment document is dated and signed by the participant or guardian; and
- The participant's name and their qualifying benefit number as documented on the enrollment form must be listed on the OMER roster.

Note: The required *CACFP Adult Day Care Enrollment Roster* form is provided for Sponsors using center enrollment documentation to establish Free eligibility.

Section C – Record Keeping Requirements

Adult Day Service Programs in CACFP must maintain all general record keeping requirements stipulated in this manual including the following:

- Enrollment document for each adult participant that shows the participant is enrolled in the center;
- Records on the age of each enrolled participant;
- Records that each participant under the age of 60 meets the functional impairment eligibility requirements established under the definition of *functionally impaired adult* found in Section B of this chapter;
- Records which document that qualified Adult Day Service Program participants reside in their own homes (whether alone or with spouses, children, or guardians) or in group living arrangements; and
- Records of individual care plans for each enrolled functionally impaired participating adult.

Section D – Reimbursable Adult Meals

Reimbursement may be claimed for up to two meals and one snack, or two snacks and one meal for each eligible adult participant each day. Meals claimed for reimbursement must meet CACFP menu pattern and meal service requirements, and Sponsors must maintain records documenting reimbursable meals. See Chapter 5 Enrollment, Attendance & Meal Count Records and Chapter 6 Reimbursement Claims for more information on recording and claiming reimbursable meals.

Adult Meal Requirements

All adult meals must meet the following requirements:

- Meals must meet USDA meal pattern requirements for Adults (See the *Adult Meal Pattern Chart Below*)
- Meals may be prepared on site or transported to the site from a central kitchen at another site in the organization.

- Meals may be purchased from a vendor when the vendor signs a *Vended Meal Agreement* *(on the CNPweb packet page*) with the Sponsor. See Chapter 14 Procurement for more information on vended meals.
- Meals must be served in a congregate setting.

The adult meal pattern for reimbursable meals is made up of the same four meal components as those described in Chapter 8 Meal Service Requirements:

- Grains/Breads
- Meat/Meat Alternate
- Vegetable/Fruit
- Milk.

The *Adult Meal Pattern Chart* (below) lists the minimum required quantity (number of servings and serving size) of each meal pattern component that must be offered to all participants for each meal type served. See Chapter 8 Meal Service Requirements for more information on general requirements for reimbursable meals, crediting foods, medical exceptions to the meal pattern, special situations, and styles of meal service.

USDA Child and Adult Care Food Program

Adult Meal Pattern

Menus must be planned to serve all of the required servings of meal components to all participants at each meal. If Sponsor allows the *Offer Versus Serve* option, participants may decline some offered items, as described below.

Meal Type →	Breakfast	Lunch	Supper	Snack / Supplement
Reimbursable Meals using *Offer Versus Serve* (*OVS*) option	*Participant must take 3 of 4 servings offered*	*Participant must take 4 of 6 servings offered*	*Participant must take 3 of 5 servings offered*	*No OVS allowed. At least 2 of 4 components must be served & participants must take all components served*
Required Meal Components				
1. Milk — ***Required Servings*** → 1 serving is: • 8 oz. fluid milk (pasteurized dairy milk--lowfat, skim, whole, or buttermilk)	***1 serving***	***1 serving***	***Optional***	***1 serving***
2. Vegetables/Fruit — ***Required Servings*** → 1 serving is: • 1/2 cup fruit • 1/2 cup full-strength fruit juice • 1/2 cup vegetable • 1/2 cup full strength vegetable juice	***1 serving*** 	***2 servings of 2 different items* to total 1 cup***  *Only one serving may be juice	***2 servings of 2 different items* to total 1 cup***  *Only one serving may be juice	***1 serving***
3. Grains /Breads — ***Required Servings*** → 1 serving is: • 1/2 cup cooked cereal • 3/4 cup or 1 oz. dry cereal whichever is less • 1 slice enriched or whole grain bread • 1 serving of biscuits, rolls, cornbread, or muffin • 1/2 cup cooked rice, macaroni, or noodles • 1/2 cup other shape pasta	***2 servings =***  OR **1 cup** 	***2 servings =***  OR **1 cup** 	***2 servings =***  OR **1 cup** 	***1 serving =***  OR **½ cup**
4. Meat /Alternate — ***Required Servings*** → 1 oz. cooked lean meat, poultry or fish is equal to: • 1 oz. cheese or 1/4 cup cottage cheese • 1/4 cup cooked dry beans or peas • 2 tbsp. peanut butter or other nut/seed butters • 1 oz. peanuts, soynuts, tree nuts or seeds (*Nuts and seeds can be used for only 50% of the meat/alternate requirement at lunch and supper*) • 4 oz. or 1/2 cup yogurt—plain, sweetened, or flavored • 1/2 egg	***Optional***	***1 serving = 2 oz. total*** 	***1 serving = 2 oz. total*** 	***1 serving = 1 oz. total*** 

