

# CACFP MONITORING REQUIREMENT

**Jefferson County Child Development Council, Inc.**

# Introduction

- The USDA's Food and Nutrition Service (FNS) administers CACFP at the national level. Within each State, the Program is administered by the State Department of Education or another agency designated by the State.
- A sponsor prepares monthly meal reimbursement claims and oversees the operations of the homes under its sponsorship. Sponsors are required to monitor all homes under their sponsorship to ensure providers are in compliance with meal pattern, recordkeeping, and other Program requirements.

# About this training module.....

- This training is meant to give you, the FDCH participant, a general working knowledge of the CACFP and your duties and responsibilities for continued participation.



# About the Regulations.....

- CACFP is administered at the Federal level by Food and Nutrition Services (FNS). FNS develops program regulations and policy that State agencies and Program participants are required to follow.
- Program regulations are published in Title 7, Part 226 of the Code of Federal Regulations (CFR). Throughout the training, we have provided citations to the regulations, so that you know where the requirement came from. The regulations are available online at: <http://www.fns.usda.gov/cnd/care/Regs-Policy/Regulations.htm>.

# Definitions.....

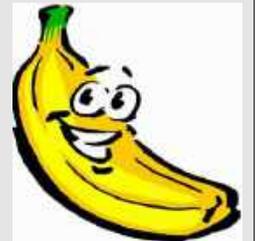
- The Child and Adult Care Food Program (CACFP) is a federally funded program that provides payments for eligible meals served to participants who meet age and income requirements. This handbook is for monitors of family day care homes (FDCHs).
- A FDCH is an organized nonresidential childcare program for children, generally 12 years of age or younger, operated in a private home, and licensed or approved to provide care. In order to participate in CACFP, FDCHs must enter into an agreement with a sponsoring organization (“sponsor”).



# How FDCH Providers Join CACFP?



- To participate in CACFP, FDCH providers are required to work with a CACFP sponsor. Sponsors, in turn, have agreements with the State agency that administers the CACFP (for example, the State Department of Education or Department of Human Services). Sponsors accept all administrative and financial responsibility for operating the Program in the homes they sponsor. They also collect and maintain all necessary program records and prepare and submit a combined monthly reimbursement claim for all of their sponsored homes. Sponsors then receive monthly meal reimbursements from the State agency that they then pass to their sponsored homes to help pay for meals served to eligible children in care.



# How does CACFP help FDCH Providers?

- The CACFP helps FDCH providers serve well-balanced, nutritious meals to the children in their care. Meals served by participating providers must meet minimum guidelines set by the U.S. Department of Agriculture (USDA). Serving nutritious meals helps improve and maintain the health and nutritional status of children in day care and can help young children develop good eating habits.



# JCCDC's role as a Sponsoring Organization

1. Prepares monthly meal reimbursement claims
2. Oversees of the operations of the homes under its sponsorship
3. Sponsors are required to monitor all homes under their sponsorship to ensure providers are in compliance with meal pattern, recordkeeping, and other Program requirements.



**SPONSORSHIP**

# Why Monitoring ?

- Effective monitoring is necessary for many reasons. Monitoring ensures that homes operate according to Program guidelines and that accurate records are available to justify reimbursement for properly served meals. Just as important, monitoring ensures that children are receiving nutritious meals.



# The monitoring review process.....

- FDCH providers must be reviewed onsite at least three times per year. Two of the three annual reviews must be unannounced and must be conducted during the home's regular hours of day care operation. No more than six months may pass between reviews. An attempted review, such as when a provider is not home, does not count toward one of the three required reviews [7 CFR §226.16(d)(4)(iii)].



# Pre-approval Visits.....



- Sponsors must make pre-approval visits to homes that wish to participate in the Program. During the pre-approval visit, the monitor must discuss Program benefits and requirements and make sure that the FDCH provider is capable of providing the proposed food service [7 CFR §226.16(d)(1)].

# New Facilities

- FDCHs that are new to CACFP must be reviewed at least once during the first four weeks of Program operations. During this review, you should go over the primary Program topics such as meal counts, recordkeeping, and the meal pattern requirements. This discussion helps lessen the possibility of critical errors that could result in meal disallowances [7 CFR §226.16(d)(4)(iii)(C)].

# My Plate Planner

A Healthy Meal Tastes Great



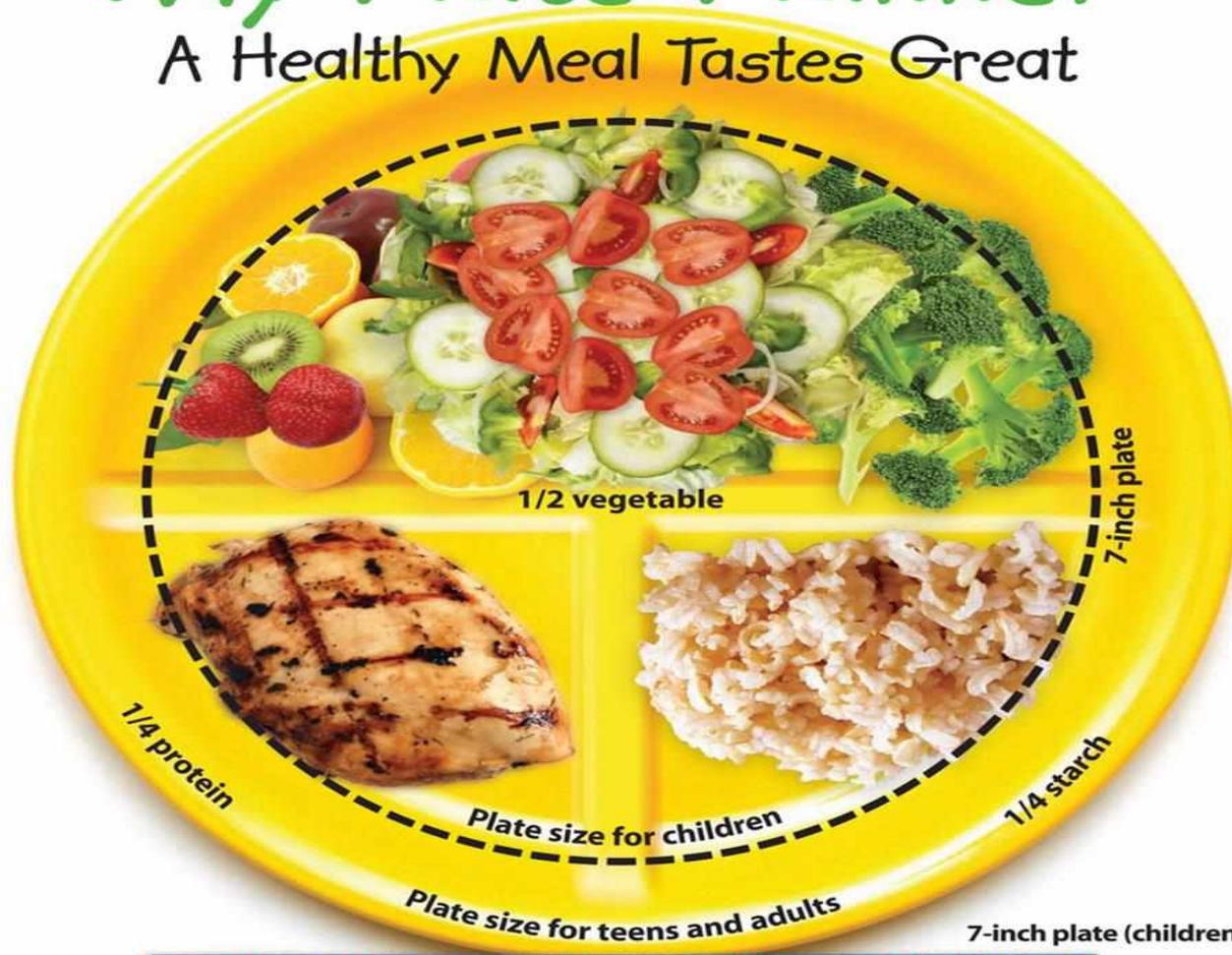
6oz.  
Fat-free or  
1% milk



The plate method is a simple way to learn healthy portion sizes.

Just split the plate into 3 parts, the largest part for vegetables.

Note to adults planning meals for smaller children: Remember to use a smaller plate or serve smaller portions if you don't have different plate sizes.