Cheese can be used as a substitute for milk in any meal or snack as long as fluid milk is included in *one other meal or snack* on the same day. It is not necessary for fluid milk to be served as part of a reimbursable meal as long as the sponsor documents that milk was served on the same day. Use cheese in the quantities listed below to meet the meal pattern requirements for fluid milk.

An eight-ounce serving of fluid milk can be substituted with:

- *One and one-half ounces of natural cheese, or*
- *Two ounces of processed cheese*

Cheese *cannot* be credited for both the milk and meat/meat alternate component groups in a single meal.

Frozen yogurt and other yogurts *are not* creditable milk substitutes.

Other substitutions for milk must be supported by a *Medical Statement for Food Substitutions* in order to be claimed for reimbursement.

Medical Exceptions to the Meal Pattern

Sponsors of Adult Day Service Programs must follow the medical exceptions to the meal pattern guidance outlined for CACFP Sponsors in Chapter 8 Meal Service Requirements. Sponsors **must** provide food substitutions for participants who are disabled if they provide the completed *Medical Statement for Food Substitutions* signed by a licensed physician. Sponsors **may** provide food substitutions for participants who are not disabled if they provide the completed Medical Statement for Food Substitutions Form completed and signed by a recognized medical authority. Recognized medical authorities are identified in Chapter 8 Meal Service Requirements.

Participants may submit *Parent/Guardian Written Request for Non-Dairy Beverage Substitution* form to request in writing non-dairy milk substitutions ***that are nutritionally equivalent to milk*** without providing a medical statement. Contact your assign Child Nutrition Specialist for an approved list of non-dairy milk substitutes.

Ordering from a Central Kitchen or Vendor

When the Sponsor is ordering food from a central kitchen or from a vendor and has a significant number of Program participants at the feeding site with documented medical needs for smaller portions, the following policy *may* apply, Contact your assigned Child Nutrition Specialist if you have additional questions:

Sponsors of adult day service centers may order less food than the amount needed to provide at least minimum meal pattern quantities of all components for all participants at the site under the following circumstances:

- The Sponsor is using restaurant-style meal service; and,

- Valid *Medical Statements for Food Substitutions* forms are on file for specific participants prescribing portions smaller than required by the CACFP adult meal pattern.
- *The medical statement will be considered invalid if the dietary restriction and food substitution are not clearly described. For example, if the dietary restriction is simply stated as, "smaller portions", the medical statement would be considered invalid. An example of valid dietary restriction statement would be:*
- *Foods to be omitted: "Full serving sizes of each component."*
- *Foods to be substituted: "½ serving sizes of each component. Offer additional food if participant will take more."*

Offer Versus Serve (OVS) Option

Under the normal meal service for Adult Day Service Programs, participants are *served* at least the minimum required servings of every meal pattern component and participants must take the complete meal, as served, in order for the Sponsor to claim the meal for reimbursement.