Your hand can help you measure the right amount of food to eat. Use your hand to measure out portions



**Palm of Hand**  
Amount of Lean Meat



**A Fist**  
Amount of Rice, Cooked Pasta, or Cereal



**A Thumb**  
Amount of Cheese



**Thumb Tip**  
Amount of Peanut Butter

Note to adults preparing meals for children: Use your child's hand to measure portion sizes.



# Meal Service Review

- At least one of the unannounced reviews must include observation of a meal service (this is in addition to the completion of all Review Elements required by 7 CFR §226.16(d)(4)(i). You need to make sure that the children are being fed nutritious meals in clean surroundings [7 CFR §226.16(d)(4)(iii)(B)].

# Meal service review. What you should know.....



During a meal service review, you should make sure:



- the food served matches your menu;



- the meal meets the CACFP meal pattern requirements



- any substitutions – foods that are not included on the original menu – are documented by you;



- portion sizes are appropriate for the age of the children; and



- the meal service begins and ends at the correct time.

# 5-Day Reconciliation Process

Selection of 5-day period: The immediate 5 prior operating days or any set of 5 consecutive days within current and/or last claim period

- The day of the monitoring visit will be excluded from selected 5-day period
- Each of 5 days must have meal counts recorded for all meal types typically claimed. If not, another 5-day period with fully recorded meal counts.
- **Meals will be disallowed when meal counts are not recorded.**

# Record-Keeping Process



# Record-Keeping

As a sponsored home you are required to keep the following documentation which will be reviewed during all monitoring visits. For all reviews, you are expected to have your CACFP paperwork up to date and readily available.

- Documentation of current license or approval;
- menus;
- each child's enrollment form;
- daily records of the number of children in attendance; and
- daily records of the number of meals, by type, served to enrolled children.



# Record Retention

As these records support actual claims, they must be kept for three years after the date of submission of the final claim for the fiscal year to which they pertain.

Records can be kept in hard copy or electronic format, provided that they are readily available.



# Enrollment Forms

- At the time of enrollment in the FDCH and before any childcare is provided, a record (often called an enrollment form) for each child must be created, signed by the parent or guardian, and retained by the provider.
- Only the parent or guardian may sign the enrollment form; it may not be signed by you.
- Enrollment forms verify that you, as a FDCH provider serve meals to children enrolled for care and prevent someone from claiming meals for children who do not exist or are not enrolled in the day care home [7 CFR §226.18(e)].



# Enrollment form continued.....

The form must be signed annually by a parent or guardian of the child and must include the following information:

- the child's name and date of birth;
- the hours of the day and days of the week that childcare is to be provided; and
- the meals that will be served to the child.

# Enrollment Forms continued.....

- Enrollment forms are valid for an entire 12-month period. This means that enrollment forms that were filled out last October are good through October 31st of this year. If you have enrollment forms that are more than a year old, you must update them immediately.



# Attendance Records

- Records supporting the daily attendance of the children receiving care must be kept and should record the time that the child is normally in care.

<b><u>SAMPLE: Provider FDCH Attendance Record</u></b>								
Provider Name		Month/Year		Number of Operating Days/Week				
Licensed Capacity								
	Enrollment		Attendance					
Child Names:	Day(s) attended	Time	Day 1	Day 2	Day 3	Day 4	Day 5	
#1								
#2								
#3								
#4								
#5								
#6								
#7								
#8								
Total								

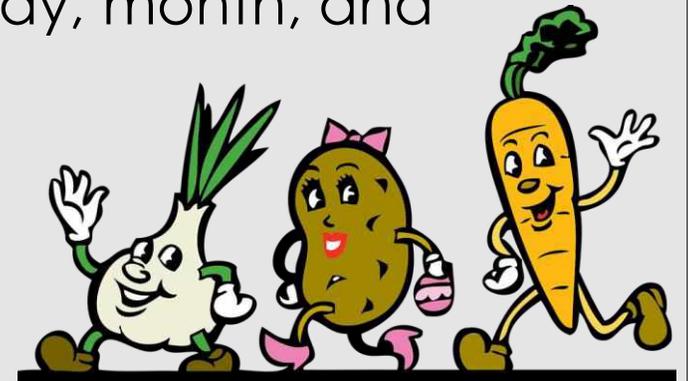
# Daily Meal Count Records

- Daily meal count records must contain the number of meals served to enrolled children at each meal type – breakfast, lunch, supper, or snack [7 CFR §226.16(4)(ii)].

<b><u>SAMPLE: Provider FDCH Meal Count Record</u></b>																							
Provider Name				Month /Year				Number of Operating Days/Week															
<b>Meal Service Time</b>																							
<b>Breakfast:</b>				<b>AM Snack:</b>				<b>Lunch:</b>				<b>PM Snack:</b>				<b>Supper:</b>				<b>Evening Snack:</b>			
Enrolled Children	Name			Age			Name			Age			Name			Age							
Date	A*	B	A	L	P	S	E	A*	B	A	L	P	S	E	A*	B	A	L	P	S	E		
1																							
2																							
3																							
4																							
5																							
<b>Total</b>																							
	A*	B	A	L	P	S	E	A*	B	A	L	P	S	E	A*	B	A	L	P	S	E		
<b>A* = Attendance</b>																							

# Menu Records

- Daily menu records must be kept for all children and infants who participate in the Program. The menus must:
  - clearly list all food components, as required by CACFP regulations, for each type of meal to be served (breakfast, lunch, supper and snack); words like “bread, bread alternate, meat, meat alternate, vegetable, fruit or juice” without the specific description of the foods items to be served (such as banana slices) is not acceptable.;
  - list the food items that are to be served, including any substitutions;
  - clearly show the specific date of use, including the day, month, and year; and
  - be available for all parents and guardians to see.



# Provider Classification – Tier I

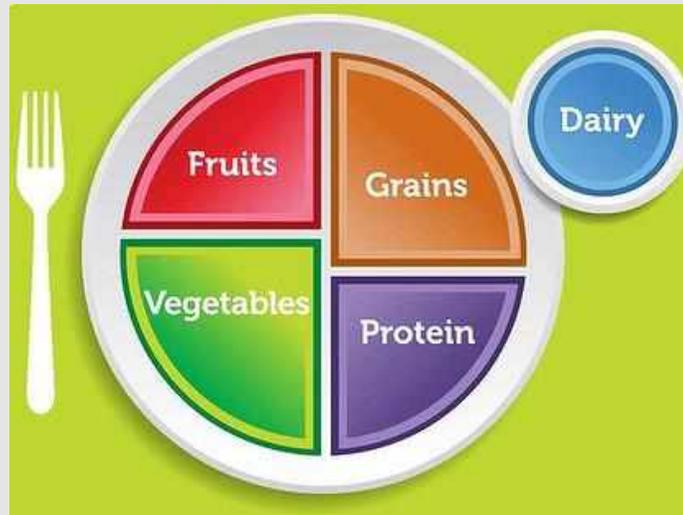
- FDCHs participating in the CACFP are classified as tier I homes either by location of the home in an eligible area, or by the provider's income. After a home has been classified as tier I, all CACFP meals served to enrolled children are reimbursed at tier I rates regardless of the income of the enrolled child's household. However, if the tier I classification is based on area eligibility, you must still submit an income eligibility statement in order to receive reimbursement for meals served to your own children.

# Provider Classification – Tier II

- A tier II FDCH is one that does not meet the criteria for classifying an FDCH as tier I. That is, it is not located in an eligible area, nor is the provider's household income eligible. Tier II FDCHs (those that do not qualify to receive the higher tier I rates) may still receive tier I rates for those children enrolled in their care who are individually determined to be eligible for tier I reimbursement.

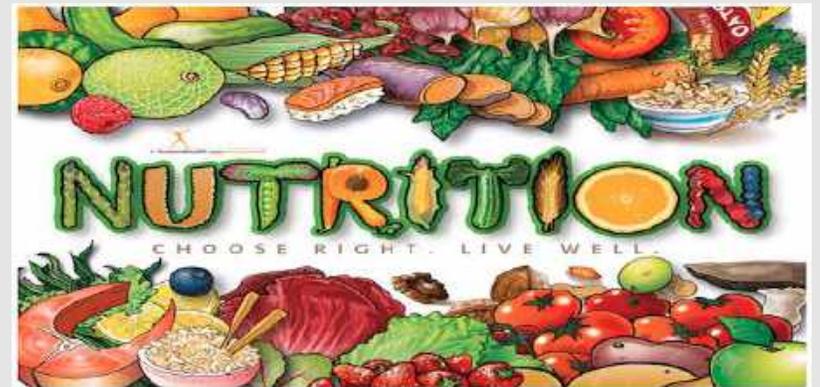
# Meal Pattern Requirements

- The meal pattern requirement is a listing of food components that are required to be served to the children participating in CACFP. Only meals that meet meal pattern requirements and are served to enrolled children may be claimed for reimbursement [7 CFR §226.20].