At the discretion of the Adult Day Service Program Sponsor, participants may be permitted to decline a certain number of servings offered without affecting the reimbursement for the meal. This provision is called "offer versus serve" (OVS).

Under OVS, all meal pattern component servings in the correct serving sizes must be *offered*, but the participant can decline up to 1 serving of any meal pattern component item for breakfast, and up to two servings of any meal pattern component items for lunch or supper.

The participant must, however, take full portions of the remaining meal pattern component servings in order for the Sponsor to claim the meal for reimbursement. The OVS provision is detailed on the *Adult Meal Pattern Offer Versus Serve Requirements* chart below.

Sponsors must be approved by ODE to use OVS in the Adult Day Service Programs before implementing this meal service style.

Adult Meal Pattern Offer Versus Serve Requirements

MEAL	CENTER MUST OFFER:	ADULT MAY DECLINE:
Breakfast	1 serving of milk 1 serving of vegetable and/or fruit 2 servings of grain/bread	1 serving any item
Lunch	1 serving of milk 2 servings of vegetable and/or fruit 2 servings of grain/bread 1 serving (2 oz.) of meat/meat alternate	2 servings any items
Supper	2 servings of vegetable and/or fruit 2 servings of grain/bread 1 serving (2 oz.) of meat/meat alternate	2 servings any items
Snack	2 of the four components must be served. (If meat/meat alternate is served as one of the components, only 1 oz. serving is required.)	None

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CHAPTER 22 VACANT

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CHAPTER 23 FORMS AND RESOURCES

Please see the Oregon Department of Education, Child Nutrition Programs website for current forms and resources.

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CHAPTER 24 PRICING PROGRAMS

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Sponsors who plan to charge separately for meals (Pricing Program Sponsors) must

comply with all CACFP requirements found in the *USDA CACFP Center Manual*, except those superseded by the specific requirements for Pricing Programs found in this chapter. There are significant additional requirements for record keeping and administrative oversight that need to be carefully considered by a CACFP sponsor that is considering operation under the Pricing Program regulations.

Section A - Overview

Pricing Programs, like non-pricing programs, receive CACFP reimbursement for meals and snacks based on the percentage of participants who are categorized as Free, Reduced-Price, or Above-Scale on the One Month Enrollment Report. See Chapter 4 The One Month Enrollment Report for more information on the percentage reimbursement method.

Charging for meals

A Pricing Program charges participants for meals unless the participant qualifies for Free meals. Participants not eligible for Free meals may be eligible for Reduced-Price meals. Pricing Program Sponsors may not charge participants eligible for Reduced-Price meals more than the following amounts specified by USDA:

- $0.30 for Breakfast
- $0.40 for Lunch or Supper
- $0.15 for Snack

Sponsors may charge participants not eligible for Free or Reduced-Price meals the full price for meals and snacks.

Sponsors who operate Pricing Programs must have an approved *Pricing Program Policy Statement for Free and Reduced-Price Meals.(Located on CNPweb packet page)* The policy statement is submitted to ODE CNP for approval with the *CACFP State Agency-Sponsor Agreement* (*Located on CNPweb packet page)* during initial application. It is resubmitted for approval each year with the annual renewal. Sponsors of pricing programs will use the ODE CNP template *Pricing Program Policy Statement for Free and Reduced-Price Meals(Located on CNPweb packet page)*. At a minimum, the *Pricing Program Policy Statement for Free and Reduced-Price Meals* must include:

- The name, title, and address of a designated hearings official (this person must be someone not involved in the original eligibility determination)
- The specific criteria to be used in determining a participant's eligibility for Free or Reduced-Price meals
- The method used to distribute and collect *Confidential Income Statements Centers—charging for meals (CIS)* forms and *Letters to Households—Pricing*

Centers

- The method used to collect meal payments from Free- and Reduced-Price-eligible participants that protects the anonymity of the participants' eligibility status
- An assurance that the institution has an appeal procedure when Pricing Program benefits are denied or terminated
- A description of the institution's hearing procedure
- An assurance of no overt identification of Free and Reduced-Price meal recipients
- An assurance of no discrimination based on protected classes as defined by USDA and the State of Oregon
- An assurance that the institution's Reduced-Price meal and snack fees will not exceed the USDA maximum allowed amounts for breakfast, lunch or supper, and snacks.