# FDCH Serious Deficiency Process

- A serious deficiency is when an FDCH is non-compliant with one or more areas of CACFP (see below). If it is determined that a FDCH provider has committed one or more serious deficiencies, it will be documented. You will receive written notice of the serious deficiency(ies) and will have an opportunity to take corrective action [7 CFR §226.16(I)].



# An FDCH provider is seriously deficient if she/he:

- submitted false information on the application;
- submitted false claims for reimbursement;
- participated simultaneously under more than one sponsor;
- failed to comply with the CACFP meal pattern requirements for a significant number of meals;
- failed to keep required records;



# Serious deficiency process continued...

- engaged in conduct or created conditions that threatened the health or safety of a child(ren) in care or the public health and safety;
- was convicted (or concealed a conviction) of any activity that occurred during the past seven years and that indicated a lack of business integrity (e.g., fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, or obstruction of justice),
- failed to participate in training; or
- participated in any other circumstance related to non-performance under the agreement with the sponsor [7 CFR §226.16(l)(1)].

# Corrective Action Process

- If it is determined that one or more of the serious deficiencies listed above, have been determined you will be issued a notice of serious deficiency(ies) and given an opportunity to take corrective action.
- A corrective action must clearly address the identified problems and outline the steps you will take to fully and permanently correct the deficiency. That is, the corrective action must address the following questions:
  - Who will be responsible for making sure the deficiency is corrected?
  - What will be done to correct the problem?
  - How often will this be done – that is frequency: daily, weekly, monthly, etc.?
  - When will this be done?
  - How will the FDCH practices be revised to address the deficiency?

# Suspension

- The provider's main priority is to protect the health and safety of the children in care. Through monitoring, if it is determined that there is an imminent threat to the health or safety of participants at your day care home, or that your day care home has engaged in activities that threaten the public health or safety, you will be suspended. This means that you will not receive payment until any Program-appeal activity is completed.



# Appeals

- If timely corrective action is not taken to fully and permanently correct the serious deficiency(ies) cited, a notice proposing to terminate your FDCH's agreement for cause will be issued. If this action is taken, you will have an opportunity for an administrative review (appeal) of the proposed termination.
- During this appeal period, any claims for reimbursement for eligible meals served will be paid to you until the serious deficiency(ies) is corrected or your day care home's agreement is terminated, including the period of any appeal.

# Agreement Termination and Disqualification

- JCCDC will immediately terminate your FDCH provider agreement and disqualify you when the appeal official upholds the termination and disqualification, or when your opportunity to request an appeal expires. At the same time the notice is issued, JCCDC will provide a copy of the termination and disqualification letter to the State agency in accordance with [7 CFR §226.16(l)(3)(iii)].



# Question and Answers



# Questions and Answers

If a family has more than one child, may a provider use a combined sign in/out sheet?

No. Daily attendance records must be kept by child not by family.

# Questions and Answers

When doing a five-day reconciliation, are meal counts reconciled with enrollment forms, attendance data, or both?

In all five-day reconciliations, meal counts must be compared to both enrollment and attendance records.

# Questions and Answers

Why do providers have to keep copies of records if sponsors already have them?

The CACFP regulations require that each day care home keep records of each child's enrollment and daily records of the number of children in attendance and the number of meals, by type, served to enrolled children. While sponsors may keep duplicate records, maintaining records on site at the FDCH ensures that records are available for review when a monitor or auditor arrives at the home and helps the provider make sure that reimbursements from the provider are accurate.

# Questions and Answers

Does the requirement to oversee “all meal services being claimed” mean that, if a facility claims breakfast, lunch, and a PM snack, the sponsor’s three required reviews of that facility must occur during each of the different meal services being claimed?

No. The requirement to oversee “all meal services being claimed” does not require a sponsor to annually conduct reviews of each of the meal services being claimed at each facility. As long as, in the total of all reviews it conducts for its sponsorship, the sponsor provides roughly proportional oversight of all types of meal services being claimed, the sponsor has met its responsibilities under 7 CFR §226.16(d).