Section B - Determining Free and Reduced-Price Eligibility

Pricing Programs must distribute *CIS* forms together with the *Letter to Households—Pricing Centers* to all participants at the time of their enrollment. ODE CNP distributes current year versions of these forms and letters annually to Pricing Program Sponsors.

Participants who enroll and are determined eligible for Free or Reduced-Price meals must receive their meals free or at a reduced-price, as applicable. See Chapter 3 Eligibility Determination for more information on *CIS* forms and determining eligibility for Free or Reduced-Price meals.

In Pricing Programs, in addition to distributing the *CIS* and *Letter to Households—Pricing Centers* forms at the beginning of the Program year, participants who enroll after the October One Month Enrollment Report (OMER) has been developed and submitted to ODE CNP must be given a *CIS* and *Letter to Households—Pricing Centers* form to complete. The completed *CIS* is submitted to the Pricing Program Sponsor who uses the information provided to determine the household's eligibility for Pricing Program benefits. The Sponsor must determine the enrollee's eligibility for Free or Reduced-Price meals and must notify the enrollee's household of the eligibility determination.

A *CACFP Child Enrollment Roster* or *CACFP Adult Enrollment Roster* listing all enrolled participants and their eligibility categories (Free, Reduced-Price or Above-Scale) must be maintained every month the Sponsor claims meals for reimbursement.

The Sponsor's unique reimbursement rate is based on the Free, Reduced-Price and Above-Scale percentages developed for the OMER submitted in October each year. The claiming percentages and unique reimbursement rate do not change when new participants enroll unless the Pricing Program is approved by ODE CNP to update the Center's OMER. If the Sponsor wants to request an OMER change due to a significant number of new enrollees, the Sponsor should submit a written request to assigned Child Nutrition Specialist for approval along with a copy of the new OMER to validate the change in Free, Reduced Price and Above Scale totals.

Section C - Household Notification of Benefits Determination

Within 10 days of receipt of a completed *CIS*, Pricing Programs must notify the applicant's household, in writing, using the *Pricing Program Notification Letter* of the results of the eligibility determination. Whenever Free or Reduced-Price benefits are denied, the applicant's household must also be notified in the letter of their right to appeal the determination by including the ODE CNP-approved Pricing Program's hearing procedure with the *Pricing Program Notification Letter.*

When the Sponsor determines a participant is ineligible for Free or Reduced-Price benefits, the reason for ineligibility should be properly documented and retained on file.

When a household is denied benefits, the written notice must include:

- The reason for denial of benefits (for example, household income greater than *USDA Income Eligibility Guidelines* or incomplete *CIS* submitted)
- Notification of the right to appeal
- Instructions on how to appeal
- The name, title, and address of the hearings official listed in the Sponsor's *Pricing Program Policy Statement for Free and Reduced-Price Meals*
- A reminder that parents/guardians or adult participants may reapply for Free or Reduced-Price benefits at any time during the year.

Section D - Appeal Procedure

A household that wishes to appeal the denial of Free or Reduced-Price meal benefits in a Pricing Program may do so under the hearing procedures as outlined in the Sponsor's *Pricing Program Policy Statement for Free and Reduced-Price Meals*. Prior to initiating the hearing procedure, the household may request a conference to discuss the situation, present information, and obtain an explanation of the information submitted or the decision rendered. The request for a conference may not prejudice or diminish the household's right to a fair hearing.

If a hearing is requested by a household denied Free or Reduced-Price benefits, the Sponsor must promptly schedule a fair hearing. The hearing must be scheduled with consideration for convenience to the household and adequate notice must be given to the household as to the time and place of the hearing.

Section E - Verification Procedure

Federal regulations require ODE CNP to conduct verification of eligibility for Free and Reduced-Price benefits in Pricing Programs once every four years. ODE CNP conducts verification of the income information provided on a sample of *CIS* approved for Free or Reduced-Price meal

benefits in Pricing Programs.

The verification procedure is as follows:

1. ODE CNP contacts the Pricing Program Sponsor and requests a list of all participants who receive Free or Reduced-Price meals

2. ODE CNP selects a sample of the participants

3. The Sponsor submits to ODE CNP the addresses of the selected participants and copies of the participants' approved *CIS* forms

4. ODE CNP sends a letter to each of the selected participant households informing the household that they have been selected for verification and that they are required to submit verification information to confirm their eligibility for Free or Reduced-Price benefits by a deadline set by ODE CNP, in order to continue to receive Free or Reduced-Price meal benefits. The letter contains contact information for an ODE CNP Child Nutrition Specialist who can answer questions and assist the household in the verification effort, if assistance is needed.

The verification selection letter for Child Care Centers asks the household to submit:

- Social Security numbers of all adult members of the household and documentation showing the household income; or,
- Documentation that the child is a member of a currently certified SNAP, TANF household or receive FDPIR

The verification letter for Adult Day Service Centers asks the household to submit:

- Social security numbers of all adult members of the household and documentation showing the household income; or,
- Documentation that the adult participant is a member of a currently certified food stamp or FDPIR household; or,
- Documentation that the adult participant is currently certified to receive SSI or Medicaid benefits.

5. Once documentation is received from the household and reviewed, ODE CNP sends a letter to the household informing them of the verification outcome. The verification process results in one of two outcomes:

   - The household eligibility to receive Free or Reduced-Price meal benefits as approved by the Sponsor is verified and benefits will continue unchanged; or,
   - Free or Reduced-Price benefits are denied or reduced based on
   - documentation submitted by the household. If benefits are denied or reduced, the household is notified of their right to appeal the decision.

6. If the household refuses to cooperate with efforts to verify, ODE CNP will require the Pricing Program Sponsor to terminate Free or Reduced-Price eligibility. ODE CNP will send the uncooperative household a letter terminating Pricing Program benefits and notifying the household of their right to appeal the decision.

7. ODE CNP sends a letter to the Sponsor summarizing the results of the verification process and listing eligibility changes to be made, if any.

8. If a household appeals the verification decision, the participant must continue to receive Free or Reduced-Price meal benefits during the appeal process up until the hearing official renders a final decision.

9. The decision of the hearing official is final. No other appeal recourse is available to participants.

Section F - Public Media Release Statement

Federal regulations require a public media release annually to local news media serving the area from which Pricing Programs draw their attendance. ODE CNP submits a statewide public release to the news media at the beginning of the fiscal year for all currently participating Pricing Program Sponsors.

Sponsors approved to operate a Pricing Program after October 1 (after ODE CNP has published its annual public news release) must submit a public media release to the local news media within their Center's attendance area.

The public media release must include:

- The current USDA Income Eligibility Guidelines
- The availability of Free or Reduced-Price meals to participants meeting the approved eligibility criteria
- The approved USDA non-discrimination statement
- *For Child Care Centers:* the media release must include a statement that participants who are members of households receiving SNAP, TANF or FDPIR are automatically eligible to receive Free meal benefits
- *For Adult Day Service Centers:* the media release must include a statement that adult participants who are members of SNAP or FDPIR households or who are receiving SSI or Medicaid benefits are automatically eligible to receive Free meal benefits.

Sponsors are not required to pay for publication of the release and there is no requirement for the media to publish the news release. Sponsors fulfill their responsibility by providing the news release to the media.

Pricing Program Sponsors who begin operations mid-year should document their compliance with the public media release requirement by keeping a copy of the news release submitted to the local media with date(s) sent and name(s) of media to whom it was mailed.

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