# Questions and Answers

Does the CACFP meal pattern allow for variations to accommodate dietary needs, such as vegetarian?

Yes. CACFP recognizes differences in individual diets and provides alternatives to meat within the child meal patterns. For example, the child's lunch/supper requirement includes a meat (defined as meat, poultry, or fish) or a meat alternate. Variations can be made here because meat alternates include cheese, egg, cooked dry beans or peas, peanut or other nut or seed butters, nuts and seeds, or yogurt.

# Questions and Answers

During a review, the sponsor issues a finding that is not a serious deficiency, but that requires the home to take corrective action. Can the provider discontinue their participation in CACFP without any action by the sponsor?

Yes, the home can terminate its agreement with the sponsor “for convenience” at any time, provided that the sponsor has not declared the provider seriously deficient.

# Questions and Answers

Does the CACFP meal pattern allow for variations to accommodate participants who cannot eat certain foods because of religious reasons?

Yes. In many cases substitutions to accommodate religious dietary restrictions can be made within existing meal pattern requirements. In those cases, providers may make such adjustments as needed. If religious dietary restrictions need additional accommodation, sponsors may request that alternate meal patterns be allowed by submitting a letter to the State agency or to the FNS Regional office that administers the program [7 CFR §226.20(i)].

# Questions and Answers

Is there a grace period for new day care homes that are not meeting meal pattern or other requirements in the early months of participation?

No. CACFP regulations do not provide for claiming grace periods to new (or existing) homes that fail to serve reimbursable meals. Although errors, such as serving meals with missing components, may not rise to the level of a serious deficiency, the ineligible meals must always be disallowed [CACFP 05-2009, Meal Disallowance Policies for Family Day Care Homes in Child and Adult Care Food Program (CACFP), March 31, 2009].

# Questions and Answers

Is an infant meal reimbursable if the iron-fortified infant formula is supplied by the parent or guardian?

Yes. Reimbursable meals for infants may contain either breast milk or iron-fortified infant formula, or both. Infant formula may be supplied by the caregiver or by the parent. However, the meal must be served and fed to the infant by the caregiver [CACFP 2003, Reimbursement of Infant Meals in the Child Nutrition Programs, April 28, 2003].

# Questions and Answers

During a review, the sponsor discovers conduct or conditions that pose an imminent threat to the health or safety of participating children or the public. Must the sponsor wait until local licensing or health authorities revoke a license or to take any specific action before a FDCH is suspended from participating in CACFP?

No. If an imminent threat to the health or safety of participants at an FDCH has been cited, or if an FDCH has engaged in activities that threaten the public health or safety, the sponsoring organization must immediately suspend the home's CACFP participation prior to any formal action to revoke the home's licensure or approval.

# Questions and Answers

Some of the reasons for declaring a home seriously deficient are broad, such as “non-compliance with the meal pattern.” Does that mean that any provider who makes a single error in menu planning must be declared seriously deficient?

No. Monitors and sponsors should use discretion in determining whether a provider’s problems rise to the level of serious deficiency. However, “sponsor discretion” does not mean keeping providers in the Program at all cost. To appropriately use this discretion, monitors and sponsors must be able to distinguish between occasional errors and systemic errors, and between minor errors and major errors.

# Resources

Building for the Future Notice This notice describes CACFP, its eligibility requirements and the types of meals that can be served. English version: <http://www.fns.usda.gov/cnd/care/Publications/pdf/4Future.pdf>. Spanish version: <http://www.fns.usda.gov/cnd/care/Publications/pdf/Build4Future.pdf>.

CACFP Required Meal Patterns

[http://www.fns.usda.gov/cnd/care/programbasics/meals/meal\\_patterns.htm](http://www.fns.usda.gov/cnd/care/programbasics/meals/meal_patterns.htm)

Code of Federal Regulations <http://www.gpoaccess.gov/cfr/>

Feeding Infants: A Guide for Use in the Child Nutrition Programs

[http://www.fns.usda.gov/tn/Resources/feeding\\_infants.html](http://www.fns.usda.gov/tn/Resources/feeding_infants.html)

Food and Nutrition Service (FNS) The Food and Nutrition Service administers the Child and Adult Care Food Program on the Federal level. [www.fns.usda.gov](http://www.fns.usda.gov)

